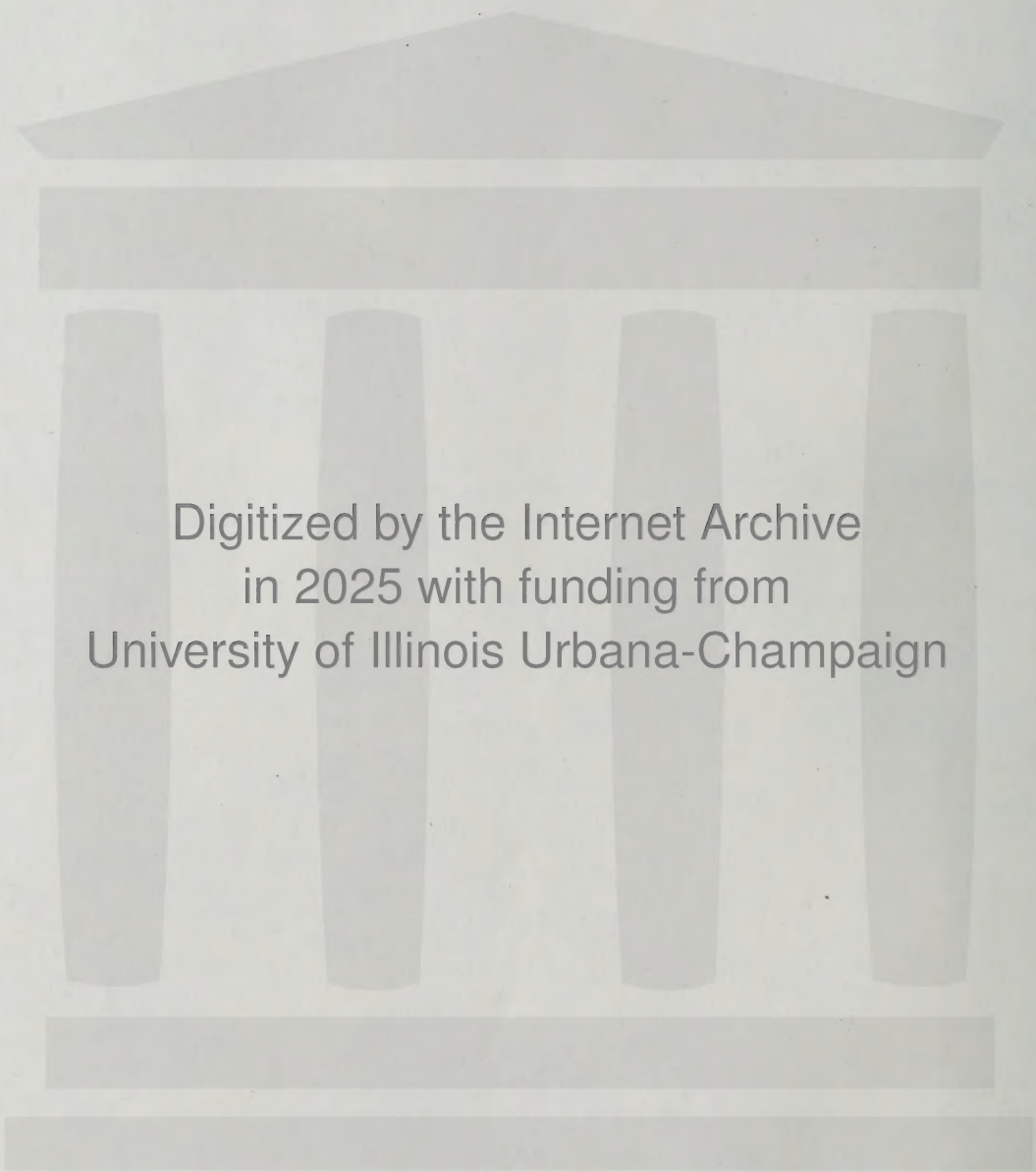


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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, JANUARY 1, 1957. No. 1.

SENATE

TUESDAY, JANUARY 1, 1957, 12:00 o'clock, m.

This being the day and hour fixed by the Constitution for the meeting of the General Assembly, the Members of the Senate, together with the Senators-elect, chosen at the last general election held on November 6, 1956, assembled in the Senate Chamber.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) called the Senate to order at twelve o'clock m.

PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D. D., Pastor of Market Square Presbyterian Church, Harrisburg, offered the following prayer:

Let us pray.

O God, Who in Thy providence hast led us down the pathway of the years until we now stand in this place at this hour, we bless Thee for Thy never failing mercies and Thine all encompassing goodness to us and to our land. When we look back with eyes of faith, we can see Thy hand in our destiny. How great Thou art and how good Thou hast been to us, O God most holy.

While others have been called out of the marching columns of humanity and have passed into the land beyond the sunset, Thou hast kept us here and brought us to this hour, for Thou hast work for us to do and a purpose for us to fulfill. To that purpose we would dedicate ourselves this day, and for that work we ask Thy strength and Thy guidance. As we enter this New Year, we would enter it with renewed faith in Thee; we would reverence Thy power, worship Thy wisdom, adore Thy justice, be gladdened by Thy love and directed by Thy spirit.

Look now, we beseech Thee, upon this Senate assembled and upon each of these Senators individually. As they face magnificant opportunities and mountainous problems, help them to know they need not face them alone; that they ought not, that they dare not, if they are to be worthy of their high calling. Give them humility that looks to Thee in faith, courage that faces hard duty unflinchingly, patience when the going is hard. Give them strength to work as if they would live forever. Give them grace to live as if they would die tomorrow. Give them love that is patient and kind, that is not arrogant or boastful. In all things may they find in Thee a helper Who never fails, that they may serve the people worthily and well in this high calling.

Bless our Country, O Lord; prosper the Commonwealth and bring peace among the nations, we pray in the name of the Prince of Peace and the Master of Men, even Jesus Christ, our Lord. Amen.

PRESENTATION OF ELECTION RETURNS

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms of the Senate.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to introduce the Secretary of the Commonwealth, the Honorable James A. Finnegan.

The PRESIDENT. Will the Secretary of the Commonwealth come to the Bar of the Senate?

Mr. FINNEGAN. Mr. President, I have the honor to present the official returns of the general election held on November 6, 1956, at which certain members of this body were elected, as well as the official returns of the election of the Auditor General and State Treasurer of this Commonwealth.

The PRESIDENT. Thank you, Mr. Secretary.

ELECTION RETURNS FOR AUDITOR GENERAL AND STATE TREASURER LAID ON THE TABLE

The PRESIDENT. The returns of the election for Auditor General and State Treasurer of the Commonwealth of Pennsylvania are laid on the table.

RETURNS OF ELECTION OF SENATORS

The PRESIDENT. The Chief Clerk will read the returns of election of Senators, and the Clerk of the Senate will act as tellers.

FIRST SENATORIAL DISTRICT

County	Anthony J. Di Silvestro D.	Joseph A. Mina R.
Philadelphia	57,949	36,430

THIRD SENATORIAL DISTRICT

County	Peter J. Camiel D.	George H. Wilson R.
Philadelphia	15,627	9,245

FIFTH SENATORIAL DISTRICT

County	Israel Stiefel D.	Harry Aaron Rubin R.
Philadelphia	28,577	17,573

SEVENTH SENATORIAL DISTRICT

County	Charles R. Weiner D.	Edward T. Quinn R.
Philadelphia	48,045	18,510

NINTH SENATORIAL DISTRICT

County	Charles J. Hepburn, Jr. D.	G. Robert Watkins R.
Delaware	84,382	137,985

ELEVENTH SENATORIAL DISTRICT

County	Frank W. Ruth D.	Thomas P. Stults R.	Darlington Hoopes, Jr. Soc.
Berks	50,004	47,936	611

THIRTEENTH SENATORIAL DISTRICT

County	Lee Work D.	Edward J. Kessler R.
Lancaster	18,953	44,225

FIFTEENTH SENATORIAL DISTRICT

County	Henry E. Harner D.	M. Harvey Taylor R.
Dauphin	36,923	52,126

SEVENTEENTH SENATORIAL DISTRICT

County	Irvin H. Kauffman D.	Thomas A. Ehrgood R.
Lancaster	10,213	21,393
Lebanon	12,721	19,941
Totals	22,934	41,334

NINETEENTH SENATORIAL DISTRICT

County	Clarence A. Kulp D.	Thomas P. Harney R.	Jean B. Darlington Ind.
Chester	20,668	41,676	4,199

TWENTY-FIRST SENATORIAL DISTRICT

County	Martin L. Murray D.	Frank Flynn R.
Luzerne	40,075	38,911

TWENTY-THIRD SENATORIAL DISTRICT

County	Charles D. Armstrong D.	Albert E. Madigan R.
Bradford	6,239	14,290
Susquehanna	5,111	9,669
Wyoming	2,450	5,427
Totals	13,800	29,386

TWENTY-FIFTH SENATORIAL DISTRICT

County	James W. O'Mara D.	James S. Berger R.
McKean	5,738	13,833
Potter	2,486	4,834
Tioga	3,556	10,341
Totals	11,780	29,008

TWENTY-SEVENTH SENATORIAL DISTRICT

County	George A. Deitrick D.	Samuel B. Wolfe R.
Northumberland	23,216	22,206
Snyder	2,726	6,240
Union	2,620	5,771
Totals	28,562	34,217

TWENTY-NINTH SENATORIAL DISTRICT

County	Walter F. Jones D.	Paul L. Wagner R.
Schuylkill	34,218	48,210

THIRTY-FIRST SENATORIAL DISTRICT

County	Joseph J. McIntosh D.	Geo. N. Wade R.
Cumberland	15,926	26,671
Juniata	3,103	3,830
Mifflin	5,658	7,858
Perry	4,081	6,713
Totals	28,768	45,072

THIRTY-THIRD SENATORIAL DISTRICT

County	Charles M. McGee D.	Douglas H. Elliott R.
Adams	7,433	10,892
Franklin	12,373	17,669
Totals	19,806	28,561

THIRTY-FIFTH SENATORIAL DISTRICT

County	John J. Haluska D.	Ernest F. Walker R.
Cambria	42,217	45,494

THIRTY-SEVENTH SENATORIAL DISTRICT

County	Francis J. Mottey D.	Arthur E. Kromer R.
Indiana	12,227	16,998
Jefferson	7,845	11,647
Totals	20,072	28,645

THIRTY-NINTH SENATORIAL DISTRICT

County	John H. Dent D.	Carl M. Anderson R.
Westmoreland	76,035	62,108

FORTY-FIRST SENATORIAL DISTRICT

County	Harry F. Pepper D.	Albert R. Pechan R.
Armstrong	13,119	19,292
Butler	16,387	22,995
Totals	29,506	42,287

FORTY-THIRD SENATORIAL DISTRICT

County	Joseph M. Barr D.	James F. Coyne R.
Allegheny	42,460	29,719

FORTY-FIFTH SENATORIAL DISTRICT

County	H. A. Beggs Snyder D.	Frank Kopriver, Jr. R.
Allegheny	92,230	120,418

FORTY-SEVENTH SENATORIAL DISTRICT

County	John Carl Miller D.	J. Frank Kelker R.
Beaver	41,108	33,162
Lawrence	22,435	21,676
Totals	63,543	54,838

FORTY-NINTH SENATORIAL DISTRICT

County	Albert P. Vicks D.	C. Arthur Blass R.
Erie	40,237	47,055

Whereupon, the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania:

First District - Anthony J. DiSilvestro
Third District - Peter J. Camiel
Fifth District - Israel Stiefel
Seventh District - Charles R. Weiner
Ninth District - G. Robert Watkins
Eleventh District - Frank W. Ruth
Thirteenth District - Edward J. Kessler
Fifteenth District - M. Harvey Taylor
Seventeenth District - Thomas A. Ehrgood
Nineteenth District - Thomas P. Harney
Twenty-first District - Martin L. Murray
Twenty-third District - Albert E. Madigan
Twenty-fifth District - James S. Berger
Twenty-seventh District - Samuel B. Wolfe
Twenty-ninth District - Paul L. Wagner
Thirty-first District - George N. Wade
Thirty-third District - Douglas H. Elliott
Thirty-fifth District - Ernest F. Walker
Thirty-seventh District - Arthur E. Kromer
Thirty-ninth District - John H. Dent
Forty-first District - Albert R. Pechan
Forty-third District - Joseph M. Barr
Forty-fifth District - Frank Kopriver, Jr.
Forty-seventh District - John Carl Miller
Forty-ninth District - C. Arthur Blass

ADMINISTRATION OF OATHS OF OFFICE

The PRESIDENT. The next order of business will be the administration of the oaths of office to the newly elected Senators.

The oath of office will be administered to the Republican Senators-elect by the Honorable William H. Neely, President Judge of the Court of Common Pleas of Dauphin County. The oath of office will be administered to the Democratic Senators-elect by the Honorable Eustace H. Bane a former Member of this Senate and now Judge of the Court of Common Pleas of Fayette County.

The Chair invites the Honorable William H. Neely to the rostrum and the Republican Senators-elect who are to be sworn in by Judge Neely will present themselves in front of the rostrum.

(Oath of office administered accordingly.)

The PRESIDENT. The Chair now invites the Honorable Eustace H. Bane to the rostrum and the Democratic Senators-elect who are to be sworn in by Judge Bane will present themselves in front of the rostrum.

(Oath of office administered accordingly.)

The PRESIDENT. The Chair wishes to thank Judge Neely and Judge Bane for administering the oaths of office.

NOTIFICATION OF SPECIAL CEREMONY

The PRESIDENT. The Chair wishes to announce at this time that the oath of office was administered in the Senate Chamber to the Honorable George J. Sarraf of the Thirty-eighth Senatorial District, and the Honorable Thomas J. Kalman, of the Thirty-second Senatorial District, at a Special Ceremony on the seventeenth day of December 1956.

The transcript of these proceedings will be entered in the Legislative Journal as a Supplement.

QUORUM PRESENT

The PRESIDENT. The Clerk will call the roll to determine if a quorum is present.

The Clerk called the roll and the following Senators were present:

Third District—Peter J Camiel
Fifth District—Israel Stiefel
Sixth District—Martin Silvert
Seventh District—Charles R. Weiner
Eighth District—Wm. Vincent Mullin
Ninth District—G. Robert Watkins
Tenth District—Edward B. Watson
Eleventh District—Frank W. Ruth
Twelfth District—Henry J. Propert

Thirteenth District—Edward J. Kessler
Fourteenth District—William Z. Scott
Fifteenth District—M. Harvey Taylor
Sixteenth District—John T. Van Sant
Seventeenth District—Thomas A. Ehrgood
Eighteenth District—Joseph J. Yosko
Nineteenth District—Thomas P. Harney
Twentieth District—Harold E. Flack
Twenty-first District—Martin L. Murray
Twenty-second District—Hugh J. McMenamin
Twenty-third District—Albert E. Madigan
Twenty-fourth District—Miles R. Derk
Twenty-fifth District—James S. Berger
Twenty-sixth District—George B. Stevenson
Twenty-seventh District—Samuel B. Wolfe
Twenty-eighth District—Harry E. Seyler
Twenty-ninth District—Paul L. Wagner
Thirtieth District—Charles R. Mallery
Thirty-first District—Geo. N. Wade
Thirty-second District—Thomas J. Kalman
Thirty-third District—Douglas H. Elliott
Thirty-fourth District—Jo Hays
Thirty-fifth District—Ernest F. Walker
Thirty-sixth District—J. Irving Whalley
Thirty-seventh District—Arthur E. Kromer
Thirty-eighth District—George J. Sarraf
Thirty-ninth District—John H. Dent
Fortieth District—Robert D. Fleming
Forty-first District—Albert R. Pechan
Forty-second District—Bernard B. McGinnis
Forty-third District—Joseph M. Barr
Forty-fourth District—Theodore H. Schmidt
Forty-fifth District—Frank Kopriver, Jr.
Forty-sixth District—W. J. Lane
Forty-eighth District—Leroy E. Chapman
Forty-ninth District—C. Arthur Blass
Fiftieth District—Rowland B. Mahany

The PRESIDENT. Forty-six Senators having answered to their names, a quorum is present. The Chair now rules that the Senate is properly prepared to proceed with the consideration of business.

STATEMENT BY MINORITY LEADER

Mr. DENT. Mr. President, I would like to advise that two of our colleague, Senator DiSilvestro and Senator Miller, are absent from today's Session on account of illness.

GREETINGS EXTENDED TO MEMBERS OF THE SENATE AND THEIR GUESTS

The PRESIDENT. As President of the Senate, I am very happy to welcome the Members of the Senate, their families and friends to this assembly today.

REMARKS BY PRESIDENT OF THE SENATE, LIEUTENANT-GOVERNOR ROY E. FURMAN

LIEUTENANT-GOVERNOR ROY E. FURMAN. Two years ago I began my duties as the Presiding Officer of this Senate. It was my privilege on that occasion to address the Members of this body for the first time.

I said then that it was my desire to serve the people of our Commonwealth to the best of my ability, and that it was my intention to preside diligently, fairly and in accordance with parliamentary procedure.

I hope I can say today that I accomplished those objectives. If so, much of the credit rightfully belongs to the Members of this Senate. I shall continue during this current Session to carry out my duties and my responsibilities in the same manner.

Today, we begin a new Session of the Legislature, the One Hundred Forty-second, and we start a new calendar year. The fact that it is a double beginning makes this an exceptional occasion for contemplation of our future.

In the past, this Senate has solved many problems for the good of the Commonwealth. Today, we are confronted with greater ones.

The strength required to accomplish our task if found in our two party system of government. Although diverse, and at times divergent in viewpoint, it is a guarantee that legislation will receive full discussion and consideration. From disagreement, we can progress toward eventual agreement and cooperation.

Willingness to work together will enable the Senate to do its part in providing legislation that is needed for the benefit of all the people of our Commonwealth.

Among the problems we face today are many that are perennial. They are a part of our inheritance.

Other and newer ones awaiting solution are outgrowths of Pennsylvania's importance as a State. In many ways these newer problems can be considered part of the price of our position as a great industrial State.

The number and the complexity of our problems are proof of our own advancement.

We are experiencing a rising population, an expanding economy and an increasingly complex social structure. We must keep pace with these changes. They demand a continual expansion of services by the State Government if we are to maintain our progress and our position among the States.

Most of the newer problems that confront us are the result of these changes, which characterizes a healthy and expanding Commonwealth.

Our problems must be faced squarely. They must and can be solved. By our action there will be progress by the Government of which we are a part, and for the success of which we have an obligation.

Problems and progress go together. When we consider problems and challenges to our ingenuity, our foresight, our courage, our devotion and our willingness to work together, we are embarked on the course that leads ultimately to progress through the overcoming of obstacles.

Progress has been made annually toward improved governmental services for the general welfare of Pennsylvania's citizens. The continuation of such progress will depend in large measure upon the extent of our legislative action.

In order for our government to provide adequate services it must constantly strive to improve its structure and facilities. It must operate in a businesslike manner. It must always be attentive and responsive to the needs of its citizens.

We must be ever mindful of the need to encourage the economic development of our State. We must seek, in so far as possible, to provide for the wise use of our natural resources. Beyond this we must always keep in mind our greatest resource—the individual citizens of this Commonwealth. We must constantly be aware of their social and economic welfare.

Neither States nor individuals are able to content themselves with solving only their own problems, important as those problems appear to be.

We are a part, and a very important part, of a Nation that has become a leader among nations.

We are today engaged in an economic, moral, and spiritual conflict with those who would destroy all that we cherish.

We must be strong as a Nation, as a State and as individuals if we are to fulfill our destiny. Our task here, in these Senate Halls, will be to strive through wise legislation to do all in our power to keep this Commonwealth strong and healthy.

With faith in Divine guidance for the tasks of this Session, we can attain moral and spiritual convictions and strength.

With these convictions and strengths, this Senate can mould a course toward the ultimate objective of all government, which is the greatest good for the greatest number.

ELECTION OF PRESIDENT PRO TEMPORE

The PRESIDENT. The next order of business before the Senate is the election of the President pro tempore.

Mr. CHAPMAN. Mr. President and Members of the Senate, this is a very important Session of the Pennsylvania Legislature. It is equally important that we, in this Senate, have harmonious and competent leadership during the 1957 Session, particularly in view of the mandate of the people at the last election.

I, therefore, Mr. President, deem it a privilege and an honor to place in nomination the name of the Honorable M. Harvey Taylor for the office of President pro tempore of the Senate of Pennsylvania, who, from experience and with sound judgment, will bring about the required results.

Mr. MALLERY. Mr. President and my fellow colleagues, I have the honor and the privilege of seconding the nomination of the Honorable M. Harvey Taylor for the office of President pro tempore of the Senate.

Senator Taylor is the youngest man in this Senate in spirit, and he is greatly beloved by all of the Members of the Senate who have had the pleasure of sitting here in the Senate with him.

Mr. LANE. Mr. President and Members of the Senate, I quite agree with Senator Chapman that this Session of the Legislature is going to be very important to the people of Pennsylvania. It is, therefore, a great honor and a privilege for me to present to you the name of a man who has served in this Body for over two decades, a man who for the past twelve years has stood at this desk and fought our legislative fights, knowing full well, on most occasions, that defeat was inevitable. Mr. President, I am speaking for our great Minority Leader, Senator John H. Dent, who we feel and know is a man among men, a man who is a firm believer that right will prevail over might. He is a man who will disagree but, at the same time, one who is not disagreeable. He is a man who we feel will reach high places.

Therefore, Mr. President and Members of the Senate, it is indeed an honor for me to present to you the name of the gentleman from Westmoreland County, the Honorable John H. Dent.

Mr. RUTH. Mr. President and Members of the Senate, exactly on this date, twenty-two years ago, as Majority Leader in the House of Representatives, I had the great privilege of welcoming Senator Dent as a freshman Member of the House. It did not take long to recognize his ability, his courage, his leadership. One of his outstanding qualities that I found in these twenty-two years of work with him is that Senator Dent does not forget his friends.

I deem it almost a sacred privilege, at this time, to rise and second the nomination of the Honorable John H. Dent.

The PRESIDENT. Are there any further nominations?

NOMINATIONS CLOSED

Mr. WATSON. Mr. President, I move that the nominations for the office of President pro tempore of the Senate be closed.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. On the election of the President pro tempore, the Chief Clerk will call the roll, and the clerks of the Senate will act as tellers. The candidates are the Honorable M. Harvey Taylor, of Dauphin County, and the Honorable John H. Dent, of Westmoreland County.

The roll was called and resulted as follows:

FOR MR. TAYLOR—27

Berger,	Fleming,	Mallery,	Wagner,
Blass,	Harney,	Pechan,	Walker,
Chapman,	Kessler,	Propert,	Watkins,
Dent,	Kopriver, Jr.,	Scott,	Watson,
Ehrgood,	Kromer,	Stevenson,	Whalley,
Elliott,	Madigan,	Van Sant,	Wolfe,
Flack,	Mahany,	Wade,	

FOR MR. DENT—19

Barr,	Lane,	Ruth,	Stiefel,
Camiel,	McGinnis,	Sarraf,	Taylor,
Derk,	McMenamin,	Schmidt,	Weiner,
Hays,	Mullin,	Seyler,	Yosko,
Kalman,	Murray,	Silvert,	

The PRESIDENT. The Honorable M. Harvey Taylor, having received twenty-seven votes, and the Honorable John H. Dent, having received nineteen votes, the Chair declares the Honorable M. Harvey Taylor duly elected President pro tempore of the Senate of Pennsylvania.

VOTE MADE UNANIMOUS

The PRESIDENT. The Chair now recognizes the Minority Floor Leader.

Mr. DENT. Mr. President and Members of the Senate, we have always known that there are two sure things in life, death and taxes. I add to those the third thing, and that is the results of this election.

I rise at this time, Mr. President, to move that the vote by which the Honorable M. Harvey Taylor was elected President pro tempore of the Senate of Pennsylvania be made unanimous.

Mr. BARR. Mr. President, I second the motion

The motion was agreed to.

COMMITTEE APPOINTED TO ESCORT PRESIDENT PRO TEMPORE-ELECT TO THE ROSTRUM

The PRESIDENT. The Chair takes pleasure in naming as the Committee to Escort the President pro tempore-elect to the rostrum: the gentleman from Warren, Mr. Chapman; the gentleman from Blair, Mr. Mallery; and the gentleman from Westmoreland, Mr. Dent.

The committee will proceed in the performance of its duty.

(Whereupon, the President pro tempore-elect was escorted to the rostrum of the Senate.)

ADMINISTRATION OF OATH OF OFFICE TO PRESIDENT PRO TEMPORE

The PRESIDENT. The oath of office will be administered to the newly elected President pro tempore by the Honorable William H. Neely, President Judge of the Court of Common Pleas of Dauphin County.

(The oath of office was administered accordingly.)

REMARKS BY THE PRESIDENT PRO TEMPORE

Mr. TAYLOR. Mr. President and Members of the Senate, I appreciate this honor very much. I think it is an exceptional honor to be elected President pro tempore of this Body. I pledge to you that I will give to the office my honest and conscientious attention. I will respect the strength of the majority and I will defend the rights of the minority.

With that promise I again thank you.

ELECTION OF SECRETARY OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of the Secretary of the Senate.

Mr. WATKINS. Mr. President, Members of the Senate and Guests, today it gives me a great deal of pleasure to place in nomination the name of the Honorable Albert H. Letzler for the office of Secretary of the Senate.

Senator Letzler is a former Member of this great Senate, having served for sixteen years. He served with credit, honor and distinction.

Mr. WATSON. Mr. President, I am very happy to second the nomination of Senator Albert H. Letzler for the office of Secretary of the Senate.

Mr. DENT. Mr. President, I second the nomination of Senator A. H. Letzler for the office of Secretary of the Senate.

The PRESIDENT. Are there any further nominations?

NOMINATIONS CLOSED

Mr. SCOTT. Mr. President, I move that the nominations for the office of Secretary of the Senate be closed.

Mr. VAN SANT. Mr. President, I second the motion.

The motion was agreed to.

On a voice vote, Honorable A. H. Letzler received forty-six votes, and was declared unanimously elected Secretary of the Senate.

ELECTION OF CHIEF CLERK OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of the Chief Clerk.

Mr. KESSLER. Mr. President, I rise to nominate for the office of Chief Clerk of the Senate a man who through eighteen years of legislative experience has proven to be a good friend to all of us. He is a man of unquestioned integrity, honesty and sagacity, a man to whom most of us have turned in the past for advice, regardless of our political affiliation, a man who as Chief Clerk can continue to give his valuable service to this Senate.

It is a genuine privilege, Mr. President, for me to nominate the Honorable G. Graybill Diehm.

Mr. EHRGOOD. Mr. President, it is with great pleasure that I second the nomination of former Senator G. Graybill Diehm for the office of Chief Clerk of the Senate.

As my predecessor in the Seventeenth Senatorial District, I know that everyone in this Senate Chamber appreciates the tremendous value that he was in past years.

Mr. DENT. Mr. President, on behalf of the Democratic Caucus, I rise to second the nomination of the Honorable G. Graybill Diehm for the office of Chief Clerk of the Senate.

The PRESIDENT. Are there any further nominations?

NOMINATIONS CLOSED

Mr. SCOTT. Mr. President, I move that the nominations for the office of Chief Clerk of the Senate be closed.

Mr. VAN SANT. Mr. President, I second the motion.

The motion was agreed to.

On a voice vote, Honorable G. Graybill Diehm received forty-six votes, and was declared unanimously elected Chief Clerk of the Senate.

ELECTION OF SENATE LIBRARIAN

The PRESIDENT. The next order of business before the Senate is the election of the Senate Librarian.

Mr. MALLERY. Mr. President and Members of the Senate, I take great pleasure in nominating for Senate Librarian my friend for many years, who considers himself a friend of every Member of the Senate, Charles L. Lathero.

Mr. BARR. Mr. President, I deem it a pleasure to second the nomination of Charles L. Lathero for the office of Senate Librarian, and I agree with everything that my colleague, Senator Mallery, has said.

To a man who has served the men on both sides of the aisle with faith and fidelity, I want to second the nomination of Charles L. Lathero, of Altoona, for Senate Librarian.

Mr. STEVENSON. Mr. President, I take extreme pleasure in "thirding" the nomination of Charles L. Lathero as Librarian of the Senate.

The PRESIDENT. Are there any further nominations?

Mr. SCOTT. Mr. President, I move that the nominations be closed.

Mr. VAN SANT. Mr. President, I second the motion.

The motion was agreed to.

On a voice vote, Honorable Charles L. Lathero received forty-six votes, and was declared unanimously elected Senate Librarian.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. The Chair wishes to announce that the Honorable G. Graybill Diehm is not present at this time. He is on his way to Harrisburg from his home in Lancaster.

OATH OF OFFICE ADMINISTERED TO SECRETARY OF THE SENATE AND SENATE LIBRARIAN

The PRESIDENT. The Secretary-elect of the Senate, A. H. Letzler, and the Senate Librarian-elect, Charles L. Lathero, will approach the rostrum in order that the oath of office may be administered.

(Oath of office was accordingly administered to above officers by the Honorable William H. Neely, President Judge, Court of Common Pleas, Dauphin County.)

ANNOUNCEMENT OF MAJORITY AND MINORITY SENATE LEADERSHIP

The PRESIDENT. The Chair wishes to make an an-

nouncement. The Chair has been informed by the Majority Caucus that they have elected as Floor Leader, the gentleman from Crawford, Senator Rowland B. Mahany, and as Whip, the gentleman from Armstrong, Senator Albert R. Pechan.

The Chair has also been informed by the Minority Caucus that they have elected as Minority Floor Leader, the gentleman from Westmoreland, Senator John H. Dent, and as Whip, the gentleman from Berks, Senator Frank W. Ruth.

SENATE RESOLUTIONS

NOTIFICATION TO THE HOUSE

Mr. KROMER offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved, That a committee of three be appointed to inform the House of Representatives that the Senate is now in Session and ready to proceed to business.

APPOINTMENT OF COMMITTEE

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to advise the Senate that the President pro tempore has appointed the following Committee of the Senate to notify the House of Representatives that the Senate is duly organized for the conduct of business: the gentleman from Indiana, Mr. Kromer; the gentleman from Lebanon Mr. Ehrgood; and the gentleman from Allegheny, Mr. Sarraf.

The committee will leave immediately and discharge its duties.

NOTIFICATION TO HIS EXCELLENCY, THE GOVERNOR

Mr. WATSON offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved, That a committee of three be appointed to wait upon His Excellency, the Governor, and inform him that the Senate is convened and organized and ready to receive any communication he may be pleased to make.

APPOINTMENT OF COMMITTEE

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to advise the Senate that the President pro tempore has appointed the following Committee to wait upon His Excellency, the Governor, and inform him that the Senate is organized and ready to receive any communication he may be pleased to make: the gentleman from Bucks, Mr. Watson; the gentleman from Cumberland, Mr. Wade; and the gentleman from York, Mr. Seyler.

THANKS OF THE SENATE TENDERED TO HONORABLE WILLIAM H. NEELY FOR QUALIFYING CERTAIN NEWLY ELECTED SENATORS

Mr. FLEMING offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved, That the thanks of the Senate are hereby tendered to the Honorable William H. Neely, President Judge of the Court of Common Pleas of Dauphin County, for his services in qualifying certain newly elected Senators.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, it certainly is my pleasure to present this resolution thanking Judge Bane for his services here today.

As you know, Judge Bane was a former colleague of ours here in the Senate and he was honored by being elected Judge of the Court of Common Pleas of Fayette County.

It certainly is an honor for me to present this resolution because Judge Bane happens to be a neighbor of mine.

SENATE RESOLUTION

THANKS OF THE SENATE TENDERED TO HONORABLE EUSTACE H. BANE FOR QUALIFYING CERTAIN NEWLY ELECTED SENATORS

Mr. LANE offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Eustace H. Bane, Judge of the Court of Common Pleas of Fayette County, for his services in qualifying certain newly elected Senators.

SENATE CONCURRENT RESOLUTIONS

JOINT COMMITTEE BE APPOINTED TO REPRESENT THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA IN THE INAUGURAL CEREMONIES OF THE HONORABLE DWIGHT D. EISENHOWER

Mr. MAHANY offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Whereas, on January 21, 1957, the Honorable Dwight D. Eisenhower will be inauguarated as the President of the United States of America, and

Whereas, it is fitting and proper that a delegation represent the General Assembly of the Commonwealth of Pennsylvania at the inaugural ceremonies to be held in Washington, D. C. at that time, now therefore be it

Resolved, (if the House of Representatives concur), That the President pro tempore of the Senate is hereby authorized to appoint the twenty-seven Republican Members of the Senate, and the Speaker of the House is hereby authorized to appoint one hundred and twenty-six Republican Members of the House of Representatives, who together shall constitute a Joint Committee to represent the General Assembly of the Commonwealth of Pennsylvania in the inaugural ceremonies of the Honorable Dwight D. Eisenhower.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, January 7, 1957, at four o'clock, p.m., E.S.T., and when the House of Representatives adjourns this week it reconvene on Monday, January 7, 1957, at four-thirty o'clock, p.m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

STANDING RULES OF THE SENATE ADOPTED FOR 1957 SESSION

Mr. FLACK offered the following resolution which was twice read, considered and agreed to.

In the Senate, January 1, 1957.

Resolved, That the standing rules of the Senate during the regular session of 1955 be adopted for the government of the Senate for the present regular session.

REPORT OF COMMITTEE ON NOTIFICATION TO THE HOUSE

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President , I wish to present a Committee of the Senate.

The PRESIDENT. The Committee of the Senate will come to the Bar of the Senate.

Mr. KROMER. Mr. President, the committee to inform the House of Representatives that the Senate is organized has fulfilled its duty.

The PRESIDENT. The Chair thanks the committee and discharges them.

SENATE RESOLUTIONS

AUTHORIZATION OF APPOINTMENT OF ALL SPECIAL AND STANDING COMMITTEES

Mr. WATKINS offered the following resolution, which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved, That the President pro tempore of the Senate be authorized to appoint all special and standing committees of the Senate during the session and shall be ex-officio a member of all standing, special and Joint Legislative Committees.

TELLER TO COMPUTE AND COUNT VOTE FOR AUDITOR GENERAL AND STATE TREASURER

Mr. VAN ZANT offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved, That the Senator from Montgomery County, Mr. Propert, be appointed Teller on the part of the Senate for the purpose of witnessing the opening, computing and counting the vote for Auditor General and State Treasurer.

SENATE CONCURRENT RESOLUTION

POSTAGE ON LEGISLATIVE JOURNAL

Mr. SCOTT offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Whereas. The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the Postmaster at Harrisburg, therefore be it

Resolved, (if the House of Representatives concur), That the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and that the payment of the postage for the Legislative Journal, also for the bills, calendars and histories be provided for in the Appropriation Bill.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF COMMITTEE TO WAIT UPON GOVERNOR

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presenting a Committee of the Senate.

The PRESIDENT. The committee will come to the Bar of the Senate.

Mr. WATSON. Mr. President, we have performed the duty which we were so instructed and have advised the Governor that the Senate is now organized and ready to do business, and we will receive any suggestions he might have.

The PRESIDENT. The Chair discharges the committee with the thanks of the Senate.

COMMUNICATIONS FROM THE GOVERNOR

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Secretary to the Governor, the Honorable David V. Randall.

The PRESIDENT. The Secretary to the Governor will come to the Bar of the Senate.

Mr. RANDALL. Mr. President, I have the honor to present communications in writing from His Excellency, the Governor of the Commonwealth.

The PRESIDENT. The communications will be laid on the table.

The Chair thanks the Secretary to the Governor.

SENATE RESOLUTIONS

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

Mr. WHALLEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved. That all petitions, memorials and remonstrances be presented by handing the same to the Chief Clerk, properly endorsed with the date thereon, in accordance with the practice of the last session.

APPROVAL OF PAYMENT OF SALARIES AND WAGES TO OFFICERS AND EMPLOYEES OF THE SENATE

Mr. FLEMING offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved. That the Chief Clerk of the Senate approve orders for the payment of salaries and wages only to such officers and employees of the Senate as are specifically authorized by law and who actually perform the duties of the positions to which they have been elected or appointed.

INTRODUCTION OF BILLS IN THE SENATE

Mr. HARNEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved. That no bills shall be presented to the Senate until after the appointment of the standing committees of the Senate.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session today, January 1, 1957.

GEORGE M. LEADER.

HOUSE NOTIFIES SENATE IT IS ORGANIZED

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presenting a committee on behalf of the House of Representatives.

Mr. LIPPINCOTT. Mr. President, we have been appointed as a Committee of the House to inform the Senate that the House of Representatives is organized and ready to proceed with the business of the Session.

SENATE CONCURRENT RESOLUTIONS

JOINT SESSION

Mr. WATKINS, on behalf of Mr. WATSON, offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved, (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Tuesday, January 1, 1957, at 1:45 o'clock, p. m., E.S.T., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth of Pennsylvania; also witnessing the opening, counting and computing of the official returns of the election for Auditor General and State Treasurer, held Tuesday, November 6, 1956, in the several counties of this Commonwealth; and to elect the Director of the Legislative Reference Bureau.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. WOLFE offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 1, 1957.

Resolved, (if the House of Representatives concur) That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGES

APPOINTMENT OF TELLER

In the House of Representatives, January 1, 1957.

The Clerk of the House of Representatives being introduced, informed the Senate that the Honorable Andrew S. Moscrip of the County of Bradford has been elected Teller on the part of the House of Representatives to compute the vote cast on November 6, 1956 for Auditor General and State Treasurer in Joint Session of the General Assembly, Tuesday January 1st, 1957.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

JOINT COMMITTEE BE APPOINTED TO REPRESENT THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA IN THE INAUGURAL CEREMONIES OF THE HONORABLE DWIGHT D. EISENHOWER

In the Senate, January 1, 1957.

Whereas, on January 21, 1957, the Honorable Dwight D. Eisenhower will be inaugurated as the President of the United States of America, and

Whereas, it is fitting and proper that a delegation represent the General Assembly of the Commonwealth of Pennsylvania at the inaugural ceremonies to be held in Washington, D. C. at that time, now therefore be it

Resolved, (if the House of Representatives concur), That the President pro tempore of the Senate is hereby authorized to appoint the twenty-seven Repubican Members of the Senate, and the Speaker of the House is hereby authorized to appoint one hundred and twenty-six Republican Members of the House of Representatives, who together shall constitute a Joint Committee to represent the General Assembly of the Commonwealth of Pennsylvania in the inaugural ceremonies of the Honorable Dwight D. Eisenhower.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, January 1, 1957.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday January 7, 1957, at four oclock, p. m., E.S.T., and when the House of Representatives adjourns this week it reconvene on Monday, January 7, 1957, at four-thirty o'clock, p. m., E.S.T.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

POSTAGE ON LEGISLATIVE JOURNAL

In the Senate, January 1, 1957.

Whereas, The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the Postmaster at Harrisburg, therefore be it

Resolved, (if the House of Representatives concur), That the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and that the payment of the postage for the Legislative Journal, also for the bills, calendars and histories be provided for in the Appropriation Bill.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

JOINT SESSION

In the Senate, January 1, 1957.

Resolved, (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session Tuesday, January 1, 1957, at 1:45 o'clock p. m., E.S.T., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth of Pennsylvania; also witnessing the opening, counting and computing of the official returns of the election for Auditor General and State Treasurer, held Tuesday, November 6, 1956, in the several counties of this Commonwealth; and to elect the Director of the Legislative Reference Bureau.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

In the Senate, January 1, 1957.

Resolved, (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and House of Representatives.

HOUSE NOTIFIES SENATE IT IS READY TO CONVENE IN JOINT SESSION

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presenting a committee on behalf of the House of Representatives.

The PRESIDENT. The Sergeant-at-Arms will escort the committee to the Bar of the Senate.

Mr. KELLER. Mr. President, we are a committee appointed by the House of Representatives to inform the Senate that the House is ready to receive the Officers and Members of the Senate in Joint Session, and to escort them to the Hall of the House.

The PRESIDENT. The Chair thanks the committee on the part of the House of Representatives.

COMMITTEE APPOINTED TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The PRESIDENT. Pursuant to the resolution previously adopted, the Chair wishes to advise the Senate that the President pro tempore has appointed the following Committee of the Senate to escort His Excellency, the Governor, to the Hall of the House: the gentleman from Bucks, Mr. Watson; the gentleman from Cumberland, Mr. Wade; and the gentleman from York, Mr. Seyler.

Will this committee assemble and proceed with their duties immediately? The Senators are due in the House Chamber at 1:45 p. m.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I just want to say that there are two sad notes today on an otherwise cheerful occasion. One is that I am going to miss the good artisan who so expertly fashioned the barbs on the shafts which were sent over here and thrown so expertly by my good friend, Senator Barr. I am referring to his amanuensis, that great writer, George Pennington.

Mr. President, the second thing I want to say before we leave for the Joint Session is that I am sorry to have to miss my good friend, Senator DiSilvestro, today. I have a basket of flowers here which I received from the Crawford County Republican Committee. I want to send it to Senator DiSilvestro, and I will appreciate it very much if one of the Senators from Philadelphia will deliver it to him.

RECESS

Mr. MAHANY. Mr. President, I understand that we are supposed to meet in Joint Session of the General Assembly at 1:45 o'clock this afternoon. I, therefore, move that the Senate do now recess until 4:00 o'clock, p. m., for the purpose of attending the Joint Session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

SENATE PROCEEDS TO HOUSE TO HEAR GOVERNOR'S MESSAGE, TO COUNT VOTE FOR STATE OFFICERS AND TO ELECT DIRECTOR OF THE LEGISLATIVE REFERENCE BUREAU

The hour of one forty-five p. m. having arrived, Messrs. Keller and Verona, a committee on the part of the House of Representatives, being introduced informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate for the purpose of listening to the reading by His Excellency, the Governor, of his message and witnessing the opening, counting and publishing of the official returns of the votes cast on the first Tuesday of November, A.D., 1956, for Auditor General and State Treasurer, and the election of a Director of the Legislative Reference Bureau.

Whereupon,

The President and Members of the Senate proceeded to the Hall of the House of Representatives.

SENATE RETURNS FROM THE HOUSE

The President and Members of the Senate then returned to the Senate Chamber.

OATH OF OFFICE ADMINISTERED TO CHIEF CLERK OF THE SENATE

The PRESIDENT. The Chief Clerk-elect, G. Graybill Diehm, will approach the rostrum in order that the oath of office may be administered.

(Oath of office was accordingly administered to above officer by the Honorable William H. Neely, President Judge, Court of Common pleas, Dauphin County.)

TELLER'S REPORT OF PROCEEDINGS OF JOINT SESSION OF SENATE AND HOUSE OF REPRESENTATIVES FOR THE OPENING, COUNTING AND PUBLISHING OF VOTES FOR AUDITOR GENERAL AND STATE TREASURER, AND ELECTION OF DIRECTOR OF LEGISLATIVE REFERENCE BUREAU

Mr. PROPERT. Mr. President, the President and Members of the Senate, and the Speaker and Members of the House of Representatives, met in the Hall of the House of Representatives, at 1:45 o'clock, p.m., this day, and the Honorable Roy E. Furman, President of the Senate, in pursuance of the Constitution and laws of the Commonwealth, did then and there proceed to open and count and publish the official returns of the election of Auditor General and State Treasurer, held on the sixth day of November, Anno Domini One Thousand Nine Hundred and Fifty-six.

I also beg to report that during the Joint Session today assembled, the Senate and House of Representatives elected Burt R. Glidden as Director of the Legislative Reference Bureau, and that the oath of office was administered to Burt R. Glidden by the Honorable Roy F. Furman, Lieutenant-Governor of the Commonwealth of Pennsylvania

CERTIFICATES OF ELECTION

Commonwealth of Pennsylvania, January 1, 1957.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the first day of January, A.D. one thousand nine hundred and fifty-seven, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Auditor General of this Commonweath, and publish the same in the presence of both Houses of the General Assembly, conformably to the provisions of the Constitution and laws of said Commonwealth and upon counting the votes by a teller appointed on the part of each House, it appeared that Charles C. Smith had the highest number of votes; whereupon the said Charles C. Smith was declared to have been duly elected Auditor General of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

ROY E. FURMAN,
President of the Senate
W. STUART HELM,
Speaker of the House of Representatives

HENRY J. PROPERT,
Teller on the part of the Senate
ANDREW S. MOSCRIP,
Teller on the part of the House of Representatives

Commonwealth of Pennsylvania, January 1, 1957.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the first day of January, A.D. one thousand nine hundred and fifty-seven, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Treasurer of this Commonwealth, and publish the same in the presence of both Houses of the General Assembly, conformably to the provisions of the Constitution and laws of said Commonwealth and upon counting the votes by a teller appointed on the part of each House, it appeared that Robert F. Kent had the highest number of votes; whereupon the said Robert F. Kent was declared to have been duly elected Treasurer of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

ROY E. FURMAN,
President of the Senate
W. STUART HELM,
Speaker of the House of Representatives

HENRY J. PROPERT,
Teller on the part of the Senate
ANDREW S. MOSCRIP,
Teller on the part of the House of Representatives

The PRESIDENT. The Chair wishes to thank the gentleman.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

ADDRESS OF GOVERNOR GEORGE M. LEADER TO A JOINT SESSION OF THE GENERAL ASSEMBLY IN THE HOUSE OF REPRESENTATIVES, TUESDAY, JANUARY 1, 1957

The PRESIDENT. This communication will be noted in the Legislative Journal.

NOMINATIONS BY THE GOVERNOR

BOARDS, COMMISSIONS, ETC. AND COMMISSIONERS OF DEEDS

He also presented communications in writing from His Exvellency, the Governor of the Commonwealth, which were read as follows and were laid on the table:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MAJOR GENERAL, PENNSYLVANIA NATIONAL GUARD

Henry K. Fluck, Camp Hill, from May 23, 1956, until terminated.

BRIGADIER GENERALS, PENNSYLVANIA NATIONAL GUARD

Harry A. Markle, Jr., Allentown, from May 23, 1956, until terminated.

Arthur D. Kemp, Yeadon, from May 23, 1956, until terminated.

Robert C. Boden, Mechanicsburg, from May 23, 1956, until terminated.

Richard Snyder, Columbia, from May 23, 1956, until terminated.

ATTORNEY GENERAL

Thomas D. McBride, Philadelphia, from December 17, 1956, until superseded.

MEMBER OF THE ADVISORY COUNCIL ON MENTAL HEALTH

Stanley J. Brody, Wyncote, from May 29, 1956, for the term of four years, and until his cussessor shall have been appointed and qualified.

MEMBER OF THE PENNSYLVANIA AERONAUTICS COMMISSION

Louis R. Inwood, Philadelphia, from May 28, 1956, until June 2, 1957, and until his successor shall be duly appointed and shall have qualified.

MEMBERS OF THE ANTHRACITE MINE DRAINAGE STUDY COMMISSION

Joseph T. Kershetsky, Shamokin, from December 14, 1956, until annulled.

August J. Lippi, Wilkes-Barre, from December 14, 1956, until annulled.

Martin F. Brennan, Hazleton, from December 14, 1956, until annulled.

Francis O. Case, Wilkes-Barre, from December 14, 1956, until annulled.

George J. Clark, Pottsville, from December 14, 1956, until annulled.

John G. Connell, West Pittston, from December 14, 1956, until annulled.

MEMBERS OF THE ANTHRACITE MINE INSPECTORS' EXAMINING BOARD

Ignatzius Zielenski, Wilkes-Barre, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Earl Strack, West Hazleton, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

James L. Tolan, Mahanoy City, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Walter B. Petzold, Scranton, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

George J. Clark, Pottsville, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF ARBITRATION OF CLAIMS

Clair Groover, Lewisburg, from July 30, 1956, until July 21, 1961, and until his successor shall be duly appointed and qualified.

Edward Paul Henry, Philadelphia, from September 26, 1956, until July 21, 1959, and until his successor shall be duly appointed and qualified.

MEMBER OF THE STATE BOARD OF EXAMINERS OF ARCHITECTS

Raymond M. Marlier, Pittsburgh, from May 28, 1956, for the term of six years and until his successor shall have been appointed and qualified.

MEMBER OF THE STATE ART COMMISSION

John J. McKee, Pittsburgh, from May 25, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

Joseph A. Paulosky, Minersville, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.

Al. R. Callaghan, Heckscherville, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.

Joseph O'Haren, Shenandoah, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.

John B. Rich, Pottsville, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.

Frank P. Diehl, Hegins, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.

John P. Radzievich, Minersville, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.

Joseph F. Hinchey, Jr., Centralia, from September 10, 1956, for the term of four years, and until his successor is appointed and qualified.

Joseph Land, Minersville, from September 10, 1956, for the term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF BARBER EXAMINERS

Frank Ward, Erie, from August 6, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

John YaSenka, Carnegie, from August 6, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Harry W. Rock, Chambersburg, from August 6, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Edward P. McCormack, Dunmore, from August 6, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Louis J. Grimaldi, Philadelphia, from August 6, 1956, unitl the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE MINE INSPECTORS' EXAMINING BOARD FOR THE BITUMINOUS COAL MINES OF PENNSYLVANIA

Dennis J. Keenan, Spangler, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

John B. Price, Ebensburg, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

J. S. Whittaker, Library, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Jesse F. Core, Uniontown, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Edward A. Watters, Jr., Pittsburgh, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS COLLEGE

Carl H. Fleckenstine, Orangeville, from August 13, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Leo S. Dennen, Turbotville, from August 13, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Harold L. Paul, Port Carbon, from August 13, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Bernard J. Kelley, Philadelphia, from November 30, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Sam M. Jacobs, Danville, from November 30, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOSSBURG STATE HOSPITAL

James W. Preston, Mansfield, from May 24, 1956, for the term of four years and until his successor is appointed and qualified.

(Mrs.) Geneva C. Moore, Westfield, from May 24, 1956, for the term of four years and until her successor is appointed and qualified.

Joseph T. Surina, Elkland, from May 24, 1956, for the term of four years and until his successor is appointed and qualified.

John Lee, Knoxville, from May 24, 1956, for the term of four years and until his successor is appointed and qualified.

Charles H. Fessler, Sr., Covington, from May 24, 1956, for the term of four years and until his successor is appointed and qualified.

Harry T. Spencer, Canton, from May 24, 1956, for the

term of four years and until his successor is appointed and qualified.

R. Earl Cotton, Galeton, from May 24, 1956, for the term of four years and until his successor is appointed and qualified

(Mrs.) DeSales Tingley, Blossburg, from October 1, 1956, for the term of four years and until her successor is appointed and qualified.

J. Roger Crosetto, Blossburg, from October 1, 1956, for the term of four years and until his successor is appointed and qualified.

MEMBERS OF THE BUILDING AND LOAN BOARD

J. Howard Gilroy, Beaver Falls, from August 7, 1956, until September 1, 1961, and until his successor is duly appointed and has qualified.

John A. Heske, Bethlehem, from August 7, 1956, until September 1, 1961, and until his successor is duly appointed and has qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS' COLLEGE

Joseph M. Dudas. Sr., Monessen, from July 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

T. Gerald Stanley, Belle Vernon, from July 18, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

D. C. Longanecker, Waynesburg, from July 18, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Peter T. Dumbauld, Somerset, from July 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

William V. Campbell, Homestead, from July 18, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

Daniel B. Swaney, Uniontown, from July 18, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

J. Albert Reed, California, from August 2, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF CHIROPODY EXAMINERS

Ralph Orr, Erie, from September 27, 1956, for the term of four years and until his successor shall have been appointed and qualified.

Matthew Francis Gutowicz, Philadelphia, from September 27, 1956, for the term of four years and until his successor shall have been appointed and qualified.

John S. Donaldson, Jr., from September 27, 1956, for the term of four years and until his successor shall have been appointed and qualified.

Frederick W. Deardorff, Philadelphia, from September 27, 1956, for the term of four years and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE CIVIL SERVICE COMMISSION

Elmer D. Graper, Edgewood, from May 24, 1956, until April 9, 1960, and until his successor is appointed and qualified.

(Miss) Susan H. Baker, Lancaster, from August 6, 1956, until April 9, 1958, and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS' COLLEGE

(Mrs.) Harriet S. Hearst, Clarion, from August 2, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

Samuel N. Guiher, Clarion, from August 2, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

R. R. Whitmer, Clarion, from August 2, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Edgar S. Hugus, Knox, from August 2, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

Francis H. McCabe, Ford City, from August 2, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

H. Orland Payne, Clarion, from August 2, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

MEMBERS OF THE COAL RESEARCH BOARD

F. O. Case, Wilkes-Barre, from July 10, 1956, for the term of three years and until his successor shall have been appointed and qualified.

Robert G. Pfahler, Paoli, from July 10, 1956, for the term of three years and until his successor shall have been appointed and qualified.

Joseph Pursglove, Jr., Pittsburgh, from July 10, 1956, for the term of three years and until his successor shall have been appointed and qualified.

Joseph T. Kershetsky, Shamokin, from July 10, 1956, for the term of three years and until his successor shall have been appointed and qualified.

John Seddon, Pittsburgh, from July 10, 1956, for the term of three years and until his successor shall have been appointed and qualified.

John G. Connell, West Pittston, from September 27, 1956, for the term of three years and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

John J. Eagan, Pottsville, from July 16, 1956, for the term of four years and until his successor is appointed and qualified.

James Berrang, New Philadelphia, from July 16, 1956, for the term of four years and until his successor is appointed and qualified.

Joseph Holden, St. Clair, from July 16, 1956, for the term of four years and until his successor is appointed and qualified.

James J. Donahue, Mahanoy City, from July 16, 1956, for the term of four years and until his successor is appointed and qualified.

Joseph A. Hughes, Pottsville, from July 16, 1956, for the term of four years and until his successor is appointed and qualified.

Frank H. Evans, Nesquehoning, from August 2, 1956, for the term of four years and until his successor is appointed and qualified.

(Miss) Margaret Mary McCall, Lansford, from August 2, 1956, for the term of four years and until her successor is appointed and qualified.

Charles McFadden, Summit Hill, from August 2, 1956, for the term of four years and until his successor is appointed and qualified.

(Mrs.) Helen Dougherty, Jim Thorpe, from August 2, 1956, for the term of four years and until her successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF COSMETOLOGY

(Miss) Katherine O. B. Gray, Bethlehem, from July 27, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

(Mrs.) Pearl Shapren, Philadelphia, from July 27, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

(Mrs.) Ann Salamay, Monaca, from September 10, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

(Miss) Evelyn Mae Reese, Exeter, from November 30, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

Perry Goldstein, Scranton, from July 27, 1956, until the third Tuesday of January, 1957, and until his suecessor is appointed and qualified.

W. S. Thomas, Scranton, from July 27, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Michael Harrington, Scranton, from July 27, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Edward Popil, Scranton, from July 27, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Edgar B. Cawley, Scranton, from July 27, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Bennett Strait, Delaware Water Gap, from July 27, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Joseph P. Reilly, Scranton, from September 17, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

MEMBERS OF THE DELAWARE RIVER PORT AUTHORITY

James V. Baney, Upper Darby, from July 5, 1956, for a term of five years and until his successor is appointed and qualified.

Ted Schlanger, Philadelphia, from July 5, 1956, for a term of five years and until his successor is appointed and qualified.

Frank M. Steinberg, Merion, from July 5, 1956, for a term of five years and until his successor is appointed and qualified.

MEMBERS OF THE STATE DENTAL COUNCIL AND EXAMINING BOARD

Carl M. Graul, Philadelphia, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Perry Swanson, Pittsburgh, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Harry K. Willits, Reading, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Charles S. Gaige, Lancaster, from September 27, 1956, for a term of six year and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

George I. Minch, Coraopolis, from October 2, 1956, for a term of four years and until his successor is appointed and qualified.

Frank C. Lewis, Beaver Falls, from October 2, 1956, for a term of four years and until his successor is appointed and qualified.

Genevieve W. Settino, Ambridge, from October 2, 1956, for a term of four years and until her successor is appointed and qualified.

(Mrs.) Minnie Greenberg, Coraopolis, from October 2, 1956, for a term of four years and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Floyd Shafer, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Clyde Willits Shaffer, East Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

(Mrs.) Kathryn Burdine Edwards, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

Patrick J. Connors, Old Forge, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

John B. Bergstresser, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Joseph J. Garrity, Drums, from October 8, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS' COLLEGE

Frank S. Holowach, Titusville, from December 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

John W. Grajciar, Sharon, from December 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

(Mrs.) Susan McComb, Stoneboro, from December 18, 1956, until the third Tuesday of January, 1961, and until her successor is appointed and qualified.

W. Verne Zahneiser, Edinboro, from December 18, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

MEMBERS OF THE STATE COUNCIL OF EDUCATION

(Miss) Cathleen M. Champlin, Philadelphia, from July 31, 1956, for a term of six years, and until her successor shall have been appointed and qualified.

James H. Duckrey, Cheyney, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

O. H. English, Abington, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

George E. Hamilton, Meadville, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

Andrew J. Nowak, Erie, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

Stephen B. Sweeney, Philadelphia, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

(Mrs.) Pearl Buck Walsh, Dublin, from July 31, 1956, for a term of six years, and until her successor shall have been appointed and qualified.

Millard E. Gladfelter, Philadelphia, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

Paul R. Anderson, Pittsburgh, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF EMBREEVILLE STATE HOSPITAL

(Mrs.) Doris B. Lyons, Ithan, from December 14, 1956, for a term of four years and until her successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF FUNERAL DIRECTORS

Thaddeus S. Vincent, Danville, from December 14, 1956, until August 31, 1958, or until his successor is appointed and qualified.

Norman P. Casher, Cresson, from December 14, 1956, until August 31, 1959, or until his successor is appointed and qualified.

William H. Sweeney, Olyphant, from December 14, 1956, until August 31, 1961, or until his successor is appointed and qualified.

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

Russell M. Lucas, Philipsburg, from July 25, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE GREAT LAKES COMMISSION

John H. Dent, Jeannette, from October 8, 1956, for a term of four years, and until his successor is appointed and qualified.

Francis A. Pitkin, Harrisburg, from October 8, 1956, for a term of six years, and until his successor is appointed and qualified.

Joseph S. St. John, Erie, from October 8, 1956, for a term of two years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

Thomas H. Lane, Middletown, from October 1, 1956, for a term of four years, and until his successor is appointed and qualified.

James D. Novinger, Harrisburg, from October 1, 1956, for a term of four years, and until his successor is appointed and qualified.

Wayne M. Wagenseller, Harrisburg, from October 1, 1956, for a term of four years, and until his successor is appointed and qualified.

Wendell P. C. Morganthaler, Harrisburg, from October 1, 1956, for a term of four years, and until his successor is appointed and qualified.

Harold W. Swope, Harrisburg, from October 1, 1956, for a term for four years, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

John Evancho, Jr., Freeland, from July 24, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

(Mrs.) Greta M. McElhattan, Port Matilda, from December 14, 1956, for a term of four years and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF INDIANA STATE TEACHERS' COLLEGE

C. S. Weyandt, Indiana, from May 29, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

R. Dudley Tonkin, Cherry Tree, from May 29, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

Robert Reynolds, Pittsburgh, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Curtis James Clay, Braddock, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

James L. O'Toole, Sharon, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Patrick F. McCarthy, Punxsutawney, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Charles Ernest Kinsey, Armagh, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

James Hughes, Greensburg, from September 21, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

MEMBER OF THE INDUSTRIAL BOARD

(Mrs.) Agnes Collins, Mt. Lebanon, from July 11, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

MEMBERS OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

Ralph C. Swartz, Allentown, from July 24, 1956, for a term of one year, and until his successor shall be duly appointed and qualified.

Victor C. Diehm, Hazleton, from July 24, 1956, for a term of two years, and until his successor shall be duly appointed and qualified.

Asbury W. Lee, III, Clearfield, from July 24, 1956, for a term of four years, and until his successor shall be duly appointed and qualified.

J. Robert Baldwin, Erie, from July 24, 1956, for a term of five years, and until his successor shall be duly appointed and qualified.

Thomas L. Moran, Scranton, from July 24, 1956, for a term of six years, and until his successor shall be duly appointed and qualified.

Arthur L. Chapman, Warren, from August 20, 1956, for a term of three years, and until his successor shall be duly appointed and qualified.

J. Dean Polen, Avella, from December 1, 1956, for a term of seven years, and until his successor shall be duly appointed and qualified.

MEMBERS OF INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN FOR THE COMMONWEALTH OF PENNSYLVANIA

Maurice K. Goddard, State College, from October 8, 1956, for a term of two years or until successor is appointed.

Berwyn F. Mattison, Camp Hill, from October 8, 1956, for a term of two years or until successor is appointed.

Harold B. Rudisill, Hanover, from October 8, 1956, for a term of two years or until successor is appointed.

MEMBERS OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

John W. SmitQh, Selinsgrove, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

(Mrs.) Regie D. Thompson, Millheim, from December 14, 1956, for a term of four years and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS' COLLEGE

John F. Marshall, Lock Haven, from July 31, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

John M. Dwyer, Renovo, from July 31, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

(Miss) Kathleen A. Stephens, Coudersport, from July 31, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

(Mrs.) Caroline P. Waters, State College, from August 7, 1956, until the third Tuesday of January, 1961, and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Israel D. Gray, Frackville, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

James Scott, Pottsville, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Victor John Bindie, Shenandoah, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Raymond Troy, Gordon, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Joseph V. Navitsky, Shenandoah Heights, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Peter J. Chaplinsky, Shenandoah, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Joseph Kershetsky, Mahanoy City, from May 24, 1956,

for a term of four years and until his successor is appointed and qualified.

Peter J. Swoboda, Frackville, from September 21, 1956, for a term of four years and until his successor is appointed and qualified.

Stephen John Engle, Mahanoy City, from September 21, 1956, for a term of four years and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

(Mrs.) Ila H. Lugg, Nelson, from November 27, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

Francis J. Cichocki, Jr., South Waverly, from November 27, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

(Mrs.) Margaret McMillen, Mansfield, from November 27, 1956, until the third Tuesday of January, 1961, and until her successor is appointed and qualified.

John A. Mader, South Williamsport, from November 27, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

Frank McKinney, Elizabeth, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Caroline S. Wishik, Pittsburgh, from December 5, 1956, for a term of four years, and until her successor is appointed and qualified.

Homer R. Greene, Jr., Bellevue, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

Lawrence S. Reardon, Brentwood, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Phyllis Burns Trautman, Clinton, from December 5, 1956, for a term of four years, and until her successor is appointed and qualified.

Edward Prince Hawes, Coraopolis, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE COMMONWEALTH MENTAL HEALTH RESEARCH FOUNDATION

Warren K. Hess, Reading, from October 2, 1956, until December 31, 1957, and until his successor shall be duly appointed and qualified.

J. W. Gitt, Hanover, from October 2, 1956, until December 31, 1957, and until his successor shall be duly appointed and qualified.

Philip S. Broughton, Pittsburgh, from October 2, 1956, until December 31, 1957, and until his successor shall be duly appointed and qualified.

George A. Bennett, Philadelphia, from October 2, 1956, until December 31, 1958, and until his successor shall be duly appointed and qualified.

William S. McEllroy, Pittsburgh, from October 2, 1956, until December 31, 1958, and until his successor shall be duly appointed and qualified.

Ralph H. Demmler, Pittsburgh, from October 2, 1956, until December 31, 1958, and until his successor shall be duly appointed and qualified.

Lessing J. Rosenwald, Jenkintown, from October 2, 1956, until December 31, 1959, and until his successor shall be duly appointed and qualified.

J. Howard Pew, Ardmore, from October 2, 1956, until December 31, 1959, and until his successor shall be duly appointed and qualified.

Louis Stein, Philadelphia, from October 2, 1956, until December 31, 1959, and until his successor shall be duly appointed and qualified.

MEMBERS OF THE STATE MILITARY RESERVATION COMMISSION

Leon Sacks, Philadelphia, from May 28, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

George W. Jarrett, Pittsburgh, from May 28, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE MILK CONTROL COMMISSION

John A. Smith, Dickinson, from May 28, 1956, until May 1, 1961, and until his successor shall have been appointed and qualified.

Simon K. Uhl, Somerset, from August 7, 1956, until May 1, 1957, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS' COLLEGE

Nevin H. Hillegass, Leola, from July 27, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

Ivan E. Newpher, Terre Hill, from July 27, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

(Mrs.) Velma D. McCollough, Lancaster, from July 27, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

(Mrs.) Helen Guthrie Krause, Lebanon, from July 27, 1956, until the third Tuesday of January, 1961, and until her successor is appointed and qualified.

Samuel S. Wenger, Paradise, from July 27, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Raymond S. Hovis, York, from July 27, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Edward G. Wilson, Lancaster, from July 27, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

J. I. Hook, Waynesburg, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

Charles Adonizio, West Wyoming, from a November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Robert J. Barrett, Pittston, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Henry F. Dorang, Ashley, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

John K. Evans, Nanticoke, from November 13, 1956, for a term of four years, and until his successsor is appointed and qualified.

Edward Joseph, Duryea, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

William J. McAneny, Wilkes-Barre, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Samuel Ross, Shickshinny, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Stanley Salva, Glen Lyon, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Anthony M. Zabiegalski, Nanticoke, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

Clyde R. Flory, Sellersville, from May 24, 1956, for a

term of four years, and until his successor is appointed an qualified.

S. Marshall Gorson, Merion Station, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Henry Gouley, Media, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Paul G. Hartman, Jr., Lansdale, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Herbert G. Clark, Flourtown, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Morris Gerber, Norristown, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Stanley J. Brody, Wyncote, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Catherine Dutilh Sharpless, Rosemont, from May 24, 1956, for a term of four years, and until her successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF NURSE EXAMINERS

Sister M. Loyola Daugherty, Pittsburgh, from July 18, 1956, for a term of six years, and until her successor shall have been appointed and qualified.

(Mrs.) Movene Ponas, Johnstown, from October 23, 1956, for a term of six years, and until her successor shall have been appointed and qualified.

Michael F. Lenkowski, Philadelphia, from December 6, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

MEMBER OF THE OHIO RIVER VALLEY WATER SANITATION COMMISSION FOR THE COMMONWEALTH OF PENNSYLVANIA

M. K. McKay, Pittsburgh, from July 31, 1956, until May 24, 1960, and until his successor shall be appointed and qualified.

MEMBERS OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

Earl C. Bohr, Harrisburg, From September 11, 1956, for a term of four years or until his successor is appointed and qualified.

Joseph H. Britton, University Park, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

Robert D. Hanson, Harrisburg, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

William J. McCafferty, McKees Rocks, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

William T. Piper, Lock Haven, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

Bessie Kann Sack, Pittsburgh, from September 11, 1956, for a term of four years or until her successor is appointed and qualified.

Everett F. Zurn, Erie, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

B. Frank Rosenberry, Palmerton, from October 16, 1956, for a term of four years or until his successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Richard R. Van Kirk, Oil City, from November 26, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

William J. Van Essen, Pittsburgh, from November 26, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

Harry G. Plack, Harrisburg, from November 26, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

Louis Markovitz, Johnstown, from November 26, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

Guy D. Wengert, Camp Hill, from November 26, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD OF OSTEOPATHIC EXAMINERS

Calvin M. Smyth, Abington, from June 4, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

John W. Shirer, Pittsburgh, from June 4, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

David Rothman, Oxford, from September 11, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

Harvey C. Orth, Lewistown, from September 11, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

Ben L. Agresti, Erie, from September 11, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

MEMBER OF THE PENNSYLVANIA BOARD OF PAROLE

Richard T. S. Brown, Harrisburg, from May 29, 1956, for a term of four years or until his successor shall have been duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

H. Stanley Witwer, Elverson, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

David A. Bloomer, Phoenixville, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Clarence A. Kulp, Pottstown, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Agnes Speakman, Glenmoore, from December 13, 1956, for a term of four years, and until her successor is appointed and qualified.

Samuel Himmelstein, Philadelphia, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

William F. Hohl, Pottstown, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

Edward J. Lynett, Scranton, from June 1, 1956, until July 1, 1958, and until his successor shall have been appointed and qualified.

Joseph A. McDouough, Philadelphia, from June 1, 1956, until July 1, 1957, and until his successor shall have been appointed and qualified.

Richardson Dilworth, Philadelphia, from June 1, 1956, until July 1, 1957, and until his successor shall have been appointed and qualified.

Franklin W. Ruth, Jr., Lykens, from July 2, 1956, until July 1, 1959, and until his successor shall have been appointed and qualified.

Charles T. Douds, Englewood, N. J., from July 2, 1956, until July 1, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD OF PHARMACY

Sol S. Turnoff, Philadelphia, from May 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

Jacob H. Katz, Philadelphia, from May 31, 1956, for a

term of six years, and until his successor shall have been appointed and qualified.

(Mrs.) Dorothy Whalen Williams, Mahanoy City, from November 30, 1956, for a term of six years, and until her successor shall have been appointed and qualified.

MEMBERS OF THE STUDY COMMISSION OF THE PHILADELPHIA METROPOLITAN AREA

John D. Dougherty, Bristol, from November 19, 1956, until terminated.

(Mrs.) Elinore R. Ridge, Morrisville, from November 19, 1956, until terminated.

William B. Brosius, Berwyn, from November 19, 1956, until terminated.

J. Peter Williams, Newtown Square, from November 19, 1956, until terminated.

J. Paul MacElree, West Chester, from November 19, 1956, until terminated.

Stephen B. Sweeney, Lansdowne, from November 19, 1956, until terminated.

John V. Diggins, Wallingford, from November 19, 1956, until terminated.

Alfred L. Taxis, Jr., Norristown, from November 19, 1956, until terminated.

Robert Williams, Bryn Mawr, from November 19, 1956, until terminated.

Walter W. Patchell, Wynnewood, from November 19, 1956, until terminated.

William L. Batt, Philadelphia, from November 19, 1956, until terminated.

Thomas H. Carroll, Philadelphia, from November 19, 1956, until terminated.

William L. Rafsky, Philadelphia, from November 19, 1956, until terminated.

MEMBER OF THE STATE PLANNING BOARD

Patrick Waldron, Camp Hill, from July 2, 1956, until December 13, 1958, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

(Miss) Josephine DeWoody, Kennerdell, from December 13, 1956, for a term of four years, and until her successor is appointed and qualified.

Boyd N. Park, Franklin, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Leo J. Krasowski, Oil City, from December 13 ,1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Katherine Hinckley, Fredonia, from December 13, 1956, for a term of four years, and until her successor is appointed and qualified.

MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS

Michael Baker, Jr., Beaver, from November 12, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joseph Sharfsin, Philadelphia, from May 28, 1956, for the residue of the term ending April 1, 1965.

MEMBERS OF THE STATE REAL ESTATE COMMISSION

Vernon M. Wood, Sr., Harrisburg, from July 23, 1956, until September 21, 1959, and until his successor has been appointed and qualified.

James J. Moore, Gilbertsville, from July 23, 1956, until September 21, 1957, and until his successor has been appointed and qualified.

J. R. Montgomery, Russellton, from July 31, 1956, until September 21, 1960, and until his successor has been appointed and qualified.

Harry Segal, Philadelphia, from September 11, 1956, until September 21, 1958, and until his successor has been appointed and qualified.

Carl E. Shields, Butler, from September 25, 1956, until September 25, 1961, and until his successor has been appointed and qualified.

MEMBER OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

Harold H. Salkind, Philadelphia, from May 24, 1956, until January 6, 1957, or until his successor qualifies.

MEMBERS OF THE BOARD OF TRUSTEES OF RETREAT STATE HOSPITAL

Dominic P. Loughney, Pittston, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Joseph A. Willis, Wilkes-Barre, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Andrew Sagola, Plymouth, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

John Mondlak, Pittston, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Chester J. Korpusik, Duryea, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

George M. Ichter, Ashley, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Bowman Curwood, Shickshinny, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Frank McCann, Ashley, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

MEMBER OF THE SANITARY WATER BOARD

M. K. McKay, Pittsburgh, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

George R. Brindle, Chambersburg, from July 20, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

I. Glenn Shively, Chambersburg, from July 20, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

Jacob W. Wineman, Richmond Furnace, from July 20, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

William S. Rahauser, Pittsburgh, from July 20, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Marlan O. Walter, Millersburg, from July 20, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Richard A. Seaman, Williamsport, from October 23, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

(Mrs.) Elizabeth G. Zeidman, Rydal, from May 28, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SHIPPENSBURG STATE TEACHERS' COLLEGE

James B. Hockersmith, Shippensburg, from July 24, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Raymond A. Myers, Lemoyne, from July 24, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

J. Boyd Landis, Carlisle, from July 24, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

H. Gale West, Slippery Rock, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

John B. Veltri, Sharpsburg, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Merle D. Musick, Latrobe, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Robert C. Malcolm, Curtisville, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

(Mrs.) Emma Guffey Miller, Slippery Rocks, from May 29, 1956, until the third Tuesday of January, 1957, and until her successor is appointed and qualified.

(Miss) Florence F. Murrin, Butler, from May 29, 1956, until the third Tuesday of January, 1957, and until her successor is appointed and qualified.

John A. Meehan, New Castle, from July 5, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA SOLDIERS' AND SAILORS HOME

William D. Forsyth, Pittsburgh, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

Joseph F. Schierberl, Clarion, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF TORRANCE STATE HOSPITAL

John W. Stader, Latrobe, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

Stephen Wisyanski, Monessen, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

Virgil Chirico, Jeannette, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

Clark Queer, Mt. Pleasant, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

Orlando Marini, New Kensington, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

John T. Peace, Sr., Blairsville, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

John C. Valko, South Fork, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

Clair Morgan, Mt. Pleasant, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

MEMBER OF THE PENNSYLVANIA TUNNEL COMMISSION

Oliver M. Kaufmann, Coraopolis, from May 28, 1956, for a term of four years, and until his successor shall be duly appointed and qualified.

MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

John F. Byrne, Philadelphia, from May 23, 1956, until June 4, 1965, and until his successor is appointed and qualified.

MEMBER OF THE UNEMPLOYMENT COMPENSATION BOARD OF REVIEW

Maurice Abrams, Wyncote, from May 28, 1956, until July 1, 1961, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

William H. Wood, Camp Hill, from August 7, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

MEMBERS OF THE VALLEY FORGE PARK COMMISSION

Leonard A. Talone, Conshohocken, from September 17, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

James Bush-Brown, Ambler, from September 17, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

(Mrs.) Lidie B. VanDenbergh, Philadelphia, from September 17, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

Albert H. Fritz, Quarryville, from September 17, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Adam M. Scheidt, Norristown, from September 17, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

W. Atlee Burpee, Jr., Philadelphia, from September 25, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE VETERANS' COMMISSION

John G. Rainey, Pittsburgh, from May 28, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Morton Fromm, Lock Haven, from October 16, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Samuel J. Procopio, Philadelphia, from October 16, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Frank A. Taylor, Beaver Falls, from October 16, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Joseph P. Gavenonis, Mildred, from October 16, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

George M. Leighow, Danville, from December 12, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

C. F. Wright, Jr., Butztown, from December 12, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

(Mrs.) Elinore R. Ridge, Morrisville, from August 20, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

Isadore A. Shrager, Philadelphia, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Thomas E. Priory, Bristol, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Emil J. Lever, Solebury, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Irving G. Schorsch, Feasterville, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

J. Carroll Molloy, Jr., Doylestown, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Donald E. DeLacey, New Hope, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

Robert R. Batt, Ithan, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

(Mrs.) Frances V. Atkinson, Bryn Mawr, from May 29, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WOODVILLE STATE HOSPITAL

Robert A. Foley, Pittsburgh, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

E. J. Balsarini, Heidelberg, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

Stephen R. Fliss, Springdale, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

Charles Harmuth, Bridgeville, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Grace McDivitt, Bridgeville, from December 12, 1956, for a term of four years, and until her successor is appointed and qualified.

Herbert W. Bailey, Jr., Carnegie, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

WORKMEN'S COMPENSATION REFEREE

Scholley Pace Alexander, Philadelphia, from July 9, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

PUBLIC ASSISTANCE BOARDS

Also the following persons to be MEMBERS OF THE COUNTY BOARDS OF ASSISTANCE, for the terms set opposite their names:

ADAMS COUNTY

Clyde L. Kennedy, York Springs, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

BEDFORD COUNTY

Edward McConnell, Bedford, from October 24, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

BERKS COUNTY

(Mrs.) Elizabeth W. Bard, Reading, from November 21, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

BRADFORD COUNTY

Leslie A. Packard, Canton, from May 23, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

(Mrs.) Stella E. Austin, Sayre, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

Robert Emmett Lynch, Athens, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

Everett Finley Carter, Towanda, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

LaRue Stanton, Camptown, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

CLEARFIELD COUNTY

George Clarke, Clearfield, from September 11, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

LEBANON COUNTY

Charles R. Young, Lebanon, from October 22, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

LUZERNE COUNTY

Leo J. Bergsmann, Wilkes-Barre, from October 24, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

MERCER COUNTY

William Nicholson, Sharon, from August 21, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

MIFFLIN COUNTY

(Mrs.) Della Moist, Lewistown, from September 5, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

MONTGOMERY COUNTY

(Mrs.) Marion L. Forrester, Bryn Mawr, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

(Mrs.) Esther C. Shaffer, Elkins Park, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

John E. Baer, Ambler, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

(Mrs.) Frances Gerber, Norristown, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

PHILADELPHIA COUNTY

Kirksey L. Curd, Philadelphia, from October 31, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

POTTER COUNTY

(Mrs.) Jane H. Wingo, Ulysses, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

SUSQUEHANNA COUNTY

Cecil R. Clink, Springville, from August 20, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

TIOGA COUNTY

Martin A. Roche, Mansfield, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

(Mrs.) Wanda Austin, Wellsboro, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

(Mrs.) Anne B. Kayzer, Tioga, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

(Mrs.) Celia Marvin Phillips, Wellsboro, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

WASHINGTON COUNTY

(Mrs.) Elizabeth Gales, Charleroi, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

Michael Plesher, Monongahela, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

George B. Stegenga, Houston, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER

Commonwealth of Pennsylvania,
Governor's Office, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be COMMISSIONERS OF DEEDS, for the term of five years to compute from the dates set opposite their names:

Le Roy H. Hanson, Baldwin, New York, July 2, 1956.

(Miss) Elenor A. Rose, Trenton, New Jersey, July 2, 1956.

Walter M. Lindsay, Rochester, New York, September 24, 1956.

(Miss) Catharine F. Hosbach. Camden, New Jersey, October 3, 1956.

GEORGE M. LEADER

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

SECRETARY OF THE COMMONWEALTH

James A. Finnegan, Philadelphia, from December 28, 1956, until superseded.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

(Mrs.) Anne H. Stine, Tyrone, from December 20, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

MEMBER OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Daniel P. Brown, Hawley, from December 26, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

Frank A. Thornton. Shamokin, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CHEYNEY STATE TEACHERS' COLLEGE

Paul Comly French, Yardley, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

Orville R. Walls, Kennett Square, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

William M. Maier, Bryn Mawr, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

James M. Brittain, Bryn Mawr, from December 28, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Alfred H. Williams, Wallingford, from December 28, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

(Mrs.) Verona E. Beckett, Germantown, from December 28, 1956, until the third Tuesday of January 1961, and until her successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

Carlyle C. Hupka, Matamoras, from December 28, 1956, until July 15, 1959, and until his successor is appointed and qualified.

Gerhard F. Fortier Export, from December 28, 1956, until July 15, 1960, and until his successor is appointed and qualified.

MEMBER OF THE STATE BOARD OF COSMETOLOGY

(Mrs.) Ann Bodkin Magnani, Dormont, from December 28, 1956, until the third Tuesday of January 1959, and until her successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS' COLLEGE

William A. Leonard, Jr., Oil City, from December 28, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF EMBREEVILLE STATE HOSPITAL

Herbert D. Cressman, Coatesville, from December 28, 1956, for a term of four years and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Milford Paris, Tioga, from December 26, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

George T. Cummins, Washington, from December 20, 1956, for a term of four years and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

Harvey Haldeman, Chester Springs, from December 27, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

J. S. Jiuliante, Sr., Erie, from December 26, 1956, for a term of four years, and until his successor is appointed and qualified.

Leon S. Rzepka, Erie, from December 26, 1956, for a term of four years, and until his successor is appointed and qualified.

Bernard J. Harkins, Erie, from December 26, 1956, for a term of four years, and until his successor is appointed and qualfied.

Albert P. Vicks, Erie, from December 26, 1956, for a term of four years, and until his successor is appointed and qualified.

Earle D. McCrea, Oil City, from December 26, 1956, for a term of four years, and until his successor is appointed and qualifid.

MEMBER OF THE STATE BOARD OF VETERNIARY MEDICAL EXAMINERS

M. E. Patrick, Greensburg, from December 28, 1956,

until the third day of Jauary 1959. and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE COUNCIL FOR THE BLIND

(Mrs.) Catherine P. Craig, Wyomissing, from December 31, 1956, for the term of four years, and until her successor shall have been appointed and qualified.

Paul L. Goldstrohm, Penns Park, from December 31, 1956, for the term of four years, and until his successor shall have been appointed and qualified.

MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

J. S. Pincus, Harrisburg, from December 31, 1956, for the term of four years, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS' COLLEGE

Alvin F. Kemp, Mertztown, from December 31, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Elroy P. Master, Robesonia, from December 31, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Peter Mahalage, Mahanoy City, from December 31, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

(Mrs.) Ann A. Sanford, Mansfield, from December 31, 1956, until the third Tuesday of January 1959, and until her successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of County Boards of Assistance, to serve until December 31, 1959, and until their successors are duly appointed and qualified:

BRADFORD COUNTY

Miles Erle (Democrat), Milan.

Rev. Peter James Alisauskas (Non-Partisan), 106 Third Street, Towanda.

DAUPHIN COUNTY

Robert T. Crumling, Sr. (Democrat), 6 Jury Street, Highspire.

MONTGOMERY COUNTY

Thomas P. McArthur, Jr. (Democrat), 3016 Stoney Creek Road, Penn Square Village, Norristown.

Mrs. Agnes A. Fisher (Democrat), Morris Road, R. D. 1, Lansdale.

PHILADELPHIA COUNTY

Lynwood F. Blount, Esq. (Democrat), 1325 North Sixtieth Street, Philadelphia.

TIOGA COUNTY

Mrs. Madelyn Weidman (Democrat), Westfield.

Clifton Seelye (Democrat), Knoxville.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Fred Brunner, Limeport, Lehigh County, for appointment as Justice of the Peace in and for the Township of Lower Milford, Lehigh County, to serve until the first Monday of January 1958, vice John D. Miller, resigned.

GEORGE M. LEADER.

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Adolph Schoenbrun (Democrat), 2789 Beechwood Boulevard, Pittsburgh 17, Allegheny County, for appointment as a Member of the Allegheny County Board of Assistance, to serve until December 31, 1959, and until his successor is duly appointed and qualified, vice Thomas M. Watt, McKeesport, resigned.

GEORGE M. LEADER.

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

REASONS FOR PARDONS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons and commutations granted from January 5, 1955, to date.

GEORGE M. LEADER.

The PRESIDENT. This report will be noted in the Journal of the Senate, and printed in the Appendix to the Legislative Journal.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I do not intend to take the time of the Senate today to make any kind of speech. I think all of us are about speeched out.

We heard a very lengthy speech on the part of the Governor who reported on the state of the Commonwealth. I was questioned by the newspapermen as to any remarks that I might make concerning the speech. I said to them, as I say to you, that there could be no other road for the Governor to travel at this date. He fully recognizes the fact that we have a Republican majority in both the House and Senate; that under these conditions, if we are to achieve anything during this Session, it will

have to be done with due consideration being given to the Republican Majority and to the Administration. Out of that we can possibly achieve the kind of a record which, over the years, in my humble opinion, has always been achieved by the legislative body.

Mr. President, I might say to the Governor and to the Members of the Senate that we had a Republican Majority in the Senate during the first biennium of this Administration and that we were very successful in working out cooperatively a program which has been beneficial to the people of the Commonwealth. It could not have been worked out without the consideration of the Republican leadership on the other side of the aisle. However, lest anybody be fooled or misled, we intend, on this side, to push for a program opening up new horizons of services to the people. In doing so, I fully expect that I will be able to sit down, representing the Democratic Caucus, with the Republican leaders, as I have in the past, to work out a program that I hope will be beneficial to all of the people.

For instance, we have placed such great emphasis on care for the mentally ill and retarded children and rightly so, but we have neglected to exploit a great reservoir in this State of ours in the educational field. We have in Pennsylvania over sixty accredited liberal arts colleges which have for too long played too small a part in Pennsylvania's educational picture in so far as participation by the State.

I believe that now the time has arrived for this Senate of Pennsylvania to take the leadership to provide in each and every one of these liberal arts schools a series of State-supported scholarships. In a State as large as ours, when only twenty per cent of the graduates from high schools and preparatory schools were able to enter institutions of higher learning, then something is wrong. I say to you today that we on this side, and we hope with your cooperation on the other side, are going to advance a program of State scholarships in all of the liberal arts schools in Pennsylvania. The time has come when we must realize that the entire future of this State and this Nation will be in the hands of those educated to meet the tasks as they arise in the future. It is going to be an educated world; it has to be an educated world. When Russia can graduate more than three times as many engineers as we produce in this Nation of ours, the time has come to stop and take a look. We are going to take a long look because we have here the resources; we have here the trained personnel; we have here the institutions to make this the greatest State in the Union in so far as higher education is concerned.

At this time, Mr. President, I want to compliment Senator Mahany in his co-sponsorship of our bill last biennium which gave to the General State Authority the right to create and build for the State-aided universities physical plants on the basis of lease-back contracts. I compliment the Republican Senators, who were in the Majority, in supporting this Democratic Caucus to a man in voting for that kind of legislation. When we reduce the cost of operation in the institutions of higher learning in this State, we are making available to the thousands of young men and women of our Commonwealth an opportunity to receive the kind of an education which will be required in the days to come.

I say to you on the other side, the Governor has said to you today that he wants cooperation. We say to you from this side of the aisle that we expect your cooperation because we have had it before. We know that out of this Session—and I pray that it will not be a long Session—we can achieve for Pennsylvania something which will be a record for the people. There are many other items, but we are not going through them tonight.

I want to say to you, however, that the greatest bill that was passed for the little home owner and taxpayer in Pennsylvania was passed by the last Session of the Legislature by unanimous vote in this Senate, in which we contributed more out of motor vehicle funds to the local communities in order to break up the bottlenecks caused by the ever-increasing numbers of automobiles that are crowding our highways, streets and by ways today. That is not the end of the road for that kind of legislation; it is only the beginning. We hope this year to add more to the money which will be returned to the local communities for the use of the local communities in creating wider streets, off-street parking and better lanes of transportation. These are just a few of the things.

We join with the Governor in saying to all of you that let us work for Pennsylvania. Let us disagree politically, yes. I am not one of those who believes that partisan politics has taken a holiday.I believe that partisan politics will be with us so long as this Democracy survives. As we add many more men to the status of civil employees, through civil service, we are destroying the strength and the life blood of partisan politics. When you defeat partisan politics, you have destroyed Democracy as we know it. No nation can live with a two party system of government unless those parties are strong. People work for parties the same as they work for business, the same as they work for private enterprise; they work for the rewards of victory.

I say to all of you right now that I do not believe that the patronage system saps the strength of this Democracy. We have come a long way since the early foundling days of our Nation and, in so doing, we have achieved the greatest mark of civilized government in the history of the world. We have done it through the simple expediency of fighting with each other on a partisan base and coming out in the end with legislation that strengthens the bulwarks of our Democracy.

I join with you in saying that so long as I remain alive and can utter a word, I will defend the party to which I belong second and the Country to which I belong first.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I want to assure Senator Dent and his Democrat colleagues and the Governor of Pennsylvania that we Republicans want to work with him in harmony during this Session of the Legislature. He certainly flung out the olive branch to us today in his conciliatory speech and I appreciated the tone of it. I would say to him that if he would have made the same type of speech two years ago, at his inaugural, he probably would not have had half as much trouble as he had during the last Session of the Legislature.

However, Mr. President, let bygones be bygones. We are ready to start a new day. This is January 1, 1957. We hope that this Session of the Legislature will produce

much legislation of benefit to the Commonwealth of Pennsylvania. We want to do whatever is right for the people of Pennsylvania and we know that the program which the Governor advocated today is an ambitious one. Perhaps, if all of those things are done in the next five or six years, we should be proud of the progress we have made.

Mr. President, we are always confronted with the cost of any program. As the Governor pointed out today, when he spoke about the Korean War Bonus and he advocated that we pass the constitutional amendment which will provide for it and also pass the necessary legislation, he also stated that when we do, we should hook onto it a provision to pay for it. I think that that is true with all of his program. He should tell us how much money he figures the program will cost and then what new taxes he will advocate in order to pay for it. We will then take all that into consideration and we will try to find out how far the economy of this Commonwealth can stand any increase in taxes. There is a point to which we cannot exceed. We cannot go beyond a certain point in trying to raise revenue from the people of the Commonwealth of Pennsylvania and from the industry of the Commonwealth of Pennsylvania, or we will drive them out of the State as has been proven over the past years. We want to take all those things into consideration.

We want to consider how far the economy of this State will go to pay for the program which the Governor has advocated today. I will assure the Democratic Members of the Senate, the Governor and all the people that we, on this side of the aisle, want to cooperate one hundred per cent with him and we will be glad to sit down with he and any others, his commissions and so forth, to work out a program of benefit.

I will say this to Senator Dent, although partisan politics has not taken a holiday, I think we should take a holiday from political bickering of which both of us have probably been guilty. When we find something real solid to which we can point and, perhaps, make partisanship argument on, then we should go after that. However, just to have bickering here week in and week out for the sake of political bickering and for the sake of filling up the newspapers and to the enjoyment of the gallery, I think we can safely say that we can take a holiday from that sort of thing.

Mr. President, I pledge to Senator Dent and to the Democratic Members that if there are any barbed shafts thrown out from one side of the aisle to the other, then the first shaft will have to come from that side because it will not come from this side. If we do that and get down to work here when we get back, and instead of spending one day a week spend two or three days a week and really do the job the way we should and the way the people want us to, then we are going to successfully complete this Session of the Legislature in short order and the people will be proud of the work we did. We first want to start with our own back yard in trying to effect savings.

I have something in mind which I think will effect a saving in printing, at least. I want to illustrate it by telling you that just about every Senator here has probably been bombarded with requests to put in legislation which will restore the provision in the law which will allow the school buses to transport children for extra curricular activities. Instead of each one of us sponsoring such a bill, I would suggest that one of us sponsor it and then anyone else who wants to get on it may. I suggest that we do the same thing with all the rest of the bills that come before us. So many times we have four and five and even ten bills drawn up and printed to effect the same purpose. If we can all get together here and have the sponsor of a particular bill, in presenting the bill, state what he expects the legislation will accomplish and then invite any of the other Senators to go on the bill with him if they so desire. In that way, I feel that we will effect quite a bit of saving in the printing of bills. As we go through the Session, if you can figure out any way by which we can save money in printing expenses or in any other expenses in connection with the running of the Legislature, I hope that you will come forward and give us the benefit of your ideas.

I wish you all a very happy New Year and I hope that we will get through this Session with a lot of brotherly love and as my good friend, Senator Taylor, said, when we finally wind up there will be so much harmony that you will be able to cut it with a knife. Thank you very much.

EXTENDING BEST WISHES TO THE HONORABLE G. HAROLD WATKINS

Mr. BARR. Mr. President, by the swearing in of our former colleague, Senator Diehm, as Chief Clerk of the Senate, it marks the passing of a gentleman who has been here with us since about 1939. I am speaking of the former Senator from Schuylkill County, who has been Secretary of the Senate and who is now leaving us to go on the Bench. I am not a lawyer and, therefore, I am not gilding the lily. I want to wish him all the best of luck in the world.

The PRESIDENT. I am sure the people of Pennsylvania are very gratified with the spirit of harmony and cooperation that has been evident here today. I hope it is not just holiday spirit, but the spirit of true Pennsylvania statesmanship.

SUPPLEMENT

In the Senate, December 17, 1956.

Pursuant to notification, Hon. George J. Sarraf, of the Thirty-eighth Senatorial District, elected at a Special Election held on November 6, 1956, to fill a vacancy, and Hon. Thomas J. Kalman, of the Thirty-second Senatorial District, elected at a Special Election held on November 6, 1956, to fill a vacancy, presented themselves in the Hall of the Senate on December 17, 1956, when the oath of office was administered to them, the President of the Senate, Lieutenant-Governor Roy E. Furman, presiding.

The President (Roy E. Furman) in the Chair.

The PRESIDENT. This meeting today is to enable Senators-elect George J. Sarraf and Thomas J. Kalman to take the oath of office in the Senate Chamber in accordance with the Constitution of Pennsylvania.

The Chair will ask the Secretary of the Commonwealth, the Honorable Henry E. Harner, to read the returns of the Special Elections held in the Thirty-second and Thirty-eighth Senatorial Districts on November 6, 1956.

In the Name and by Authority of the Commonwealth of Pennsylvania

To His Excellency the President of the Senate and to the Members of the Senate of the General Assembly of the Commonwealth of Pennsylvania, Greetings:

I have the honor to present the returns of the Special Election of the Member of the Senate of the General Assembly of the Commonwealth of Pennsylvania for the Thirty-eighth Senatorial District, as the same has been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the County Board of Elections:

GEORGE J. SARRAF

Thirty-eighth Senatorial District
of Pennsylvania

In Testimony Whereof, I have hereunto set my hand, at the City of Harrisubrg this Thirtieth day of November, in the year of our Lord one thousand nine hundred and fifty-six and of the Commonwealth the one hundred and eighty-first.

(SEAL)

HENRY E. HARNER
Secretary of the Commonwealth

SEPECIAL ELECTION

OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania } ss: Pittsburgh, Pa.,
County of Allegheny } November 27, 1956.

To the Secretary of the Commonwealth:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the Special Election held on Tuesday, November 6, 1956, for each and every candidate in the County of Allegheny as the same remain on file in this office, for the office of Senator in the General Assembly.

DEMOCRATIC

George J. Sarraf had Thirty-four thousand one hundred seventy-one votes 34,171

REPUBLICAN

Joseph R. McMahon had Twenty-three thousand four hundred fifty-six 23,456

In Testimony Whereof, We have hereunto set our hands and seal of office, this 28th day of November, 1956.

JNO. J. KANE
HOWARD B. STEWART
JOHN M. WALKER
County Board of Elections.

(SEAL)

Attest:
M. W. SNYDER
Clerk.

IN THE NAME AND BY AUTHORITY OF THE COMMONWEALTH OF PENNSYLVANIA

I, Henry E. Harner, Secretary of the Commonwealth, do hereby certify that at the Special Election held on the Sixth day of November, 1956 George J. Sarraf, having received 34,171 votes, was duly elected to the office of Senator in the General Assembly in the Thirty-eighth Senatorial District of Pennsylvania.

Witness my hand and seal of my office this Thirtieth day of November, 1956.

(SEAL)

HENRY E. HARNER
Secretary of the Commonwealth

In the Name and by Authority of the
Commonwealth of Pennsylvania

To His Excellency the President of the Senate and to the Members of the Senate of the General Assembly of the Commonwealth of Pennsylvania, Greetings:

I have the honor to present the returns of the Special Election of the Member of the Senate of the General Assembly of the Commonwealth of Pennsylvania for the Thirty-second Senatorial District, as the same has been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the County Board of Elections:

THOMAS J. KALMAN

Thirty-second Senatorial District
of Pennsylvania

In Testimony Whereof, I have hereunto set my hand, at the City of Harrisburg this Twenty-eighth day of November, in the year of our Lord one thousand nine hundred and fifty-six and of the Commonwealth the one hundred and eighty-first.

(SEAL)

HENRY E. HARNER
Secretary of the Commonwealth

SPECIAL ELECTION

OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania } ss: Uniontown, Pa.,
County of Fayette } November 23, 1956.

To the Secretary of the Commonwealth:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the Special Election held on Tuesday, November 6, 1956, for each and every candidate in the County of Fayette as the same remain on file in this office, for the office of Senator in the General Assembly.

REPUBLICAN

Edward L. Sittler, Jr. had Twenty-six thousand six hundred twenty-seven 26,627

DEMOCRATIC

Thomas J. Kalman had Thirty-four thousand five hundred thirty eight 34,538

OTHER PARTIES

NON-PARTISAN

Anthony Cavalcante had Four thousand fifty-eight 4,058

Eustace H. Bane had One 1

In Testimony Whereof, We have hereunto set our hands and seal of office, this 23rd day of November, 1956.

WILLIAM J. GRAHAM
G. EMERSON WORK
J. LEWIS WILLIAMS
County Board of Elections.

(SEAL)

Attest: WILMER M. BIERER, Clerk.

IN THE NAME AND BY AUTHORITY OF THE COMMONWEALTH OF PENNSYLVANIA

I, Henry E. Harner, Secretary of the Commonwealth, do hereby certify that at the Special Election held on the Sixth day of November, 1956 Thomas J. Kalman, having received 34,538 votes, was duly elected to the office of Senator in the General Assembly in the Thirty-second Senatorial District of Pennsylvania.

Witness my hand and the seal of my office this Twenty-eighth day of November, 1956.

HENRY E. HARNER
Secretary of the Commonwealth

(SEAL)

The PRESIDENT. The Chair asks the Senators-elect to stand before the Bar of the Senate.

(Senators-elect George J. Sarraf and Thomas J. Kalman approached the Bar of the Senate.)

The PRESIDENT. We are privileged to have with us today a former Member of this Senate who is now a Judge of the Court of Common Pleas in Cumberland County, the Honorable Robert Lee Jacobs, who will administer the oath of office.

The Chair now presents Judge Jacobs.

(The oath of office was administered.)

The PRESIDENT. The Chair wishes to extend the sincere thanks of the Senate to Judge Jacobs for taking time out from his busy schedule to come to Harrisburg to render this service today.

The Chair would also like to congratulate Senator Sarraf and Senator Kalman, and welcome them to the grandest law-making body in the land, the Senate of Pennsylvania.

The Chair directs the Chief Clerk to have the proceedings of this meeting entered in the Senate Journal when the Senate shall next convene in session.

The purposes for which this meeting was called having been accomplished, the Chair now declares the meeting adjourned.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, January 7, 1957, at 4:00 o'clock, p. m., Eastern Standard Time.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:49 o'clock, p. m., Eastern Standard Time, until Monday, January 7, 1957, at 4:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, January 1, 1957

At 11:30 a. m., the Honorable Norman Wood, a Member from Lancaster County, accompanied by the gentleman from Westmoreland, the Honorable James E. Lovett made the following announcement in the Hall of the House:

> In accordance with the provisions of Article II Section 4 of the Constitution of Pennsylvania, the Members-elect of this 142nd regular session of the House of Representatives will meet this day at twelve o'clock noon in the Hall of the House for the purpose of organization.

The CHIEF CLERK (Benjamin L. Long). This being the day and the hour appointed by Article II, Section 4, of the Constitution of Pennsylvania for the meeting of the General Assembly, the Members-elect of the House of Representatives will now come to order.

At the conclusion of the prayer, the Members will remain standing in silence until the sound of the gavel, as a mark of respect to the memory of our Members who died since we last met:

Honorable Karl B. Guss, Juniata County, died August 16, 1956.

Honorable John R. Quigg, Montour County, died December 1, 1956.

PRAYER

Prayer was offered by the Reverend Walter Kennedy, Pastor of the Templeton and Goheenville Presbyterian Churches, Armstrong County, as follows:

Eternal God, Who has brought us to the beginning of another year, prepare us for the same, we beseech Thee, with inward spiritual power that therein we may work and walk worthily of our high vocation. We cannot see with human eyes what lies ahead. What storms will beat upon our ships we know not. What calms will make smooth sailing we cannot see. We know that Thy sea is great and our ships are small but that Thy stars are steady and that we may trust Thee. In these disturbing and distressing days we remember the promise of the Most High, that if any man lack wisdom let him ask God who giveth to all men liberally and upbraideth not.

We thank Thee for our good land and for those men and women who laid deep the foundations of our nation in righteousness, and for those who across the years have built the structure of our civilization. We bless Thee this day for our own great Commonwealth, and for the part which it's citizens have had in the shaping and preserving of our great heritage. Bless, we beseech Thee, the President of the United States, the Governor of this Commonwealth and all associated with them in the exercise of good government.

Thou hast ordained that in the leadership of nations and states the care of the many must rest upon the shoulders of a few. We beseech Thee to give understanding humility and charity to the Members of this legislative body, who in Thy name and for the Commonwealth's sake are entrusted with the powers of governance. Grant to them strength to serve Thee that the heritage received from our fathers may be preserved in our time and handed down unimpaired to our children. In all their deliberations keep their motives clean, their vision clear, their patriotism undefiled, their speech guarded, their appraisals fair and their consciences unbetrayed.

For Thine is the kingdom and the power and the glory forever. Amen.

The Members stood in silence in memory of the deceased Members.

PRESENTATION OF ELECTION RETURNS

The Secretary of the Commonwealth, Honorable James A. Finnegan, being introduced, pursuant to the provisions of the Act of June 3, 1937, P. L. 1333 presented to the House of Representatives the returns of the election for Members held on November 6, 1956.

The CHIEF CLERK. The election returns will be laid upon the table.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications from the Governor which were laid upon the table.

RESOLUTION

ELECTION RETURNS OPENED

Mr. PAUL G. MURRAY, a Member-elect, offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, Tuesday, January 1, 1957.

Resolved, That the returns for the election of Members of the House of Representatives, held Tuesday, November 6, 1956, be now opened and read.

The returns were opened and read as follows:

VOTES CAST FOR CANDIDATES FOR REPRESENTATIVES IN THE GENERAL ASSEMBLY AT THE GENERAL ELECTION —NOVEMBER 6, 1956

ADAMS COUNTY
1 Member

Party	Name	Address	Votes
Dem.	James S. Shenk,	3 Chambersburg St., Gettysburg	8,064
*Rep.	Francis Worley,	Latimore Twp., R. D. 1, York Springs	10,422

ALLEGHENY COUNTY
1st District—2 Members

*Dem.	Matthew S. Anderson,	4245 Bryn Mawr Rd., Pittsburgh 19	28,632
*Dem.	Daniel A. Verona,	916 Wylie Ave., Pittsburgh 19	28,546
Rep.	William Davis,	257 Melwood St., Pittsburg 13	14,036
Rep.	George E. Welch,	462 Burrows St., Pittsburgh 19	13,980

2nd District—1 Member

Dem.	John H. Devlin,	1006 Bigelow Apartments, 708 Webster Ave., Pittsburgh 19	8,939
Rep.	Edward N. Hyde,	123 Morewood Ave., Pittsburgh 13	6,610

3rd District—1 Member

*Dem.	Walter T. Kamyk,	4627 Carlton St., Pittsburgh 1	11,462

Party	Name	Address	Votes
Rep.	Robert John Binnie, Jr.,	5302 Holmes St., Pittsburgh 1	6,854
	4th District—1 Member		
Dem.	George F. Halloran,	5447 Rossetta St., Pittsburgh 6	9,739
*Rep.	Joseph P. Rigby,	624 Copeland St., Pittsburgh 32	11,777
	5th District—1 Member		
*Dem.	Leo J. McLaughlin,	7137 Upland St., Pittsburgh	11,537
Rep.	A. Hiller Manion,	307 Lowell St., Pittsburgh 6	8,508
	6th District—1 Member		
Dem.	Norman Paul Wolken,	7021 Penn Ave., Pittsburgh 8	10,916
*Rep.	Maurice H. Goldstein,	5666 Phillips Ave., Pittsburgh 17	13,456
	7th District—1 Member		
*Dem.	Edward A. Schuster, Sr.,	4533 Winterburn St., Pittsburgh 7	9,933
Rep.	John P. Stack,	428 Greenfield Ave., Pittsburgh 7	5,985
	8th District—1 Member		
*Dem.	Paul F. Lutty,	150 Monastery Ave., Pittsburgh 3	11,571
Rep.	C. W. Beckman,	244 Hays Ave., Mt. Oliver, Pittsburgh 10	9,832
	9th District—1 Member		
*Dem.	Olaf E. Olsen,	1703 Broadway Ave., Pittsburgh 16	14,579
Rep.	Glenn E. Stuart,	237 Olympia St., Pittsburgh 11	17,440
	10th District—1 Member		
*Dem.	Louis Leonard,	1217 Strahley Pl., Pittsburgh 20	11,340
Rep.	Charles R. Williams,	1729 Northfield Ave., Pittsburgh 4	10,600
	11th District—1 Member		
*Dem.	Martin C. Mihm,	716 Lockhart St., Pittsburgh 12	11,857
Rep.	Charles L. Briceland,	426 Avery St., Pittsburgh 12	8,958
	12th District—1 Member		
Dem.	Thomas J. Foerster,	3714 Ruggles St., Pittsburgh 14	9,767
*Rep.	John J. Vaughan,	2423 Osgood St., Pittsburgh 14	11,997
	13th District—1 Member		
*Dem.	John T. Walsh,	1415 Freemont St., McKeesport	12,799
Rep.	Richard A. Abbott,	1009 Summit St., McKeesport	7,342
	14th District—2 Members		
*Dem.	Jules Filo,	4109 Greensprings Ave., W. Mifflin	29,430
*Dem.	David M. Boies,	312 Fourth St., Clairton	29,021
Rep.	Alphonse A. Steimer,	3304 Cambria St., Munhall	21,823
Rep.	Frank P. Duschek,	Hillview Rd., Gill Hall, Box 115, Jefferson, P. O., R. D. 1, Clairton	20,529
	15th District—4 Members		
Dem.	Frank C. Rayburn,	S. Park Rd., Coverdale, Bethel	49,135
Dem.	Joseph H. Ridge,	4212 Willow Ave., Castle Shannon	46,636
Dem.	Louis J. Corsetti,	597 Hillcrest St., McKees Rocks	45,823
Dem.	Ross E. Blodgett,	Box 336, Mayview	44,203
*Rep.	George W. Cooper,	47 W. Marlin Dr., Mt. Lebanon Twp., Pittsburgh 16	73,203
*Rep.	Edwin C. Ewing,	413 Meridian Dr., Mt. Lebanon, P. O., Pittsburgh 34	72,780
*Rep.	John R. Haudenshield,	111 Ramsey Ave., Carnegie	71,122
*Rep.	Ronald L. Thompson,	224 Parker Dr., Mt. Lebanon Twp., Pittsburgh 16	70,750
	16th District —4 Members		
*Dem.	J. P. Moran,	116 Eighth St., Turtle Creek	59,107
*Dem.	John J. Murray,	104 Summer Ave., Forest Hills, Pittsburgh 21	58,826
*Dem.	George E. Jenkins,	1009 Kirkpatrick St., N. Braddock, Braddock	57,121
*Dem.	Andrew C. Thomas,	1702 Romine Ave., Port Vue, McKeesport	55,717
Rep.	Dennis D. Stevens,	368 Lougeay Rd., Penn Twp., Pittsburgh	62,627
Rep.	Samuel Jenkins,	2507 Monroeville Rd., Monroeville, P. O., Turtle Creek	62,386
Rep.	William P. H. Johnston,	1516 Hudson St., Penn Twp., Rosedale, P. O., Verona	61,745
Rep.	Lester E. Spray,	827 S. Trenton Ave., Wilkinsburg, Pittsburgh 21	60,346
	17th District—4 Members		
Dem.	John Francis Altman,	R. D. 3, Box 39, W. 8th Ave., Tarentum	42,347
Dem.	H. Harper Huston,	1827 Ferguson Rd., Allison Park	40,651
Dem.	Harry R. Christner,	Sewickley Twp., Camp Meeting Rd., R. D. 3, Sewickley	38,928
Dem.	Robert J. Condra,	101 Church Lane, Dorsivylle, Pittsburgh 38 (Indiana Twp.)	37,005
*Rep.	Lee A. Donaldson, Jr.,	3 Elizabeth St., Etna, Pittsburgh 23	63,769
*Rep.	Raymond E. Wilt,	131 Enger Ave., Ross Twp., Pittsburgh 14	63,523
*Rep.	Willard F. Agnew, Jr.,	222 Lexington Ave., Aspinwall, Pittsburgh 15	62,988
*Rep.	Laurence V. Gibb,	624 Mulberry St., Sewickley	61,948
	ARMSTRONG COUNTY 2 Members		
Dem.	Harry M. Flenner,	301 N. McKean St., Kittanning	13,838
Dem.	D. Wesley Elwood,	Kiskiminetas Twp., Star Route, Apollo	13,397
*Rep.	W. Stuart Helm,	910 Wilson Ave., Kittanning	18,434
*Rep.	W. Mack Guthrie,	801 Terrace Ave., Apollo	18,153
	BEAVER COUNTY 1st District—1 Member		
*Dem.	Robert K. Hamilton,	917 Maplewood Ave., Ambridge	16,036
Rep.	William R. Foster,	1888 Mercer Rd., New Brighton	11,165
	2nd District—2 Members		
*Dem.	Charles D. Stone,	100 Summit St., Hopewell Twp., P. O., 100 N. Brodhead Rd., Aliquippa	24,517

* Incumbent.

Party	Name	Address	Votes
*Dem.	William B. Smith,	1701 Boundary St., Aliquippa	23,618
Rep.	James E. Rowley,	602 Reed St., Aliquippa	22,599
Rep.	Joseph A. LaSala,	1727 Jackson St., Aliquippa	21,675
	BEDFORD COUNTY		
	1 Member		
Dem.	Kenneth C. Oster,	Bedford Twp., R. D. 2, Bedford	7,145
*Rep.	Stanley G. Stroup,	Bedford Twp., R. D. 2, Bedford	10,225
	BERKS COUNTY		
	1st District—2 Members		
*Dem.	Albert S. Readinger,	1722 Olive St., Reading	22,327
Dem.	Gus Yatron,	1801 Holly Rd., Reading	21,687
Rep.	John R. Fritz,	403 Douglass St., Reading	17,014
Rep.	Leonard J. Gajewski,	727 Washington St., Reading	16,384
Soc.	Walter R. Hollinger,	1327 North 14th St., Reading	316
Soc.	Howard McDonough,	502 North 11th St., Reading	309
	2nd District—1 Member		
Dem.	Sanford S. Schwaber,	2705 Hollywood Ct., Mt. Penn, Reading	8,379
*Rep.	LeRoy A. Weidner,	11 Marshall Ave., Stony Creek Mills, Reading	14,502
	3rd District—1 Member		
*Dem.	Robert R. Adam,	Perry Twp., R. D. 2, Hamburg	8,698
Rep.	William G. Piper,	202 Howard Blvd., Lincoln Park, West Lawn	9,262
	4th District—1 Member		
*Dem.	Harold A. Yetzer,	521 Jefferson St., Hyde Park, Reading	8,550
Rep.	Richard L. Adams,	1907 Elizabeth Ave., Laureldale	9,728
	BLAIR COUNTY		
	1st District—2 Members		
Dem.	Frank T. Dixon,	3409 Beale Ave., Altoona	12,524
Dem.	John Horon,	719 E. Walton Ave., Altoona	11,444
*Rep.	Charles A. Auker,	1106 26th Ave., Altoona	15,275
*Rep.	Harold G. Miller,	1738 23rd Ave., Altoona	14,958
	2nd District—1 Member		
Dem.	John A. Aller,	322 S. Pine St., South Lakemont, Altoona	7,482
*Rep.	Daniel H. Erb,	511 Wayne St., Hollidaysburg	15,773
	BRADFORD COUNTY		
	1 Member		
Dem.	Robert R. Vineski,	129 Center St., Troy	6,948
*Rep.	Andrew S. Moscrip,	Wysox Twp., R. D. 1, Wysox	13,859
	BUCKS COUNTY		
	1st District—2 Members		
Dem.	George B. Ermentrout,	767 Redwood Dr., Southampton	18,936
Dem.	Bernard T. O'Neill,	15 Clyde Rd., Warminster, Hatboro	18,296
*Rep.	Marvin V. Keller,	Linton Hill Rd., Newtown	34,310
*Rep.	Margarette S. Kooker,	5th & Park Ave., Quakertown	33,573

Party	Name	Address	Votes
	2nd District—1 Member		
*Dem.	A. Patrick Brennan,	36 Laurel Lane, Levittown	23,645
Rep.	Rudolph Kraus,	1309 River Rd., Croydon	20,681
	BUTLER COUNTY		
	2 Members		
Dem.	Edward F. Lindey,	Brady Twp., R. D. 1, Slippery Rock	15,616
Dem.	Frederick B. McGuire,	Middlesex Twp., R. D. 1, Valencia	14,632
*Rep.	Samuel Mahan,	500 S. Washington St., Butler	23,656
Rep.	Wendel H. Miller,	222 First St., Butler	23,636
	CAMBRIA COUNTY		
	1st District—1 Member		
*Dem.	Hiram G. Andrews,	115 Main St., Johnstown	14,182
Rep.	Gilbert Brown,	422 Napoleon St., Johnstown	11,746
	2nd District—3 Members		
*Dem.	E. J. Farabaugh,	Allegheny Twp., Loretto	35,007
*Dem.	Louis Rovansek,	414 Locust St., Conemaugh, E. Conemaugh	33,733
*Dem.	Philip Lopresti,	755 Wayne St., Westmont, Johnstown	33,455
Rep.	Earl Farabaugh,	Main St., Carrolltown	28,371
Rep.	Marvin L. Eshelman,	324 Belmont St., Johnstown, Geistown	26,761
Rep.	Peter Voyzey,	Jackson Twp., R. D. 1, Mineral Point	24,161
	CAMERON COUNTY		
	1 Member		
Dem.	Erwin L. Murray,	Shippen Twp., R.F.D. 1, Emporium	1,389
*Rep.	Edwin W. Tompkins,	120 West 4th St., Emporium	1,924
	CARBON COUNTY		
	1 Member		
*Dem.	John F. Bonner,	204 W. Ludlow St., Summit Hill	10,973
Rep.	William A. Wyatt,	309 North 2nd St., Lehighton	11,551
	CENTRE COUNTY		
	1 Member		
Dem.	Charles M. Emerick,	Walker Twp., R.D. 2, Howard	9,154
Rep.	Robert H. Breon, Jr.,	1145 S. Garner St., State College	13,535
	CHESTER COUNTY		
	1st District—1 Member		
Dem.	John W. Kimble,	W. Nottingham Twp., Nottingham	6,482
*Rep.	William E. Brown,	78 Virginia Ave., Coatesville	9,221
	2nd District—2 Members		
Dem.	Siguard J. Overgaard,	317 S. Walnut St., West Chester	16,347
Dem.	Donald C. Boughton,	402 S. Broad St., Kennett Square	15,486
*Rep.	William H. Ashton,	Delchester Farms, Edgemont	34,325
Rep.	Joseph P. Ujobai,	137 Fifth Ave., Pheonixville	33,328

Party	Name	Address	Votes
	CLARION COUNTY		
	1 Member		
Dem.	Thomas Filson,	603 Lafeyette St., New Bethlehem	6,508
*Rep.	Paige Varner,	88 Payne St., Clarion	8,426
	CLEARFIELD COUNTY		
	1st District—1 Member		
*Dem.	Harris Breth,	Lawrence Twp., R.D. 2, Clearfield	7,855
Rep.	William C. Chase,	1 West First St., Clearfield	7,847
	2nd District—1 Member		
*Dem.	Frank M. O'Neil,	421 W. Garfield Ave., DuBois	6,957
Rep.	Ralph A. Marsh,	123 E. Long Ave., DuBois	7,465
	CLINTON COUNTY		
	1 Member		
Dem.	Fred S. Charles,	Central Ave., Avis	5,866
*Rep.	Ruth S. Donahue,	41 N. Fairview St., Lock Haven	7,793
	COLUMBIA COUNTY		
	1 Member		
Dem.	Jay W. Myers,	410 Iron St., Bloomsburg	9,311
*Rep.	Albert E. Strausser,	301 East 5th St., Berwick	12,980
	CRAWFORD COUNTY		
	2 Members		
Dem.	Charles Curtis Mitchell,	111 E. Diamond St., Titusville	9,922
Dem.	John G. Moeller, Jr.,	Rockdale Twp., R.D. 3, Cambridge Springs	9,766
*Rep.	George C. Magee, Jr.,	738 Baldwin St., Meadville	17,027
Rep.	Ralph S. Merry,	Pine Twp., R.D. 1, Linesville	16,771
Pro.	Willard L. Marsteller,	Springboro	1,166
	CUMBERLAND COUNTY		
	2 Members		
Dem.	Robert A. Rotz,	324 E. Fort St., Shippensburg	15,630
Dem.	David C. Simpson,	Third St., Summerdale	15,215
*Rep.	Clarence G. Stoner,	407 E. Main St., Shiremanstown	26,986
*Rep.	Arthur George,	114 S. West St., Carlisle	26,835
	DAUPHIN COUNTY		
	1st District—2 Members		
Dem.	James A. Clement,	617 Boas St., Harrisburg	13,250
Dem.	Walter J. Straiton, Jr.,	3309 North 4th St., Harrisburg	13,248
Rep.	James S. Bowman,	1541 State, St., Harrisburg	24,323
*Rep.	Robert S. Ogilvie,	2619 North 2nd St., Harrisburg	24,272
	2nd District—2 Members		
Dem.	Marlan O. Walter,	400 Market St., Millersburg	20,125
Dem.	James W. Leggore,	13 W. Water St., Middletown	19,510
*Rep.	Blaine C. Hocker,	42 Harrisburg St., Oberlin	31,716
*Rep.	John H. Moody,	Susquehanna Twp., 3666 North 3rd St., Harrisburg	31,102

Party	Name	Address	Votes
	DELAWARE COUNTY		
	1st District—1 Member		
Dem.	John H. Moreno,	1505 Honan St., Chester	10,485
*Rep.	Peter J. Murphy,	522 East 9th St., Chester	12,401
	2nd District—2 Members		
Dem.	John Joseph Robinson,	44 Golf Road, Upper Darby	22,683
Dem.	Frederick S. Saunders,	719 Pembroke Ave., E. Lansdowne	22,567
Rep.	Clyde R. Dengler,	Netherwood & Keystone Aves., Upper Darby	39,370
Rep.	Mae W. Kernaghan,	419 Holly Road, Yeadon	39,173
	3rd District—4 Members		
Dem.	Walter L. Lindsay,	958 Thornton Rd., Upper Chichester Twp., Boothwyn	50,755
Dem.	Genevieve A. Dunn,	116 Scheivert Ave., Aston Twp., Chester	50,413
Dem.	E. Charles Spevak,	131 Milmont Ave., Milmont Park	50,089
Dem.	Daniel L. Goldwater,	308 Rutgers Ave., Swarthmore	50,007
*Rep.	Clarence D. Bell,	400 Summit St., Upland	87,276
*Rep.	Edwin E. Lippincott, II,	Sycamore Mills Rd., Upper Providence Twp., Media	87,069
*Rep.	John H. Foster,	Radnor Twp., 671 Church Lane, Wayne	86,865
*Rep.	Joseph W. Isaacs,	1547 Baltimore Ave., Folcroft	86,416
	ELK COUNTY		
	1 Member		
*Dem.	William F. Renwick,	130 Straub Ave., St. Marys	6,727
Rep.	William F. Renwick,	130 Straub Ave., St. Marys	7,394
			14,121
	ERIE COUNTY		
	1st District—1 Member		
Dem.	Joseph W. Schroeder,	3516 Cherry St., Erie	11,092
Rep.	Delbert W. Dalrymple,	1358 Morse Ave., Erie	13,673
	2nd District—1 Member		
*Dem.	Julian Polaski,	560 East 14th St., Erie	14,379
Rep.	Julian Polaski,	560 East 14th St., Erie	10,856
			25,235
	3rd District—2 Members		
Dem.	Duane E. Weidler,	Peach St., Platea, P.O., Box 122, Platea	12,637
Dem.	Gill H. Graham,	68 Vine St., North East	12,567
Rep.	Ford E. O'Dell,	Harborcreek Twp., R.D. 1, East Lake Rd., Harborcreek	24,156
*Rep.	Stanley L. Blair,	West Ave., Albion	24,128
	FAYETTE COUNTY		
	1st District—1 Member		
*Dem.	Robert Wheeler, Jr.,	Georges Twp., P. O., Box 505, Fairchance	10,119
Rep.	Joseph S. Kaputa,	42 Lyons Ave., Fairchance	5,142
	2nd District—3 Members		
*Dem.	E. Gadd Snider,	New Salem Rd., Uniontown, P.O. Box 371, Uniontown	29,909
*Dem.	Nicholas Kornick,	37 Shady Lane, Uniontown	28,842
Dem.	Pat C. Trusio,	47 E Penn St., Uniontown	27,817

* Incumbent.

Party	Name	Address	Votes
Rep.	Samuel R. Longanecker,	Bullskin Twp., R. D. 2, Box 381A, Connellsville	20,126
Rep.	Harry J. Morrison,	39 Middle St., Uniontown	19,915
Rep.	Joseph A. Paulcheck,	370 Braddock Ave., Uniontown	19,318
	FOREST COUNTY		
	1 Member		
Dem.	Sara E. Huff,	Barnett Twp., Clarington	829
*Rep.	James K. Davis,	Elm St., Tionesta	1,216
Pro.	Eugene A. Kern,	Bridge St., Tionesta	94
	FRANKLIN COUNTY		
	1 Member		
Dem.	George R. Brindle,	Greene Twp., R. F. D. 1, Chambersburg	13,381
*Rep.	Enos H. Horst,	120 Lincoln Way West, Chambersburg	16,694
	FULTON COUNTY		
	1 Member		
*Dem.	Marl H. Garlock,	Ayr Twp., McConnellsburg	2,189
Rep.	Walter A. Bair,	Warfordsburg	2,008
	GREENE COUNTY		
	1 Member		
*Dem.	Stephen McCann,	Waynesburg Rd., Cumberland Twp., Carmichaels	10,617
Rep.	Hugh G. Montgomery,	311 N. Richhill St., Waynesburg	6,569
	HUNTINGDON COUNTY		
	1 Member		
Dem.	Frank M. Davis,	1104 Mt. Vernon Ave., Smithfield, Huntingdon	4,911
Rep.	Orville E. Snare,	610 Penna. Ave., Huntingdon	9,244
	INDIANA COUNTY		
	1 Member		
Dem.	Patrick J. Stapleton,	414 Oak St., Indiana	12,464
Rep.	William G. Buchanan,	380 Poplar Ave., Indiana	16,887
	JEFFERSON COUNTY		
	1 Member		
Dem.	Harry A. Dunkle,	126 Belmont Ave., Punxsutawney	7,537
Rep.	Samuel B. Dennison,	728 Main St., Reynoldsville	11,936
	JUNIATA COUNTY		
	1 Member		
Dem.	C. Russell Cramer,	Licking St., Mifflin	3,220
Rep.	Lester H. Zimmerman,	316 Orange St., Mifflintown	3,795
	LACKAWANNA COUNTY		
	1st District—1 Member		
*Dem.	William J. Reidenbach,	211 Penn Ave., Scranton	15,357
Rep.	William E. Weibel,	940 Wheeler Ave., Scranton	12,906
	2nd District—1 Member		
*Dem.	Michael J. Needham,	324 S. Hyde Park Ave., Scranton	14,164
Rep.	J. Russell Phillips,	2310 Boulevard Ave., Scranton	15,175
	3rd District—1 Member		
*Dem.	Joseph G. Wargo,	106 Bosak Court, Olyphant	11,483
Rep.	Bert Collins,	26 Ollendike St., Throop	6,680
	4th District—1 Member		
*Dem.	Marion L. Munley,	175 Spruce St., Archbald	12,172
Rep.	Carl J. Savo,	631 Lackawanna Ave., Mayfield	8,979
	5th District—1 Member		
Dem.	Joseph A. Krypel, Sr.,	808 W. Grove St., Taylor	8,240
Rep.	William Edwards,	Greenfield Twp., R. D. 1, Jermyn	13,199
	LANCASTER COUNTY		
	1st District—1 Member		
Dem.	A. Fred Rentz,	1023 W. New St., Lancaster	10,272
*Rep.	Paul G. Murray,	310 Race Ave., Lancaster	15,211
	2nd District—3 Members		
Dem.	Thomas E. Harting,	86 W. Main St., Adamstown	19,548
Dem.	George E. Busler,	Fulton Twp., R. D. 1, Peach Bottom	18,860
Dem.	Mary B. Frizzel,	29 N. Prince St., Millersville	18,611
*Rep.	Baker Royer,	1157 W. Main St., Ephrata	50,031
*Rep.	Norman Wood,	Fulton Twp., R. D. 1, Peach Bottom	49,993
*Rep.	Edwin D. Eshleman,	345 N. George St., Millersville	49,958
	LAWRENCE COUNTY		
	1st District—1 Member		
*Dem.	Dominick E. Cioffi,	25 E. Reynolds St., New Castle	10,231
Rep.	B. J. Biondi,	809 S. Jefferson St., New Castle	9,282
	2nd District—1 Member		
Dem.	James E. Denny,	Mahoning Twp., R. D. 1, Edenburg	11,007
Rep.	Donald W. Fox,	N. Beaver Twp., R. D. 2, Enon Valley	13,974
	LEBANON COUNTY		
	2 Members		
Dem.	John W. Ford,	157 N. Franklin St., Palmyra	12,232
Dem.	Amos Graby,	S. Annville Twp., Rte. 4, Lebanon	11,766
Rep.	H. Jack Seltzer,	Forge & Oak Sts., Palmyra	20,297
*Rep.	John H. Light,	Annville Twp., R. D. 1, Lebanon	20,191
	LEHIGH COUNTY		
	1st District—2 Members		
*Dem.	Samuel W. Frank,	634 Gordon St., Allentown	17,485
*Dem.	Mary E. Leiby,	518 Washington St., Allentown	17,222
Rep.	Reginald P. Stimmel,	1245 North 19th St., Allentown	21,822
Rep.	Paul A. DeLong,	341 North 5th St., Allentown	21,299
	2nd District—2 Members		
Dem.	Clinton James Leiby,	South Whitehall Twp., 1541 North 19th St., Allentown	15,524

Party	Name	Address	Votes
Dem.	Kenneth W. Frey,	835 Broadway, Fountain Hill, Bethlehem	15,240
*Rep.	Marian E. Markley,	Lower Macungie Twp., R. D. 1, Macungie	24,079
*Rep.	William A. Steckel,	1018 Main St., Slatington	23,352
	LUZERNE COUNTY		
	1st District—1 Member		
Dem.	Leonard E. Slusser,	591 Branch Ct. Hazleton	8,696
*Rep.	John J. Mikula,	28 W. Spring St., Hazleton	14,367
	2nd District—1 Member		
*Dem.	Stanley A. Meholchick,	3 Sively St., Ashley	9,686
Rep.	James B. Post, Jr.,	66 Oxford St., Hanover Twp., Wilkes-Barre	10,528
	3rd District—1 Member		
*Dem.	James Musto,	61 Bryden St., Pittston Twp., Pittston	12,648
Rep.	John J. Capone,	32 Butler St., Pittston	7,701
	4th District—1 Member		
*Dem.	William B. Curwood,	51 N. Main St., Shickshinny	9.419
Rep.	Frank Mayewski,	623 S. Walnut St., Nanticoke	9,337
	5th District—1 Member		
*Dem.	Frank A. Wallace,	50 E. State St., Larksville, Kingston	9,384
Rep.	Gordon S. Dietterick, Jr.,	272 Rutter Ave., Kingston	10,883
	6th District—1 Member		
Dem.	Andrew J. Mihalko,	101 Grove St., Exeter, Pittston	10,042
*Rep.	Roy W. Parry,	40 Slocum St., Forty-Fort	13,692
	7th District—1 Member		
Dem.	William Luksic,	10 Park Ave., Wilkes-Barre	11,633
*Rep.	James J. Jump,	70 E. Jackson St., Wilkes-Barre	16,153
	LYCOMING COUNTY		
	1st District—1 Member		
*Dem.	Lawrence Swartz,	1212 Baldwin St., Williamsport	8,134
Rep.	John E. Whittaker,	137 Lincoln Ave., Williamsport	11,145
	2nd District—1 Member		
*Dem.	Perry M. Paulhamus,	Anthony Twp., R. D. 1, Salladasburg	9,534
Rep.	William H. Brand,	28 Round Hill Rd., Williamsport	11,504
	McKEAN COUNTY		
	1 Member		
Dem.	William J. Burns,	513 Chase St., Kane	5,784
*Rep.	Albert W. Johnson,	409 Franklin St., Smethport	13,800
	MERCER COUNTY		
	1st District—1 Member		
Dem.	Max C. Mowry,	Box 116, Sandy Lake	10,892
*Rep.	Ralph J. Down,	915 Alcoma St., Sharon	13,569
	2nd District—1 Member		
Dem.	Arthur Sloan Pantall,	328 South St., West Middlesex	10,409
Rep.	James E. Willard,	R. F. D. 1, Pulaski	12,865

Party	Name	Address	Votes
	MIFFLIN COUNTY		
	1 Member		
Dem.	Lowell H. Alexander,	27 E. Main St., Belleville	5,807
*Rep.	Harry W. Price, Jr.,	135 West 3rd St., Lewistown	7,803
	MONROE COUNTY		
	1 Member		
*Dem.	Van D. Yetter, Jr.,	Smithfield Twp., R. D. 2, East Stroudsburg	7,593
Rep.	Hanford L. Cleveland,	215 Spring St., East Stroudsburg	7,810
	MONTGOMERY COUNTY		
	1st District—1 Member		
Dem.	Lawrence W. Roney,	Lower Merion Twp., 109 Rock Glen Rd., Penn Wynne, Philadelphia 31	7,827
*Rep.	John A. Lafore, Jr.,	511 Avonwood Rd., Lower Merion Twp., Haverford	23,233
	2nd District—1 Member		
Dem.	James V. Mannion,	306 Stanbridge St., Norristown	11,251
*Rep.	Thomas H. W. Jones,	1733 DeKalb St., Norristown	15,123
	3rd District—4 Members		
Dem.	John Z. Macomber,	Upper Salford Twp., Spring Mount Rd., Spring Mount	45,167
Dem.	Robert E. Garber,	1086 N. Warren St., Pottstown	44,786
Dem.	John T. Synnestvedt,	736 Fetters Mill Rd., Huntingdon Valley, Lower Moreland	44,186
Dem.	Frank J. Valenti,	Springfield Twp., 109 Redford Rd., Oreland	42,379
*Rep.	Floyd K. Brenninger,	811 Columbia Ave., Lansdale	88,181
*Rep.	Evelyn Glazier Henzel,	414 Keswick Ave., Glenside	88,138
Rep.	Morton H. Fetterolf, Jr.,	Whitemarsh Twp., Cricket Rd., Flourtown	88,020
*Rep.	Herman B. Willaredt,	Mont Clare	86,265
	MONTOUR COUNTY		
	1 Member		
*Dem.	Donald E. Whitenight,	Mahoning Twp., R. D. 4, Danville	2,643
Rep.	John R. Quigg,	407 Ferry St., Danville	3,443
	NORTHAMPTON COUNTY		
	1st District—1 Member		
*Dem.	Francis W. Bucchin,	830 East 4th St., Bethlehem	11,626
Rep.	Earl Garland,	741 Linden St., Bethlehem	9,787
	2nd District—3 Members		
*Dem.	Jeanette F. Reibman,	514 McCartney St., Easton	26,028
*Dem.	James L. Gaffney,	724 Lincoln St., Easton	25,760
*Dem.	Joseph Pacchioli,	Bethlehem Twp., R. D. 1, Bethlehem	24,915
Rep.	Henry E. Ragot,	252 Spring Garden St., Easton	28,720
Rep.	Russel S. Moyer,	2131 Lincoln Ave., Northampton	27,562
Rep.	Joseph A. Ide,	810 Fairfield Ave., Easton	26,190

* Incumbent.

Party	Name	Address	Votes
	NORTHUMBERLAND COUNTY		
	1st District—1 Member		
*Dem.	John F. Stank,	517 Webster St., Coal Twp., Ranshaw	12,114
Rep.	Edward Dunn,	135 W. Water St., Mount Carmel	12,669
	2nd District—1 Member		
Dem.	Grant K. Mertz,	936 Edison Ave., Sunbury	8,656
*Rep.	Adam T. Bower,	138 Bainbridge St., Sunbury	11,696
	PERRY COUNTY		
	1 Member		
Dem.	Thomas V. Miller,	Oliver Twp., Newport	4,453
Rep.	Carl M. Barton,	Maple Lane, New Bloomfield	6,438
	PHILADELPHIA COUNTY		
	1st District—1 Member		
*Dem.	James J. Dougherty,	117 Tree St., Philadelphia	16,992
Rep.	Charles Stolfo,	2947 S. Broad St., Philadelphia 48	8,583
	2nd District—1 Member		
Dem.	Benjamin J. Krakow,	1835 South 5th St., Philadelphia	10,681
Rep.	Joseph Franchetti,	1109 Mifflin St., Philadelphia 48, P. O., Southwark	9,132
	3rd District—2 Members		
*Dem.	Louis J. Amarando,	2523 South 16th St., Philadelphia	20,113
*Dem.	Vincent F. Scarcelli,	2103 So. Lambert St., Philadelphia	19,379
Rep.	Albert Del Conte,	1612 South 12th St., Philadelphia 48	16,310
Rep.	Edward McKerman,	1800 Packer Ave., Philadelphia	16,181
	4th District—1 Member		
*Dem.	Mary A. Varallo,	1418 Point Breeze Ave., Philadelphia	14,233
Rep.	Charles Allerizzi,	1226 South 31st St., Philadelphia	5,391
	5th District—2 Members		
*Dem.	Henry Cianfrani,	526 Fitzwater St., Philadelphia	19,154
*Dem.	Granville E. Jones,	2233 Christian St., Philadelphia	19,049
Rep.	Paul Silverstein,	520 Pine St., Philadelphia	13,945
Rep.	George B. Hemsley,	2401 Catherine St., Philadelphia	13,798
	6th District—1 Member		
Dem.	Louis Silverman,	1325 Green St., Philadelphia	8,764
Rep.	George S. Hill,	627 Fairmount Ave., Philadelphia 23	3,959
	7th District—1 Member		
*Dem.	Francis X. Muldowney,	862 North 22nd St., Philadelphia	8,684
Rep.	Theodore Karaszkiewicz,	543 North 22nd St., Philadelphia 30	6,159
	8th District—1 Member		
*Dem.	Samuel Floyd,	1022 W. Girard Ave., Philadelphia	9,657
Rep.	Calvin C. Davis, Sr.,	1941 North 11th St., Philadelphia	4,198
	9th District—1 Member		
*Dem.	William Limper,	169 W. Huntingdon St., Philadelphia	12,847
Rep.	Elmer J. Turner,	2406 N. Hancock St. Philadelphia 33	8,677
	10th District—1 Member		
Dem.	Jesse J. Shields,	1617 North 18th St., Philadelphia	14,854
Rep.	James E. Hite,	2123 W. Sharswood St., Philadelphia 21	5,854
	11th District—1 Member		
*Dem.	Susie Monroe,	1942 North 23rd St., Philadelphia	13,377
Rep.	Samuel E. Wadkins,	2165 North 12th St., Philadelphia	3,451
	12th District—1 Member		
*Dem.	Benjamin Boory,	2436 N. Stanley St., Philadelphia	12,843
Rep.	Andrew Grant,	2442 North 16th St., Philadelphia	4,403
	13th District—2 Members		
*Dem.	John J. Welsh,	3544 N. Broad St., Philadelphia 40	21,945
*Dem.	Thomas A. Frascella,	1239 W. Somerset St., Philadelphia	21,317
Rep.	Andrew Di Gregorio,	3100 North 28th St., Philadelphia	15,308
Rep.	Joseph J. Richards,	2218 North 7th St., Philadelphia	14,376
	14th District—1 Member		
Dem.	Henry H. Meigs,	Spring Lane & Hagy's Mill Road, Philadelphia	7,539
Rep.	Austin M. Lee,	1 Lothian Place, Philadelphia	13,021
	15th District—2 Members		
Dem.	James L. J. Pie,	6952 Weatham St., Philadelphia 19	23,893
Dem.	George B. Hartley,	209 E. Cliveden St., Philadelphia 19	23,558
*Rep.	John N. Pomeroy, Jr.,	Whitemarsh St., Philadelphia 18	30,637
Rep.	Beatrice Z. Miller,	409 W. Price St., Philadelphia	30,240
	16th District—1 Member		
*Dem.	Herman Toll,	2323—76th Ave., Philadelphia	26,524
Rep.	Tobias Goldberg,	7504 North 20th St., Philadelphia	18,626
	17th District—1 Member		
*Dem.	Eugene Gelfand,	5748 N. Park Ave., Philadelphia	17,167
Rep.	Emanuel Eiferman,	4931 North 7th St., Philadelphia	10,090
	18th District—1 Member		
*Dem.	Louis Sherman,	4805 B St., Philadelphia	14,908
Rep.	Eugene K. Mansdoerfer,	5525 N. Fairhill St., Philadelphia	14,014
	19th District—1 Member		
*Dem.	Thomas J. McCormack,	3842 N. Park Ave., Philadelphia	11,941

Party	Name	Address	Votes
Rep.	John J. Hennessy,	2809 N. Hutchinson St., Philadelphia	9,239
	20th District—1 Member		
*Dem.	Harry R. Comer,	2764 N. Howard St., Philadelphia	17,673
Rep.	George W. Hufnagel,	Carl Mackley Apts., M & Bristol Sts., Philadelphia	12,927
	21st District—2 Members		
*Dem.	Martin J. Taylor,	3527 Frankford Ave., Philadelphia 34	21,811
Dem.	Joseph M. O'Brien,	1927 E. Wensley St., Philadelphia	21,590
Rep.	Martin R. Fountain,	3777 Richmond St., Philadelphia	16,834
Rep.	Joseph G. McNamara,	3140 Miller St., Philadelphia 34	16,590
	22nd District—1 Member		
*Dem.	Albert Leven,	301 Carver Hall Apts., Oxford Ave. & Leiper St., Philadelphia	11,129
Rep.	John Wm. Brucker,	5127 Oxford Ave., Philadelphia	12,026
	23rd District—3 Members		
*Dem.	Leo A. McKeever,	1675 E. Cheltenham Ave., Philadelphia	52,512
*Dem.	Joshua Eilberg,	6309 Horrocks St., Philadelphia 49	52,099
*Dem.	Kathryn Graham Pashley,	8123 Hennig St., Philadelphia 11	52,076
Rep.	James E. Kennedy,	3229 Unruh St., Philadelphia	46,708
Rep.	Louis Pokras,	5417 Howland St., Philadelphia	46,543
Rep.	Joseph P. Delaney,	730 Strahle St., Philadelphia	46,485
	24th District—1 Member		
*Dem.	Ernest O. Branca,	4734 Sheffield Ave., Philadelphia	13,533
Rep.	Daniel Carson,	6005 Tulip St., Philadelphia 24	13,660
	25th District—1 Member		
*Dem.	Herbert Holt,	4018 Parrish St., Philadelphia	12,358
Rep.	William Julye,	3715 Wallace St., Philadelphia 4	4,949
	26th District—1 Member		
*Dem.	Sarah A. Anderson,	226 North 52nd St., Philadelphia 39	9,250
Rep.	Fred D. Harrod, Sr.,	26 North 50th St., Philadelphia	3,899
	27th District—1 Member		
*Dem.	Herbert Fineman,	5406 Morse St., Philadelphia	18,730
Rep.	Stanton W. Kratzok,	4901 Wynnefield Ave., Philadelphia	6,977
	28th District—1 Member		
Dem.	George X. Schwartz,	7015 Greenhill Rd., Philadelphia 31	13,759
Rep.	Ralph Marino,	221 N. Felton St., Philadelphia	9,946
	29th District—1 Member		
*Dem.	Martin P. Mullen,	5332 Glenmore Ave., Philadelphia	15,439
Rep.	John T. O'Brien,	1951 S. Ithan St., Philadelphia	13,313
	30th District—2 Members		
*Dem.	Charles D. Heavey,	5506 Cedar Ave., Philadelphia 43	21,876
Dem.	Mary Alice Duffy,	5031 Cedar Ave., Philadelphia	21,842
Rep.	Matthew J. Hanley,	847 South 56th St., Philadelphia	14,258
Rep.	Allen Grant,	49th & Locust Sts., Philadelphia	14,040
	31st District—1 Member		
*Dem.	Joseph A. McGee,	2519 South 61st St., Philadelphia	15,269
Rep.	William J. Maguire,	1942 S. Redfield St., Philadelphia	10,944
	PIKE COUNTY 1 Member		
Dem.	Mary M. Lilley,	309 W. Harford St., Milford	2,372
*Rep.	August Metz, Jr.,	Dingman Twp., Milford	3,002
	POTTER COUNTY 1 Member		
*Dem.	Robert J. Flint,	5 Water St., Coudersport	3,422
Rep.	Ray C. Goodrich,	Roulette	3,994
	SCHUYLKILL COUNTY 1st District—2 Members		
Dem.	Robert F. Kline,	108 E. Mahanoy Ave., Mahanoy City	18,733
Dem.	Bart J. Flannery,	West Mahanoy Twp., Lost Creek	18,209
*Rep.	Wayne M. Breisch,	Union Twp., R. D. 2, Ringtown	23,344
*Rep.	H. Franklin Kehler,	505 Centre St., Ashland	22,996
	2nd District—2 Members		
Dem.	William Joseph Webber,	234 W. Bacon St., Palo Alto, P. O., Pottsville	16,076
Dem.	William F. McMullen,	225 S. Nicholas St., St. Clair	15,608
Rep.	George W. Heffner,	614 Edwards Ave., Pottsville	24,469
*Rep.	William Knecht,	132-134 E. Grand Ave., Tower City	23,676
	SNYDER COUNTY 1 Member		
Dem.	Marshall Boyer,	Middlecreek Twp., Box 84, Kreamer	2,316
*Rep.	Harvey P. Murray,	412 W. Pine St., Selinsgrove	6,570
	SOMERSET COUNTY 2 Members		
*Dem.	Paul A. Stephens,	202 Broadway St., Meyersdale	14,695
Dem.	Gerald N. Zeigler,	707 Graham Ave., Windber	14,675
Rep.	William R. Korns,	1100 E. Main St., Somerset	18,573
*Rep.	Harry A. Naugle,	202 S. Main St., Davidsville	18,045
	SULLIVAN COUNTY 1 Member		
*Dem.	Anthony J. Barnatovich,	Mildred	1,497
Rep.	Kenneth B. Lee,	Eagles Mere	1,811

* Incumbent.

Party	Name	Address	Votes
	SUSQUEHANNA COUNTY		
	1 Member		
Dem.	Kenneth A. Bush,	South Montrose	5,241
*Rep.	Harold G. Wescott,	412 Broad Ave., Susquehanna	9,665
	TIOGA COUNTY		
	1 Member		
Dem.	George H. Painter,	Westfield Twp., R. D. 4, Westfield	3,780
*Rep	Harry R. McInroy,	Church St., Westfield	10,164
	UNION COUNTY		
	1 Member		
Dem.	David E. Oldt,	Union Twp., R. D. 1., Winfield	2,109
.Rep.	Louis A. Pursley,	1030 Washington Ave., Lewisburg	6,231
	VENANGO COUNTY		
Dem.	Grant W. McElhatten,	116 West 2nd St., Oil City	6,395
.Rep.	Harry S. Gramlich,	806 Liberty St., Franklin	15,709
	WARREN COUNTY		
	1 Member		
Dem.	William O. Tingwall,	221 Central Ave., Warren	4,495
*Rep.	Allen M. Gibson,	203 Crary Ave., Sheffield	11,773
	WASHINGTON COUNTY		
	1st District—2 Members		
*Dem.	Michael R. Flynn,	30 E. Prospect Ave., Washington	23,689
Dem.	J. Blatch Cummins,	295 Donnan Ave., Washington	23,115
Rep.	Okal M. Sprowls,	E. Finley Twp., R.D. 3, Claysville	18,457
Rep.	G. Linn Culp,	112 Cherry Ave., Houston	17,234
	2nd District—2 Members		
*Dem.	C. O. Williams,	Centerville Borough, P.O., R.D. 1, West Brownsville	28,756
*Dem.	A. V. Capano,	805 McKean Ave., Donora	27,608
Rep.	Wilbert L. Sims,	Peters Twp., R.D. 1, Venetia	16,223
Rep.	Albert S. Diaz,	933 McKean Ave., Charleroi	16,072
	WAYNE COUNTY		
	1 Member		
Dem.	James J. Clauss,	Lake Twp., Lake Ariel	3,481
*Rep.	Arthur J. Wall,	315 Sixteenth St., Honesdale	9,248
	WESTMORELAND COUNTY		
	1st District—1 Member		
Dem.	Charles J. Jim,	206 Gertrude St., Latrobe	11,175
Rep.	C. Blair Lyons,	219 West 4th Ave., Derry	11,024
	2nd District—2 Members		
*Dem.	James E. Lovett,	521 Gilmore Ave., Trafford	33,928
*Dem.	Anthony J. Petrosky,	Salem Twp., Box 26, Slickville	32,126
Rep.	J. Oscar Tarr,	Franklin Twp., R.D. 2, Export	25,046
Rep.	Michael A. Sotak,	Franklin Twp., R.D. 1, Export	22,809
	3rd District—2 Members		
*Dem.	Charles J. Mills,	711 Eastmont Dr., Greensburg	34,365
*Dem.	H. J. Maxwell,	1200 Hillcrest Ave., Monessen	33,903
Rep.	Ralph K. Porch,	Mt. Pleasant Twp., R.D. 1, Mt. Pleasant	24,134
Rep.	Edward F. Stefl,	Mt. Pleasant Twp., R.F.D. 3, Mt. Pleasant	22,719
	WYOMING COUNTY		
	1 Member		
Dem.	J. Mark Robinson,	Eaton Twp., R.D. 5, Tunkhannock	2,924
Rep.	James Wynd, Jr.,	55 W. Tioga St., Tunkhannock	5,108
	YORK COUNTY		
	1st District—1 Member		
Dem.	John R. Gailey, Jr.,	377 Madison Ave., York	12,736
Rep.	John T. Miller,	1401 Continental Rd., York	11,194
	2nd District—1 Member		
*Dem.	Herman E. Stebbins,	Manchester Twp., R.D. 5, York	9,275
Rep.	Stanley H. Gross,	E. Manchester Twp., R.D. 1, Mt. Wolf	10,602
	3rd District—1 Member		
*Dem.	Richard O. Hass,	817 Grandview Rd., York	10,038
Rep.	Geo. A. Goodling,	Loganville	12,215
	4th District—1 Member		
*Dem.	Harold B. Rudisill,	418 Baltimore St., Hanover	10,763
Rep.	Harold B. Rudisill,	418 Baltimore St., Hanover	10,353
			21,116

* Incumbent

TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the returns of the election held November 6, 1956, of the following Members of the House of Representatives in the General Assembly:

Francis Worley, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Adams County;

Matthew S. Anderson and Daniel A. Verona, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Allegheny County;

John H. Devlin, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Allegheny County;

Walter T. Kamyk, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the third district of Allegheny County;

Joseph P. Rigby, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of Allegheny County;

Leo J. McLaughlin, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fifth district of Allegheny County;

Maurice H. Goldstein, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the sixth district of Allegheny County;

Edward A. Schuster, Sr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the seventh district of Allegheny County;

Paul F. Lutty, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the eighth district of Allegheny County;

Glenn E. Stuart, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the ninth district of Allegheny County;

Louis Leonard, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the tenth district of Allegheny County;

Martin C. Mihm, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the eleventh district of Allegheny County;

John J. Vaughan, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twelfth district of Allegheny County;

John T. Walsh, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the thirteenth district of Allegheny County;

Jules Filo and David M. Boies, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the fourteenth district of Allegheny County;

George W. Cooper, Edwin C. Ewing, John R. Haudenshield and Ronald L. Thompson, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the fifteenth district of Allegheny County;

Dennis D. Stevens, Samuel Jenkins, William P. H. Johnston and Lester E. Spray, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the sixteenth district of Allegheny County:

Lee A. Donaldson, Jr., Raymond E. Wilt, Willard F. Agnew, Jr. and Laurence V. Gibb having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the seventeenth district of Allegheny County;

W. Stuart Helm and W. Mack Guthrie, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assmbly of Armstrong County;

Robert K. Hamilton, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Beaver County;

Charles D. Stone and William B. Smith, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Beaver County;

Stanley G. Stroup, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Bedford County;

Albert S. Readinger and Gus Yatron, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Berks County;

LeRoy A. Weidner, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Berks County;

William G. Piper, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the third district of Berks County;

Richard L. Adams, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of Berks County;

Charles A. Auker and Harold G. Miller, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Blair County;

Daniel H. Erb, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Blair County;

Andrew S. Moscrip, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Bradford County;

Marvin V. Keller and Margarette S. Kooker, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Bucks County;

A. Patrick Brennan, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Bucks County;

Samuel Mahan and Wendell H. Miller, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Butler County;

Hiram G. Andrews, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Cambria County;

E. J. Farabaugh, Louis Rovansek and Philip Lopresti, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Cambria County;

Edwin W. Tompkins, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Cameron County;

William A. Wyatt, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Carbon County;

Robert H. Breon, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Centre County;

William E. Brown, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Chester County;

William H. Ashton and Joseph P. Ujobai, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Chester County;

Paige Varner, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Clarion County;

Harris Breth, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Clearfield County;

Ralph A. Marsh, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Clearfield County;

Ruth S. Donahue, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Clinton County;

Albert E. Strausser, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Columbia County;

George C. Magee, Jr. and Ralph S. Merry, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Crawford County;

Clarence G. Stoner and Arthur George, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Cumberland County;

James S. Bowman and Robert S. Ogilvie, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Dauphin County;

Blaine C. Hocker and John H. Moody, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assmbly in the second district of Dauphin County;

Peter J. Murphy, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Delaware County;

Clyde R. Dengler and Mae W. Karnaghan, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Delaware County;

Clarence D. Bell, Edwin E. Lippincott, II, John H. Foster and Joseph W. Isaacs, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the third district of Delaware County;

William F. Renwick, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Elk County;

Delbert W. Dalrymple, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Erie County;

Julian Polaski, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Erie County;

Ford E. O'Dell and Stanley L. Blair, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the third district of Erie County;

Robert Wheeler, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Fayette County;

E. Gadd Snider, Nicholas Kornick and Pat C. Trusio, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Fayette County;

James K. Davis, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Forest County;

Enos H. Horst, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Franklin County;

Marl H. Garlock, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Fulton County;

Stephen McCann, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Greene County;

Orville E. Snare, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Huntingdon County;

William G. Buchanan, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Indiana County;

Samuel B. Dennison, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Jefferson County;

Lester H. Zimmerman, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Juniata County;

William J. Reidenbach, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Lackawanna County;

J. Russell Phillips, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Lackawanna County;

Joseph G. Wargo, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the third district of Lackawanna County;

Marion L Munley, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of Lacakawanna County;

William Edwards, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fifth district of Lackawanna County;

Paul G. Murray, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Lancaster County;

Baker Royer, Norman Wood and Edwin D. Eshleman, having received the highest number of votes were elected Members of the House of Representatives in the General Assembly in the second district of Lancaster County;

Dominick E. Cioffi, having received the highest number

of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Lawrence County;

Donald W. Fox, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Lawrence County;

H. Jack Seltzer and John H. Light, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Lebanon County;

Reginald P. Stimmel and Paul A. DeLong, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Lehigh County;

Marian E. Markley and William A. Steckel, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Lehigh County;

John J. Mikula, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Luzerne County;

James B. Post, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Luzerne County;

James Musto, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the third district of Luzerne County;

William B. Curwood, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of Luzerne County;

Gordon S. Dietterick, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fifth district of Luzerne County;

Roy W. Parry, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the sixth district of Luzerne County;

James J. Jump, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the seventh district of Luzerne County;

John E. Whittaker, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Lycoming County;

William H. Brand, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Lycoming County;

Albert W. Johnson, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of McKean County;

Ralph J. Down, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Mercer County;

James E. Willard, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Mercer County;

Harry W. Price, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Mifflin County;

Hanford L. Cleveland, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Monroe County;

John A. Lafore, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Montgomery County;

Thomas H. W. Jones, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Montgomery County;

Floyd K. Brenninger, Evelyn Glazier Henzel, Morton H. Fetterolf, Jr. and Herman B. Willaredt, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the third district of Montgomery County;

John R. Quigg, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Montour County;

Francis W. Bucchin, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Northampton County;

Henry E. Ragot, Russel S. Moyer and Joseph A. Ide, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Northampton County;

Edward Dunn, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Northumberland County;

Adam T. Bower, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the scond district of Northumberland County;

Carl M. Barton, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Perry County;

James J. Dougherty, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Philadelphia County;

Benjamin J. Krakow, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Philadelphia County;

Louis J. Amarando and Vincent F. Scarcelli, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the third district of Philadelphia County;

Mary A. Varallo, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of Philadelphia County;

Henry Cianfrani and Cranville E. Jones, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the fifth district of Philadelphia;

Louis Silverman, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the sixth district of Philadelphia County;

Francis X. Muldowney, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the seventh district of Philadelphia County;

Samuel Floyd, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the eighth district of Philadelphia County;

William Limper, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the ninth district of Philadelphia County;

Jesse J. Shields, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the tenth district of Philadelphia County;

Susie Monroe, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the eleventh district of Philadelphia County;

Benjamin Booray, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twelfth district of Philadelphia County;

John J. Welsh and Thomas A. Frascella, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the thirteenth district of Philadelphia County;

Austin M. Lee, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourteenth district of Philadelphia County;

John N. Pomeroy, Jr. and Beatrice Z. Miller, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the fifteenth district of Philadelphia County;

Herman Toll, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the sixteenth district of Philadelphia County;

Eugene Gelfand, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the seventeenth district of Philadelphia County;

Louis Sherman, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the eighteenth district of Philadelphia County;

Thomas J. McCormack, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the nineteenth district of Philadelphia County;

Harry R. Comer, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twentieth district of Philadelphia County;

Martin J. Taylor and Joseph M. O'Brien, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the twenty-first district of Philadelphia County;

John Wm. Brucker, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-second district of Philadelphia County;

Leo A. McKeever, Joshua Eilberg and Kathryn Graham Pashley, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the twenty-third district of Philadelphia County;

Daniel Carson, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-fourth district of Philadelpmia County;

Herbert Holt, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-fifth district of Philadelphia County;

Sarah A. Anderson, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-sixth district of Philadelpmhia County;

Herbert Fineman, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-seventh district of Philadelphia County;

George X. Schwartz, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-eighth district of Philadelphia County;

Martin P. Mullen, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-ninth district of Philadelphia County;

Charles D. Heavey and Mary Alice Duffy, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the thirtieth district of Philadelphia County;

Joseph A. McGee, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the thirty-first district of Philadelphia County;

August Metz, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Pike County;

Ray C. Goodrich, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Potter County;

Wayne M. Breisch and H. Franklin Kehler, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Schuylkill County;

George W. Heffner and William Knecht, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Schuylkill County;

Harvey P. Murray, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Snyder County;

William R. Korns and Harry A. Naugle, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Somerset County;

Kenneth B. Lee, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Sullivan County;

Harold G. Wescott, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Susquehanna County;

Harry R. McInroy, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Tioga County;

Louis A. Pursley, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Union County;

Harry S. Gramlich, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Venango County;

Allen M. Gibson, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Warren County;

Michael R. Flynn and J. Blatch Cummins, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Washington County;

C. O. Williams and A. V. Capano, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Washington County;

Arthur J. Wall, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Wayne County;

Charles J. Jim, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Westmoreland County;

James E. Lovett and Anthony J. Petrosky, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Westmoreland County;

Charles J. Mills and H. J. Maxwell, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the third district of Westmoreland County;

James Wynd, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Wyoming County;

John R. Gailey, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of York County;

Stanley H. Gross, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of York County;

Geo. A. Goodling, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the third district of York County;

Harold B. Rudisill, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of York County;

as the same have been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the return boards.

Respectfully submitted,

JAMES A. FINNEGAN
Secretary of the Commonwealth

SEAL

January 1, 1957

ROLL CALL

The CHIEF CLERK. The roll will now be called.

The roll was called and the following Members-elect were present:

MEMBERS PRESENT

Adams,	Fetterolf,	Limper,	Renwick,
Agnew,	Filo,	Lippincott,	Rigby,
Amarando,	Fineman,	Lopresti,	Rovansek,
Anderson, M. S.,	Floyd,	Lovett,	Royer,
Anderson, S. A.,	Flynn,	Lutty,	Rudisill,
Andrews,	Foster,	Magee,	Scarcelli,
Ashton,	Fox,	Mahan,	Schuster,
Auker,	Frascella,	Markley,	Schwartz,
Barton,	Gailey,	Marsh,	Seltzer,
Bell,	Garlock,	Maxwell,	Sherman,
Blair,	Gelfand,	McCann,	Shields,
Boies,	George,	McCormack,	Silverman,
Boory,	Gibb,	McGee,	Smith,
Bower,	Gibson,	McInroy,	Snare,
Bowman,	Goldstein,	McKeever,	Snider,
Brand,	Goodling,	McLaughlin,	Spray,
Breisch,	Goodrich,	Merry,	Steckel,
Brennan,	Gramlich,	Metz,	Stevens,
Brenninger,	Gross,	Mihm,	Stimmel,
Breon,	Guthrie,	Mikula,	Stone,
Breth,	Hamilton,	Miller, B. Z.	Stoner,
Brown,	Haudenshield,	Miller, H. G.,	Strausser,
Brucker,	Heavey,	Miller, W. H.,	Stroup,
Bucchin,	Heffner,	Mills,	Stuart,
Buchanan,	Helm,	Monroe,	Taylor,
Campano,	Henzel,	Moody,	Thompson,
Carson,	Hocker,	Moscrip,	Toll,
Cianfrani,	Holt,	Moyer,	Tompkins,
Cioffi,	Horst,	Muldowney,	Trusio,
Cleveland,	Ide,	Mullen,	Ujobai,
Comer,	Isaacs,	Munley,	Varallo,
Cooper,	Jenkins,	Murphy,	Varner,
Cummins,	Jim,	Murray, H. P.,	Vaughan,
Curwood,	Johnson,	Murray, P. G.,	Verona,
Dalrymple,	Johnston,	Musto,	Wall,
Davis,	Jones, G. E.	Naugle,	Walsh,
DeLong,	Jones, T. H. W.	O'Brien,	Wargo,
Dengler,	Jump,	O'Dell,	Weidner,
Dennison,	Kamyk,	Ogilvie,	Welsh,
Devlin,	Kehler,	Parry,	Wescott,
Dietterick,	Keller,	Pashley,	Wheeler,
Donahue,	Kernaghan,	Petrosky,	Whittaker,
Donaldson,	Knecht,	Phillips,	Willard,
Dougherty,	Kooker,	Piper,	Willaredt,
Down,	Kornick,	Polaski,	Williams,
Duffy,	Korns,	Pomeroy,	Wilt,
Dunn,	Krakow,	Post,	Wood,
Edwards,	Lafore,	Price,	Worley,
Eilberg,	Lee, A. M.,	Pursley,	Wyatt,
Erb,	Lee, K. B.,	Ragot,	Wynd,
Eshleman,	Leonard,	Readinger,	Yatron,
Ewing,	Light,	Reidenbach,	Zimmerman,
Farabaugh,			

The CHIEF CLERK. Two Hundred nine Members-elect have answered to their names, a quorum is present.

MEMBER SEATED

The CHIEF CLERK. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON. Mr. Chief Clerk, as most of us are aware, there is an election contest in the first district of Clearfield County relative to a seat in this House.

We desire to make our position clear in relation to this contest. Mr. Harris G. Breth will take his seat today and we have been informed that Mr. William C. Chase intends to contest the election of Mr. Breth. It is the position of Mr. Chase that he stands aggrieved by the decision of the Court of Common Pleas in this case, that a petition to the House of Representatives to contest the election of Mr. Breth will be filed within ten days after the meeting of the General Assembly. That is, before January 11, 1957, Mr. Chase will present his claim to the Committee on Elections and trusts that after that Committee has heard the entire matter it will report the facts with a proper resolution to this Body.

It is the position of the Republican leadership of the House that the assumption of his seat by Mr. Breth does

not affect or prejudice the right of Mr. Chase to make this contest, nor does it in any way affect the result of the election contest.

RESOLUTION

OATH ADMINISTERED TO MEMBERS-ELECT

Mr. GUTHRIE, a Member-elect, offered a resolution which was read, considered and adopted as follows:

In the House of Represntatives,
Tuesday, January 1, 1957

Resolved, That the Honorable J, Frank Graff, a Judge learned in the law, of the Court of Common Pleas of Armstrong County, be requested to administer the oath of office required by Article VII of the Constitution, to be taken by the Members of the House of Representatives.

COMMITTEE APPOINTED TO ESCORT HON. J. FRANK GRAFF TO ROSTRUM

The CHIEF CLERK appointed Messrs. Guthrie and Snider to escort the Hon. J. Frank Graff to the rostrum to administer the oath of office to the Members-elect.

OATH ADMINISTERED TO MEMBERS-ELECT

The CHIEF CLERK. A Bible will be found in the desk of each Member-elect for those who swear by the Bible.

The Members-elect will rise, raise their right hands and remain standing at their desks during the administration of the oath of office.

The oath of office was then administered to two hundred and nine Members-elect as follows:

Do you solemnly swear, or affirm, that you will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that you will discharge the duties of your office with fidelity; that you have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure your nomination or election, except for necessary and proper expenses expressly authorized by law; that you have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in your behalf; that you will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to your office, other than the compensation allowed by law? Do you so swear or affirm?

RESOLUTION

ELECTION OF SPEAKER

Mr. TOMPKINS offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 1, 1957

Resolved, That in accordance with the provisions of Article II, Section 9 of the Constitution of Pennsylvania, the House do now proceed to the election of a Speaker, and that the Clerks act as Tellers.

NOMINATIONS FOR SPEAKER

Mr. JOHNSON. Mr. Chief Clerk, today is the day fixed by our Constitution for the opening of the 142nd Session of the General Assembly of Pennsylvania. To the Members of this House it represents the conclusion of a long, hard road of achievement and the beginning of new experiences, new horizons, new friends, and new jobs.

You former Members, we welcome you back home; we are glad to see you back. To the new Members, we want to extend to you our hand of friendship and hope that you will be well rewarded by this new experience.

The flowers were never more beautiful than today. They cast an aroma which was never more fragrant. Surely Mother Nature on this mid-winter's day has outdone herself. To those of you who are guests, we bid you a gracious welcome. You are privileged to attend the opening of what we feel here is the greatest General Assembly in this nation.

Those of us who are Members will, in the days to come, in all earnestness endeavor to pass a good legislative program which will cause our great state to go forward and prosper. Here is where the job is done. This is your General Assembly and we welcome you back here as often as you can come.

We are opening today at a time when there is strife in many nations in the world. We are all amazed at the heroic struggle that has been put forth by many people in order to achieve their liberty. What a tremendous contrast there is in this nation where we enjoy the fruits of democracy, the American way of life, the life that we all love so well.

In order to carry out the mandate of our Constitution and carry out these ideals of democracy and liberty, it is necessary, as provided by our Constitution, that we elect a presiding officer for this House who will safely pilot us through this coming session which we all admit is going to be a difficult one because of the many problems that face this Commonwealth.

We are very glad to say that we have a man in this House who can capably do this job. The man I am about to nominate for Speaker was born and raised in Armstrong County where he attended the local schools and became very prominent in the business and civic affairs in his community and his county.

He became attracted to the people in 1940 and they elected him as a Member of this General Assembly. He has served in this Body since that time well and with distinction. He has taken a prominent part in the development of the education program in this state of which we are all so proud. He has taken an active part in the leadership on the Rules Committee and as Secretary of the Rules Committee.

All these things have well prepared him for the job that lies ahead. I know he will serve us all faithfully and well and without partiality. He has a personality that will engender confidence in all of us for the job that lies ahead. He has been one of my best friends since I became elected to this House in 1947 and it is my pleasure to nominate for the important office of Speaker, the Honorable W. Stuart Helm from Armstrong County.

Mr. ROYER. Mr. Chief Clerk and Members of the House, I rise to second the nomination of W. Stuart Helm for Speaker of the House.

It has been my privilege to serve under all the many excellent Speakers over a period of years. Of the last two Speakers, the Honorable Charles C. Smith and the Honorable Hiram G. Andrews, I want to say that they

especially added distinct luster to the office of Speaker.

I have served with the gentleman from Armstrong since he became a Member, not only of this House but also on the Joint-State Government Commission, where in his official capacity, his sound advice and counsel were such a great service to the Commission. My experience with the qualifications and accomplishments of the former Speakers have demonstrated to me that honesty and integrity are paramount qualities needed for the speakership.

In my humble opinion, I am sure that W. Stuart Helm has the necessary essentials and the capacity to become another outstanding Speaker.

I, therefore, second the nomination of W. Stuart Helm, the gentleman from Armstrong, for Speaker of the House.

MR. READINGER. Mr. Chief Clerk and Members of the House, all of us are very proud of our organizational activities on the opening day and none of us would detract from the dignity of them.

At a Democratic Caucus held recently the matter of whether or not the Minority Party should offer candidates for these various nominations was discussed, seriously discussed. Our Democratic caucus has recommended that we should not at this time and possibly not in the future when we are in the minority offer any candidates for nomination. How many years ago the custom started I do not know, I presume when it was started it was with the idea of honoring some of the Members of our own party by placing their names in nomination, voting for them, and when they were defeated joining with the opposition to make it a unanimous vote for the person who was to be elected.

We ask that you receive this decision in the spirit in which it is intended. We have not the least thought of detracting in any way from the dignity of the proceedings. We have no thought either of indicating that we do not have competent and able persons who could fill these offices.

But as I say, the nomination of one of our Members or friends is a beautiful act and we would like you to receive this change of procedure coming from us in a sense as an affirmation of our faith in your choice of the people who will guide the destinies of this session.

Mr. Chief Clerk, I move that nominations for Speaker of the House be closed.

The motion was agreed to.

The CHIEF CLERK. Are there any further nominations? The Chair hears none.

W. Stuart Helm of Armstrong County was unanimously elected Speaker by a rising vote.

The CHIEF CLERK. The Chair requests the gentleman from Cambria, Mr. Andrews, a former Speaker of this House, to take the Chair and preside.

MR. HIRAM G. ANDREWS IN THE CHAIR

COMMITTEE TO ESCORT SPEAKER-ELECT TO ROSTRUM

Mr. ANDREWS. The Chair thanks the Chief Clerk.

The Chair appoints the gentleman from McKean, Mr. Johnson and the gentleman from Berks, Mr. Readinger, to escort the Speaker-elect to the rostrum.

Mr. ANDREWS. The Chair thanks the Committee and welcomes the Speaker.

The oath of office will now be administered to the Speaker-elect by Judge Graff.

OATH OF OFFICE ADMINISTERED TO SPEAKER-ELECT

The oath of office was then administered to the Honorable W. Stuart Helm, Speaker-elect of the House of Representatives by the Honorable J. Frank Graff.

Mr. ANDREWS. Members of the House, I have the honor to present to you the Honorable W. Stuart Helm, Speaker of the House of Representatives.

THE SPEAKER (W. Stuart Helm) IN THE CHAIR

ADDRESS BY HONORABLE J. FRANK GRAFF

JUDGE J. FRANK GRAFF. Mr. Speaker, ladies and gentlemen, I first wish to say to the Members of the House, that it has been a great privilege for me to come over here to Harrisburg to administer the oath of office. It carries me back many years ago when I was a lad of fourteen and sat here in this same House when my father was a Member of this body.

It has been a great honor for me to come here to help induct into office my good friend from Armstrong County. He comes from a respected and honored family in our community. His immediate family, nine brothers and one sister, eight of whom, are boys who were in the armed services at one time. He has been interested in religious affairs and just now is retiring as President of the largest Bible class in our county. He has been interested in civic affairs, always giving his best efforts to the betterment of our community. His honesty and integrity cannot be questioned.

To you Members of the House and to you, Mr. Speaker, I wish a harmonious, snappy, and constructive session, and I might add, a short one.

GAVEL PRESENTED TO SPEAKER

Mr. ANDREWS. The wish is father to the thought but I doubt if it will happen.

It is my privilege to transfer into your keeping this symbol of the authority with which this House by unanimous vote has endowed you. May you hold this symbol in high esteem. The power inherent in it is a sacred trust. With this symbol you become the custodian of a great tradition, a tradition which admonishes us, each of us, in our brief day to contribute to the dignity of the legislative branch of our state government.

By and through this little symbol you become the custodian who interprets the rules of this House and you become the guardian of the dignity of this House. At a tap of this symbol the House rises, at its command the House is seated. When disorder arises this little symbol is the instrument with which you restore order.

Now, ladies and gentlemen, I present to you an able parliamentarian, a conscientious Legislator, a just man, a gentleman, your Speaker, the gentleman from Armstrong, Mr. Helm, and may God bless him.

ADDRESS BY THE SPEAKER

The SPEAKER. Ladies and gentlemen of the House, our distinguished guests, Judge Graff, the gentleman from Cambria, Mr. Andrews, former Speaker of this House, may I express my sincere appreciation to all of you for electing me Speaker of this House.

Where but in our beloved country could a person of average birth and parentage be elevated to such a high

position in one of the world's greatest legislative bodies? I am deeply moved by this unanimous election, not because I feared opposition from the minority party but because I believe that this action points to the beginning of a session which will be unusual in its display of mutual cooperation and "friendly persuasion."

I am also very happy and thrilled to be the first Speaker of this House to participate in the ritual of "passing the gavel." It is a real privilege to receive this emblem of authority from the hands of such a worthy predecessor.

In the political recesses of my mind I thrill to the fact that our party was able to unseat him as Speaker of this House, but in my heart I will have a feeling of deep respect and admiration for the gentleman from Cambria, Mr. Andrews, and hope that over the years to come I may have his counsel and advice for many, many years.

I believe, too, that we should express our appreciation to people who perform their jobs well. As you look around this House today you will see that it is beautifully refurbished. I know that this work has been carried on under the direction of Ben Long, the Chief Clerk of this House, and by his very able assistant, Cappie Burns, and the employees of his office. Mr. Burns, I know, has given unstintingly of his time and his effort to make this opening day the success that it is. Also, I would like to express my appreciation to Mr. Long and our gratitude for the splendid manner in which he presided at today's session. I express my personal thanks to all of them.

In my past sixteen years of service in this great body I have always been extremely proud of this House. Today I am not only proud but grateful. Others in the Hall of the House today I know are equally proud. I should just like to present a few of them to you and hope that they and you will become friends during the next two years.

First, I would like to present to you the woman I love and the mother of my children, my wife, Gerry. Our two daughters, Bernell and Jerilyn, the person who saw me first in this world, my mother; and in spite of the mother-in-law stories that you hear, I am very happy and proud to have with me today Gerry's mother, Mrs. L. P. Rearich. Sitting on my right, I am happy to have five of my eight brothers here with me today.

As we approach our duties as legislators in this all important session, we must face our responsibilities squarely. We must try to solve these problems as citizens of this great Commonwealth in such a way that it will be in the best interests of all of the people of the state and not for any favored group or special interests. I can assure you that the majority party in this House will not play the role of obstructionist but will lend its support to any sensible, economical, progressive program which may be presented. The yardstick we will use to measure the value of such a program will be, first, is it workable, second, is it good for all the people of this Commonwealth, third, can we afford it. If the answers to these three questions are yes, then we will support it and try to hasten its passage. However, we will oppose with equal vigor any unsound, unworkable, costly scheme, regardless of its origin or sponsorship.

As your Speaker, I pledge to you my support of any program or change that will give to this House of Representatives its proper recognition as a separate and distinct branch of government.

I join with the former Speaker of this House in his efforts to obtain proper parking facilities for our Members.

I pledge to you my fairest consideration of your requests, both on and off the floor of this House.

I promise to you that I will always respect the power of the majority but will ever defend the rights of the minority.

With your cooperation I assure you that we will start each day's session "on time." No recess will extend beyond the time established by this House. I serve notice on both Floor Leaders that we must be prepared to start each day's session of this Body at the time specified.

In closing, may I extend to each of you the invitation to avail yourself of the services of the Speaker's office.

I think at this time I will introduce my staff to you.

On my left, Miss Karns; on my right, Miss Legato. On my left, Mrs. Lambing. May I say to you that you will always have a welcome in my office. The courtesy of that office will be extended to all of you and Members of this House will receive priority.

In pledging to you my complete cooperation as your Speaker, I ask for the help of each and every Member of this House so that with Divine guidance we may have a harmonious and efficient session of the General Assembly.

Thank you very much.

NOMINATION FOR CHIEF CLERK

The SPEAKER. The House will now proceed to the election of a Chief Clerk.

Mr. HOCKER offered a resolution which was read by the Clerk as follows:

In the House of Representatives, January 1, 1957.

Resolved, That William E. Habbyshaw of Dauphin County, be elected Chief Clerk of this House of Representatives.

Mr. BRETH. Mr. Speaker, I move that nominations for the office of Chief Clerk of the House of Representatives be closed.

The motion was agreed to.

On the question,

Will the House adopt the resolution?

It was adopted, and Honorable William E. Habbyshaw was unanimously elected Chief Clerk by a rising vote.

NOMINATION FOR SECRETARY

The SPEAKER. The House will now proceed to the election of a Secretary of the House.

Mr. AUKER offered a resolution which was read by the Clerk as follows:

In the House of Representatives, January 1, 1957.

Resolved, That Wilmer W. Waterhouse of Erie County, be elected Secretary of this House of Representatives.

Mr. BOIES. Mr. Speaker, I move that nominations for the office of Secretary of the House of Representatives be now closed.

The motion was agreed to.

On the question,

Will the House adopt the resolution?

It was adopted, and Wilmer W. Waterhouse was uanimously elected Secretary by a rising vote.

COMMITTEE TO ESCORT CHIEF CLERK AND SECRETARY

The SPEAKER. The Chair appoints Mr. Benjamin L. Long and Mr. Paul C. Moomaw as a committee to escort the Chief Clerk and Secretary to the Bar of the House, where the oath of office will be administered to them.

OATH OF OFFICE ADMINISTERED TO CHIEF CLERK AND SECRETARY

The oath of office was then administered to William E. Habbyshaw, Chief Clerk-elect, and Wilmer W. Waterhouse, Secretary-elect of the House of Representatives by the Honorable J. Frank Graff.

The SPEAKER. The Chair recognizes the Chief Clerk of the House.

The CHIEF CLERK (William E. Habbyshaw). Mr. Speaker and Members, I want to thank each and every one of you for electing me Chief Clerk of the House.

I also want to say to the new Members that my office will always be available to you if at any time you need any help.

I was a Member of this body for ten years and I always appreciated when anybody came to me during the first term or two to give me a little lift.

Again let me say to each and every one of you, I want to be the Chief Clerk to the 209 Members and I will try to do the very best job I can. Thank you.

The SPEAKER. The Chair thanks the Chief Clerk and now recognizes the Secretary of the House, Mr. Waterhouse.

The SECRETARY (Mr. Wilmer W. Waterhouse.) Mr. Speaker, ladies and gentlemen of the House and guests, it certainly is a pleasure for me to be here today as your Secretary. I want you all to feel that that office is your home away from home for all the 209 Members. I am sorry it cannot be 210.

I became quite well acquainted with Mr. Quigg and it certainly is regretful that he could not be here today. I want you all to feel free at any time to come in and we will do our very best to serve you in every way possible. Thanks again.

NOTIFICATION FROM SENATE

The SERGEANT-AT-ARMS. Mr. Speaker, a committee on the part of the Senate.

Mr. KROMER. Mr. Speaker, I have the honor to inform you that the Senate of the State of Pennsylvania is duly organized and ready to proceed to business.

The SPEAKER. The Chair thanks the committee of the Senate, and is happy to see three former House Members on that Committee.

APPOINTMENT OF PARLIAMENTARIAN

The SPEAKER. I now have my first official duty to perform, and what I am about to do is not an official duty but an official pleasure.

In compliance with the act of the General Assembly of the Commonwealth of Pennsylvania approved the twenty-eighth day of May, 1931, P. L. 201, as amended, the Speaker appoints S. Edward Moore of Cumberland County Parliamentarian of the House of Representatives.

RESOLUTION

THANKING HONORABLE J. FRANK GRAFF

Mr. COOPER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 1st, 1957.

Resolved, That the Members of the House of Representatives do hereby extend their thanks to the Honorable J. Frank Graff, Judge of the Court of Common Pleas of Armstrong County, for his services in administering the oath of office to its Members and Officers.

RESOLUTION

TEMPORARY HOUSE RULES ADOPTED

Mr. BOWER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 1, 1957.

Resolved, That the Standing Rules of the 1955 Regular Session of the House of Representatives be and the same are hereby adopted as the Temporary Rules for the 1957 Regular Session of the House.

APPOINTMENT OF MAJORITY FLOOR LEADER AND WHIP

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Wood, for the purpose of making an announcement to the House.

Mr. WOOD. Mr. Speaker, I have been instructed to announce for the information of the Members of the House and for the record, that the gentleman from McKean, Mr. Johnson, has been elected by the Republican Caucus as the Majority Leader of the House, and that the gentlman from Warren, Mr. Gibson, has been elected Majority Whip of the House.

APPOINTMENT OF MINORITY FLOOR LEADER AND WHIP

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Varallo, for the purpose of making an announcement to the House.

Mrs. VARALLO. Mr. Speaker, as Chairman of the Democratic Caucus, I have been instructed to announce for the information of the Members of the House and for the record that the gentleman from Berks, Mr. Readinger, has been elected by the Democratic Caucus as the Minority Leader and that the gentleman from Cambria, Mr. Andrews, has been elected Minority Whip of the House.

RESOLUTION

NOTIFICATION TO SENATE

Mr. LIPPINCOTT offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 1, 1957.

Resolved, That a committee of three be appointed by the Speaker to wait upon the Senate and inform that body that the House of Representatives is organized and ready to proceed with the business of the Session.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to

notify the Senate that the House is organized, Messrs. Lippincott; Strausser and Verona.

The committee will proceed in the performance of its duties.

NOTIFICATION TO GOVERNOR

Mr. JOHNSON offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 1, 1957.

Resolved, That a committee of three be appointed by the Speaker of the House to wait upon His Excellency, the Governor of the Commonwealth and inform him that the House of Representatives is organized and ready to receive any communications he may be pleased to make.

COMMITTEE APPOINTED

The SPEAKER appointed as a committee to wait upon the Governor and inform him that the House is organized and ready to receive communications Messrs. Johnson, Gibson and Petrosky.

The committee will proceed in the performance of its duty.

COMMUNICATION FROM GOVERNOR

The secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session today, January 1, 1957.

GEORGE M. LEADER.

GOVERNOR INVITED TO ADDRESS JOINT ASSEMBLY

Mr. ERB. Mr. Speaker, I move that His Excellency, the Governor, be invited to the Hall of the House of Representatives to address the General Assembly at a time fixed by Concurrent Resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 1, 1957.

Resolved, (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session Tuesday, January 1, 1957, at 1:45 p. m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth of Pennsylvania; also witnessing the opening, counting and computing of the official returns of the election for Auditor General and State Treasurer, held Tuesday, November 6, 1956, in the several counties of this Commonwealth; and to elect the Director of the Legislative Reference Bureau.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

COMMITTEE TO ESCORT GOVERNOR TO HALL OF HOUSE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 1, 1957.

Resolved, (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee on the part of the House to escort the Governor to the Hall of the House Mrs. Henzel, Messrs. Wescott and Petrosky.

COMMITTEE REPORTS

Mr. LIPPINCOTT. Mr. Speaker, your Committee appointed to wait upon the Senate and inform that body that the House is organized and ready to proceed with the business of the session has performed that duty.

The SPEAKER. The Chair receives the report and the Committee is discharged with the thanks of the House.

RESOLUTION

COMMITTEE TO ESCORT SENATE

Mr. KELLER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 1, 1957.

Resolved, That the Speaker appoint a committee of two to escort the Members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee to escort the Senate to the Hall of the House for the purpose of attending the Joint Session, Messrs. Keller and Verona.

RESOLUTION

APPOINTMENT OF TELLER

Mrs. DONAHUE offered a resolution which was read, considered and adopted as follows:

In the House of Representatives
Tuesday, January 1, 1957.

Resolved, That the gentleman from Schuylkill County, Mr. Breisch, be appointed Teller on the part of the House of Representatives to open and compute the vote for Auditor General and State Treasurer, in a Joint Session of the Senate and House, on Tuesday, January 1st, 1957.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF TELLER

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 1, 1957.

That the Honorable Henry J. Propert of the county of Montgomery has been elected Teller on the part of the Senate to compute the vote cast on November 6, 1956 for Auditor General and State Treasurer in Joint Session of the General Assembly Tuesday, January 1, 1957.

Ordered, That the Clerk inform the House accordingly.

SENATE MESSAGE

INAUGURAL COMMITTEE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 1, 1957.

Whereas, on January 21, 1957, the Honorable Dwight D. Eisenhower will be inaugurated as the President of the United States of America, and

Whereas, it is fitting and proper that a delegation represent the General Assembly of the Commonwealth of Pennsylvania at the inaugural ceremonies to be held in Washington, D. C. at that time, now therefore be it

Resolved, (if the House of Representatives concur), That the President pro tempore of the Senate is hereby authorized to appoint the twenty-seven Republican Members of the Senate, and the Speaker of the House is hereby authorized to appoint one hundred and twenty-six Republican Members of the House of Representatives, who together shall constitute a Joint Committee to represent the General Assembly of the Commonwealth of Pennsylvania in the inaugural ceremonies of the Honorable Dwight D. Eisenhower.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER. Pursuant to the provisions of a Concurrent Resolution adopted by the Senate and House of Representatives, the Speaker appoints the Republican Members of the House as a committee on the part of the House to represent the General Assembly of the Commonwealth of Pennsylvania in the Presidential Inaugural ceremonies of the Honorable Dwight D. Eisenhower for President of the United States.

SUBSTITUTE TELLER APPOINTED

The SPEAKER. The Chair regretfully announces that the gentleman from Schuylkill, Mr. Breisch, has been taken ill and had to return to his home. The Chair, without objection, will appoint as a substitute Teller to count the votes for Auditor General and State Treasurer, the gentleman from Bradford, Mr. Moscrip.

The Chair hears no objection.

COMMITTEE REPORT

Mr. JOHNSON. Mr. Speaker, I wish to inform you that the Committee appointed to wait upon the Governor and inform him that this House is organized and ready to proceed with its work has performed that duty.

The SPEAKER. The Chair receives the report and the Committee is discharged with the thanks of the House.

SENATE MESSAGE

POSTAGE FOR LEGISLATIVE JOURNAL

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 1, 1957.

Whereas, The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the Postmaster at Harrisburg, therefore be it

Resolved, (if the House of Representatives concur), That the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and that the payment of the postage for the Legislative Journal, also for the bills, calendars and histories be provided for in the Appropriation Bill.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Do I understand that the Speaker has appointed a Committee to represent this House at the inauguration of Mr. Eisenhower?

The SPEAKER. That is correct.

Mr. ANDREWS. Mr. Speaker is there any provision for the appointment of Minority representation? We feel that in view of the number of Democrats that must have voted for Mr. Eisenhower, there should be a provision for Minority representation, if there are any Members of the Minority that desire to be present.

The SPEAKER. The Chair wishes to inform the gentleman that the concurrent resolution did not so provide and the Committee was appointed in compliance with the resolution.

However, the Chair has followed the precedent set by the present Minority party and appointed the Committee accordingly.

Mr. ANDREWS. Is there any possibility of amending the resolution so that the Minority would not be specifically excluded?

The precedents of this House call for Minority representation.

The SPEAKER. After the Joint Session, if the gentle-

man desires to press the point we will be happy to consider it and we can then amend the resolution that was adopted. I am sure that there would be no objection to any Minority Member attending the inaugural ceremonies on the same basis as the Members of the Committee will attend, by paying his own expenses.

Mr. ANDREWS. It is going to be nice company, and it is going to be a pleasant trip.

We thank the Chair and we will raise the point at the proper time.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 1, 1957.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, January 7, 1957, at four o'clock p.m., EST and when the House of Representatives adjourns this week it reconvene on Monday, January 7, 1957, at four-thirty o'clock, p.m., EST."

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly?

COMMITTEE REPORT

Mr. KELLER. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the Hall of the House for the Joint Session has performed that duty and the Senate is now present.

The SPEAKER. The committee is discharged with the thanks of the House.

The SPEAKER. The Lieutenant Governor, the Honorable Roy E. Furman, is invited to preside over the joint session of the General Assembly.

The President pro tempore, the Honorable M. Harvey Taylor, is invited to be seated on the rostrum.

Members of the Senate will please be seated.

JOINT SESSION OF THE GENERAL ASSEMBLY

LIEUTENANT-GOVERNOR ROY E. FURMAN PRESIDING

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President, the Committee appointed to escort the Governor to the Hall of the House.

Mr. WATSON, Mr. President, I have the Honor of presenting His Excellency, George M. Leader, Governor of the Commonwealth of Pennsylvania.

The LIEUTENANT-GOVERNOR. Members of the General Assembly, I have the honor and privilege of presenting His Excellency, George M. Leader, Governor of the Commonwealth of Pennsylvania, who will now address you

ADDRESS OF GOVERNOR GEORGE M. LEADER

GOVERNOR LEADER. Mr. Lieutenant Governor, Mr. Speaker and Members of the General Assembly. As I look out over this Hall and see these beautiful flowers I rather feel as if I might have come to the Rose Bowl game. In any event I hope it is not going to be the Battle of the Roses. I prefer to put the former interpretation on it.

It is an entirely proper custom which requires the Governor of the Commonwealth to appear before the General Assembly and render his report of the state of the Commonwealth as it appears to him at the mid-point of his term of office.

I hope you will forgive its length, but we must deal seriously with the many serious questions that will come before us.

Two years—not much more than seven hundred days—is but a little time in the span of a man's life, but two years in the Governor's Office, charged with the responsibilities of that great estate, can seemingly become a period in which all sense of time is lost as problem succeeds problem and work piles hard on work.

It is well, therefore, that we stop to summarize; that we bring into focus all that has been done, and relate it to a program for the future

That future program depends in enormous degree upon the judgment and the action of the Legislature.

Our Constitution, of course, separates the executive from the legislative branch. Evidently, the people, as the masters of every officeholder, are not afraid to carry the separation of powers doctrine one step farther and separate us politically as well.

They have done the same thing in our National Government, with a reverse twist, and the heavens have not fallen.

I am sure that there is no more reason for a cold war between the Governor and the General Assembly than there is between the President and Congress.

If good is to be accomplished—as we must all wish it to be—we must learn to work together in these next months. I suppose I have as many partisan feelings to suppress as the next man. I promise you an earnest and a heartfelt desire, on your Governor's part, to remove any temptations of party competition which conflict with the rightful expectations of the people of the State. I will look for the same spirit of accommodation from the Republican majorities in the House and Senate, and I am quite sure that I will not look in vain.

None of us can be anxious to repeat a seventeen months legislative session

All of us must know that there can be no reward, in conscience or in politics, to be gained from obstruction for obstruction's sake.

STATE GOVERNMENT

That being the case, we can expect to move forward in this session of the Legislature and in this Administration for the next two years with a program that will not necessarily be good for the Democratic Party alone, nor good necessarily for the Republican Party alone, but which will be good for the eleven million people of Pennsylvania.

Logic dictates that in a report of the state of the Commonwealth, we begin with the structure of government within the Commonwealth and what we can do to improve it. The mechanism is not important in itself, but it is vitally important as the instrument through which we bring vital services to the people of the State.

I think we should say here something so plain that it

would appear to be self-evident, but which, despite its clarity, must still be stated over and over again.

It is this: the Government of Pennsylvania is an agency of service to its people, for which they pay hundreds of millions of dollars a year in taxes. It is not by right the private preserve, for personal or political exploitation, of any Governor, of any State employe, of any special interest lobbyist,, or of any political organization or party, whatsoever.

The people of this State have been tolerant—too tolerant—of abuses of the spoils system which would, in our own day, be unthinkable in the Federal Government, in the principal cities of Pennsylvania, and in any of the progressive states of the Union.

Because we grow up with a system, we sometimes become blinded to its faults.

After two years in the Governor's Office, I am now firmly convinced that the Government of this State cannot be administered in this complex technological society by the methods of patronage as usual. We must begin to do what we should have done long years ago—build a trained corps of technological and professional personnel, selected by merit, protected in their careers, across the board in the State's services.

I am proud to report to you that this Administration has, by Executive Board action, brought under civil service 3,500 technical and profressional employes of the State. But what one Executive Board can do, another can undo. Consequently, this Administration will ask for legislation at this session which will give the essential career personnel of the Commonwealth the civil service protection of statute law.

It should be obvious that we cannot engineer highways, manage our forests, direct industrial development programs, or treat psychiatric patients with untrained and unqualified people.

We are in fierce competiton with private industry and with other public bodies for skills and talents. This Legislature can go far, and this Administration will press hard, to hold our own in this competition.

To the State's credit, we have long respected career service in the Game and Fish Commissions, the Liquor Control system, and the State Police. Governor Fine introduced career service into the State Health Department. Under prodding from the Federal Government, former administrations accepted the merit system in the Department of Public Assistance and in the Bureau of Employment Security. It seems to me that we will have an uncomfortable accounting to render the people of our State if we fail to give them equal assurances of training and competence everywhere in their Government.

As Governor, in the years of my term that are ahead, I do not intend to fail in this task.

I am also happy to report, while we are on the subject of personnel, that our Reclassification Survey has reduced the number of job classifications in the State's service from more than 7,500 separate job titles and ratings to about 1,200. This is a step from chaos to order in administration. In personnel policy, it has permitted us to equalize wages and salaries within the State's service, and to establish pay rates that are reasonably equivalent to those in the private economy.

No Reclassification Survey is ever perfect, including ours. We think we have had 90 per cent success; we'll keep on trying for 100 per cent.

Within the Departments and State Agencies, we have had twenty-four major reorganizations approved by the Executive Board, all in the hope that improved efficiency and service would result.

In the near future, I expect to receive the report of the Governmental Reorganization Commission created by the previous session of the Legislature. We expect the report of the Commission, which has worked hard and earnestly, to be rich in suggestions for improvements in our public administration in Pennsylvania.

I intend to give its recommendations the intensely serious study I am sure they will deserve, and I am equally certain that they will be of great interest to the members of the General Assembly.

We must recognize, to be sure, that we cannot measure such reorganization plans by dollar savings, which, on a major scale, can only come from the elimination of services. Their value is to be found in the better services we can provide for every dollar spent.

INTEGRITY IN GOVERNMENT

We have talked briefly about the need for career civil servants in our State Government, and about the structure of the State Government. To support good government, even when such pillars as personnel and organization are firmly in place, we must have unchallengeable integrity.

Honesty is a quality we expect in our families, among our neighbors, in our business life, in most men and women everywhere. The great majority of public employes, the great majority of men and women in public life are utterly honest. But in public service, I believe we have an obligation which goes beyond that of the citizen and that of the business enterprise.

We must be exemplary in our integrity.

Consequently, I will recommend to this Legislature, a law defining and regulating conflict of interest on the part of State officials and employes, so that we may be sure that we deny legal countenance to actions which involve a misuse of influence. Such clarifying legislation will protect the official as well as the State. Governor Dewey, I may say, sponsored such legislation when he was Chief Executive of New York.

Further, I believe that the people have a right to know officially what person and what interest is attempting to influence legislation and public policy in Pennsylvania, and how much they are spending to do so. Therefore, I will recommend to the Legislature, a proposal for the registration of lobbyists and a public accounting of their expenditures.

In the last year, I must report, evidence of grave misconduct has been exposed in the operations of the Delaware River Joint Toll Bridge Commission and the Pennsylvania Turnpike Commission. A dozen prosecutions have begun involving former officials of the Delaware River Joint Toll Bridge Commission.

In Lackawanna County, five persons have already pleaded no defense against charges that they defrauded the Pennsylvania Turnpike Commission of approximately $500,000. Here in Dauphin County, a special grand jury is investigating the Turnpike Commission, basically on charges developed by the Justice Department, which led me to the conclusion that we faced the greatest public

fraud of all time. The Department of Justice, the District Attorney of Dauphin County, and the Grand Jury are, I am confident, making a fair and a complete investigation.

It would be grossly unfair to blame the corruption of a few officials on any political party.

But it would not be unfair to blame such misconduct on some weaknesses in the law which all of us, over many sessions of the Legislature, failed to remedy and to lack of supervision and control of the quasi-independent agencies which have been created.

I therefore will recommend to the Legislature that the fundamental protection of competitive bidding on contracts and purchases, required of all operating State departments under the Administrative Code, be made to apply to the Turnpike Commission and any other State agencies and authorities that are now, mistakenly, outside this requirement of the law.

This Legislature may, it has been said, have some understandable curiosity as to our operations in some phases of State government. That is its privilege,and I will welcome legitimate legislative inquiry as a helpful instrument in the attainment of good government in our State.

Every department head will have instructions to cooperate fully.

Any dereliction which has escaped us, but which a legislative committee brings forward, will be promptly corrected.

CONSTITUTIONAL REVISION

The fundamental law of the Commonwealth, in whose framework we meet all of our responsibilities as a Sovereign State, is our Constitution, adopted in 1874. Everyone admits it should be revised and brought into keeping with our times; no one does anything about it.

The drafting and acceptance of a new Constitution has been blocked, it seems to me, on formless fears. A campaign of education, supported by both parties, should dissipate such fears and develop a new climate—a climate of intelligent hope for the benefits which Constitutional revision can bring to the people of Pennsylvania.

I would blush at my next proposal were it not crystal clear that it could have no application to me. Such Constitutional revision, or a separate amendment to the existing Constitution, should permit the Governor of Pennsylvania to succeed himself if the voters so decide. This would tend to give the opposition party what it deserves—a square shot at the incumbent Governor's record. More importantly, it would give the State a continuity of program which it very badly needs. Four years is not much time for an incoming Governor and his department heads to plan and execute a program; eight years, if granted by the people, could bring accumulated skill and painfully acquired knowledge to the enormous job at hand.

STATE FINANCE

The best structure of government, the best personel in government, and the highest ethics about government will not accomplish very much when the same government suffers from chronic lack of money. Pennsylvania has had a series of deficits, and it will have one again at the close of this biennium. It has been pointed out to me that in my inaugural address, I wounded some feelings by stating that if you persistently spend more than you take in, you eventually go bankrupt. Perhaps the phrase was too colorful, but the sense remains true.

The problems of State finance, as I see them, will be treated in detail in my budget message.

Currently, my staff and I are deep in the budget cutting process. The various departments and the State-aided universities and institutions asked us for $400,000,000—including mandates—more than the anticipated General Fund expenditures for the 1955-57 biennium. We are trying to cut that increase to manageable proportions, but it is not easy. In the face of persistent inflation and price rises, and in the rising demand for services, each agency can make a plausible—even a pitiable—case.

But with the mandatory increases previously voted by the Legislature, plus the demonstrated needs of the people, it is obvious that in spite of the sharpness of our budget-pruning knives, the revenue requirements will be higher, not lower, than they were for 1955-57. And we all know the difficulty that we had then.

I, for one, hope it will not be repeated.

We will have the advantage, in this session, of the report of the bipartisan Tax Policy Advisory Committee, which shows us that twelve leading citizens of Pennsylvania, evenly divided between the parties, representing labor, business, and government, can reach an agreement as to a short-range tax program.

It would seem to me that we, the Legislature and the Governor, can do as well if we too put aside our prejudices and meet the problems that exist.

Since this is a report, as well as a legislative program, I would like to tell you very frankly that I am not satisfied with our experience in collecting the sales tax. The Administration has already taken measures to improve the collection of the tax; we will take others which will be duly announced. Some of my advisers have told me that it is political heresy to admit to anything less than perfection; if that is so, then I am a political heretic. It is better by far, I am convinced, to be open and honest in such matters.

OUR HIGHWAY PROGRAM

To this point we have been talking of the method of government—organization, personnel, safeguards, finance.

I now make reference to one of the great program areas of government in Pennsylvania, the maintenance and construction of a modern highway system equal to the Nation's best.

Our first obligation is to take full advantage in Pennsylvania's interest of the enlarged Federal highway program. That will be done, if the revenues of our Motor License Fund are kept adequate for our requirements.

We must not permit the great opportunities opened to us under the Federal program to be lost by inadequate financing, avoidable delays, and internal wrangles within our State. This program is not a sectional or a political pork-barrel. It is our duty to carry out the intent of Congress and construct our part of an interstate system of highways designed to carry the crushing load of tomorrow's traffic.

Our planning calls for the construction of a new interstate highway across the spine of the State from Sharon to Stroudsburg, for the improvement of Route Six across the northern tier as a part of the primary highway sys-

tem, for an interstate highway from Lake Erie to the West Virginia border in the West, and for the solution of the major highway problems of metropolitan Pittsburgh and Philadelphia. Just a few days ago I signed a proclamation establishing the New Delaware Expressway in Philadelphia and Bucks County as a limited-access highway.

In my judgment, the Pennsylvania Turnpike system must be freed of its tolls and made an integral part of the interstate system. We are going to press very hard for that achievement, and I hope that in our pressure, I will have the support of every member of the General Assembly. We are very glad that we have been able to thus free the South Hills tunnels of the Penn-Lincoln Parkway in Allegheny County, now about to go into construction.

The "Top-of-the-T"—the super-highway across Erie County, will also be built as a freeway, without tolls.

To expedite the program, we will submit to the Legislature revisions of the present law prescribing the taking of rights-of-way. We also hope to establish a degree of advance planning in the Highway Department which will permit the acquisition of rights-of-way some years in advance of the actual construction. It seems strangely short-sighted to me that this was not done years ago. It would have saved millions of dollars and months and years of time.

We will recommend a scholarship program in Pennsylvania engineering schools for the training of State highways engineers, so that we may recruit the skilled personnel that a continuing and mounting schedule of construction demands.

We will ask the Legislature to help us stop the blighting of our highways by signboards and shacks through the enactment of a highway zoning law. It would seem to me that the people of this Country will deeply resent paying billions of dollars for new highways, only to see them desecrate the countryside. We should not be in the business of creating captive motor audiences for the billboard business.

We will also ask the General Assembly to authorize the continued expansion of our system of roadside rests and picnic areas.

The Legislature acted wisely, in my judgment, when it increased the participation of our Pennsylvania communities in the Motor License Fund from $18,000,000 to a minimum of $30,000,000 a year. City streets and township roads are a necessary part of our highway system, and deserve proper support from the liquid fuels tax revenues. I will urge the Legislature to maintain this more generous degree of participation.

HIGHWAY SAFETY AND FINANCIAL RESPONSIBILITY

We will recommend legislation to make sure that every car on the road and every driver on the highway is financially responsible for the damage he may inflict on others.

Ninety per cent of our Pennsylvania highway users are responsible. Ten per cent are not.

This Legislature will have the opportunity to make sure that the prudent ninety per cent of drivers and all pedestrians are not the victims of the irresponsible minority. We now have a topsy-turvy system where evidence of financial responsibility is posted after there has been an accident.

We are continuing an aggressive campaign for highway safety, which is showing some good result. It now appears probable, although the December figures are not in, that Pennsylvania in 1956 was one of the very few States in our Country to reduce its traffic deaths from the number incurred in 1955.

It seems that our present program of selective warnings and suspensions, based on the gravity of the offense and the record of the violator, is proving more effective than the old system of automatic suspension. We have tightened enforcement, not relaxed it, as some people, in all good faith, feared when the system was changed. We are driving hardest against the habitual violator—the most dangerous menace of our highways.

We are not going to congratulate ourselves, any of us, as long as we go on killing 1,700 people each year in motor accidents. Nevertheless, it is good to know that we are eliminating the "restricted license" gimmick which made a farce of the supposedly stern automatic suspension system.

MENTAL HEALTH

But we may well congratulate ourselves on the amazing revolution which is taking place in Pennsylvania's treatment of the mentally ill. We have at last found courage to face the problem humanely and intelligently, and I would like now to compliment the 1955-56 legislators, of both parties, who were ready to vote a dramatic increase in our appropriations for mental health.

It would seem to me that a special report should be made to you of the progress we have made, and I have so instructed the Secretary of Welfare. For today's purposes, let me say that we have set out to accomplish a "crash" program—to do in months what should have been done in 20 years.

We have as Commissioner of Mental Health, one of the Nation's outstanding experts in the field. We have, with legislative approval, brought the State institutions under the proper control of the Department of Welfare, terminating the system under which control and responsibility were divided with citizen boards. We have a recruitment program for psychiatrists, psychologists, physicians, trained nurses, medical social workers, therapists.

Old buildings are being renovated and put to better uses. New buildings are going into construction under the authorizations the Legislature has voted to the General State Authority.

We have organized the Commonwealth Mental Health Foundation, an agency to accept private gifts for the improvement of our mental health program in Pennsylvania.

But these things are all mechanics. What about the results?

The result can only be measured by what we are able to do for the patient. Our objective goes beyond the minimum of humane and decent care. It goes to the maximum: treatment and cure.

For the first time in history, we are actually reducing the number of patients in our seventeen mental hospitals. In December 1956, we had 39,947 patients in those hospitals. The year before, in December 1955, the patient population reached 40,920.

The net reduction is nearly 1,000. Actually, the number

of patients discharged was 3,923. These are salvaged lives. Who among us will question that they are worth the price they cost in dollars or in dedication.

We are not alone working for the cure of mental illness. We are working also for its prevention—for its treatment in such early stages that hospitalization will not be required and where hospitalization is required, to keep the period of treatment to a minimum. The Eastern Pennsylvania Psychiatric Institute has been opened as a center of research.

Again in Philadelphia, we have organized a striking pilot project in local-State cooperation in the work of mental health. The Philadelphia-Commonwealth Regional Mental Health Program mobilizes all of our resources—city, State and private—for a combined attack on mental illness. I would like to see the program duplicated and perhaps improved in all the regions of the Commonwealth.

Because of the thoroughgoing support which the mental health program received at the last session, there is little new legislation needed in 1957. It appears that all we need to keep this work moving ahead is adequate financial support, which I am sure will be forthcoming, and an understanding that so sweeping a program is bound to produce changes and conflicts that will not always be to everyone's personal liking.

As for the Governor of the Commonwealth, I stand squarely in support of what we are doing, and if my Administration is to be remembered for any single achievement, I would like it to be the success of our fight against mental illness.

WELFARE AND JUVENILE PROBLEMS

One of the great tragedies of public life in Pennsylvania —one of our sad errors of heart and mind—has been our failure to provide adequate institutional care for the retarded child who is incapable of being trained for some part, however limited, in our normal society. There have been waiting lists for Polk, Pennhurst, Selinsgrove, and Laurelton, that stretched for years and decades.

At last, we are cutting into that waiting list.

We have been able to convert facilities no longer needed for the treatment of tuberculosis at White Haven, in Luzerne County, and at Mt. Alto, in Franklin County, to the care of more than 800 retarded children.

The Legislature authorized the General State Authority to build three new institutions at a total cost of $30,000,000. The Authority has acted. Architects have been selected; sites have been picked. We are heading toward construction.

In another area of concern for the handicapped child, the Department of Public Instruction is aggressively using its powers and financial aid to develop special teaching programs throughout our public school system. It warms my heart, and I am sure it warms the heart of every man and woman in this House, to know that in one year we have accomplished a 38 per cent increase in the number of handicapped children benefiting from special instruction. In this school year, we have added 20,000 pupils to our special classes aimed at overcoming their disabilities.

The bottleneck now is the training of teachers with special qualifiications in the field of aiding the handicapped. We will ask the Legislature to permit the General State Authority to finance a group of small units at the teachers' colleges and the State-aided universities, specially equipped for such teacher training, and we will ask for special support of an education program for teachers of speech and hearing.

Our interest in children and youth runs throughout the departments of the Commonwealth. The Department of Forests and Waters and the Welfare Department have a joint venture in a boys' forestry camp at Raccoon Creek State Park in Beaver County aimed at the rehabilitation of juvenile offenders. Similar camps will be established in State forests and parks in other parts of the State.

The Department of Welfare now has a Child Care Division and a Youth Rehabilitation Division. State, Federal, and local funds are put together to shape a more effective program for dependent and delinquent children in more than sixty counties of the State.

A PROGRAM FOR THE AGED

Every student of our population trends recognizes that we will—each year—have a greater percentage of children and of the aged in our population. An alert government must therefore have as strong an interest in the aging as it does in the country's youth.

In the Department of Labor and Industry, an advisory commission has been set up to add to our understanding of the employment problems of the aging worker. In the Department of Welfare, a bureau has been created to add to our understanding of the social problems of older people.

We believe the State should take a measure of leadership in working with its local communities on the whole series of problems which are of special concern to its older citizens, and we will propose legislation to that purpose.

BETTER HEALTH IN PENNSYLVANIA

Many of our so-called "welfare" problems are truly health problems, with their origins in some preventable physical defect or disease. Pennsylvania can be proud today of its Health Department, which has been made non-political, professional, and effective.

Within a year after the date when the vaccine, developed by Dr. Jonas Salk at the University of Pittsburgh, became generally available, 2,500,000 young people and expectant mothers were given its protection. Some years ago, when the vaccine which prevents diphtheria was first developed, it took ten long years to match that degree of immunization.

The case load for polio went down from an average of more than 1,300 cases a year to only 200 in 1956.

We, of course, will not be satisfied until every susceptible person has been given the protection of the vaccine, and our future program must make sure that every newborn infant is protected.

Just as quickly as it reacted to the Salk vaccine, the Department of Health has taken appropriate action to meet its responsibilities in the new field of both promise and danger that is atomic energy. The Advisory Health Board has adopted regulations for the public health aspects of radiation that are the most comprehensive in their safeguards of any state in the union.

The Department is properly moving forward with demonstration programs in the chronic diseases, which are now assuming such a critical place in our statistics of life

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and death. Such diseases include cancer, heart disease, diabetes, arthritis, and cerebral hemorrhage.

Tuberculosis is a traditional field of public health action in which we have had strikingly good results. But we are apparently encountering a point of levelling off, at which the need for treatment facilities will remain static until we achieve our next medical break-through.

The incidence of the disease is largely concentrated in Allegheny and Philadelphia counties where, by a strange failure, the State had no facilities for treatment. In the Pittsburgh district, this has been remedied by the transfer to the Commonwealth of Leech Farm Tuberculosis Hospital, formerly operated by the City of Pittsburgh. In the Philadelphia area, the General State Authority has approved a $3,000,000 allocation for the reconstruction of the tuberculosis facility now operated by the State on the old Lankenau Hospital group.

As tuberculosis beds become vacant, we can put them to good use in the treatment of other chronic lung diseases. We will ask the Legislature to permit the Department to treat all chronic pulmonary diseases. We believe, also, that vacant areas in our tuberculosis facilities can and should be used for cerebral palsy patients who are so severely handicapped by their disease that they cannot benefit from vocational rehabilitation.

Still looking ahead to its function in protecting the health of Pennsylvanians, the Department suggests that legislation be enacted giving it and the local health units additional power to prevent air pollution. I heartily concur in this suggestion, and appropriate legislation will be submitted to the General Assembly.

Pittsburgh is justly proud of its record in cleansing its atmosphere.

We should do as well throughout the densely populated area of Pennsylvania. Air pollution has blighted Los Angeles; we must act in Pennsylvania to prevent it from becoming a menace to our health and well-being.

We are also moving forward in our recognition of alcoholism and narcotics addiction as a public health problem. The Health Department will begin the operation in 1957 of a Chronic Addictive Disease Hospital in Pittsburgh, where the alcoholic and the drug addict can be helped. This will be the first time that Pennsylvania has had such a facility; up to this date, the narcotic addict who sought treatment was necessarily sent to Federal institutions in Kentucky and Texas. This new hospital will be good for its patients; it will also be good for society in its prevention of the crime and delinquence so tragically associated with drug addiction.

Finally, in the field of public health, Pennsylvania has adopted a wise plan of administration through county health units which were first established in Bucks and Butler Counties. We are now putting this plan into effect in Allegheny County, where State support will help to build one of the great urban health departments in the Nation, and in Erie County. We hope the example will spread and that in the near future, every county in Pennsylvania will be served by a local unit.

We must, in this process, correct a rank injustice to the City of Philadelphia. The present law does not make the excellent health program of that City eligible for recognition as a county unit, and denies the people of Philadelphia the State reimbursement to which they are plainly entitled. We will urge the Legislature to make Philadelphia eligible for the same annual allowance of 75 cents per capita as we grant other health units.

OUR PUBLIC SCHOOLS

A cynic once said, in contrasting what we spend on highways with the amount we spend on education, that America might soon develop a society of morons driving over the best highways in the world. No one could honestly say that about the public policy of Pennsylvania, where we have so consistently, session after session, increased the degree of State support for our public schools.

Our contribution to education—subsidies to the school districts, payments on school construction, operation of the teachers' colleges, grants to the State-aided universities, support of Penn State University—all of these take more than 50 cents of every dollar we raise for the State's General Fund.

In the 1939-40 school year, the State paid about $40,000,000 in school subsidies, constituting 21.6 per cent of total school expenditures.

In the 1954-55 school year, the amount had climbed to about $220,000,000, and the percentage had increased to 41.6 per cent.

I would hazard a guess that we are now paying, as a State, fifty per cent of the total cost of public education within the Commonwealth.

Consequently, while we will honor our mandates, and our commitment to the districts to help pay the salary increases provided by the 1955 Session, I believe that we must find some agreement as to the top dollar which the State can be rightfully expected to pay. I would remind the Legislature and the public that a dollar in State taxes is no less painful than a dollar in local revenues. We are not giving anything away.

At the same time, we know that our society depends primarily upon the education of its youth for its continuance and its progress. We know that there is a need for new school buildings, for more teachers, for special refinements in the educational program.

I expect that the State will do its part, and more.

This is especially true in the growing pressure for new school construction. The growth of population and the change in population pattern are creating steady demand for new schoolrooms; so is the rise in our standards which has condemned the one-room school and the firetrap as unfit and unworthy for any Pennsylvania child. The indices of population show us that the pressure will become greater, not lessen, in the years ahead.

The last session of the Legislature authorized the staggering sum of $500,000,000 for school construction with State reimbursement.

To date, the Department of Public Instruction has approved projects for school construction totalling $275,000,000. In one month from today, the authorized total for the school year 1956-57 will be exhausted.

The Legislature has set up $100,000,000 in authorizations for the school year 1957-58, and a second hundred million for the following school year.

Already, projects on file in the Department claim the entire two hundred million and exceed it by an additional $133,000,000.

In order to develop proper planning to meet our school construction needs, it is apparent that the present session must—if our policy of State assistance is to continue—

make new authorizations in a substantial amount. We may well expect that a sound program of Federal aid for education will be realized, and that the State's obligations will be in part offset by a sizable Federal contribution to our need.

It is not possible at this time to predict how many proposed school buildings will be delayed or abandoned because of the high interest rates that are following the Federal Reserve Board's tight money policy, or how much the higher interest rates will add to total costs.

We are presently exploring all the avenues open to us which might be used to reduce the cost of interest in school construction.

Among them might well be the amendment of the Constitution to permit school districts to issue general obligation bonds with a new and higher ratio of debt to valuations. I would suggest that such an amendment be started toward passage at this session.

As an immediate measure, we are determining the possibility of borrowing funds for school construction from the State Retirement funds at a pegged rate of interest substantially below the high rates of the current bond market.

The Department of Public Instruction, in an effort to control costs, has begun a continuous study of design, materials, and the building code as they affect public school construction.

As to program, I earlier made reference to the good work that is being done in special classes for the handicapped. We must realize that our society is not solely a welfare state, and that humanitarian impulse alone will not substitute for the brains and initiative that our complex economic organization constantly requires. It is good to know, therefore, that we have a developing program under way for the very able and gifted child, so that his potential will be more fully developed.

It is good to know, too, that the Department of Public Instruction has its own curiosity as to "Why Johnny Can't Read?" I was gratified to receive a report from the Superintendent making clear that a searching study is under way in the fundamentals of education for all children, with special emphasis on reading and study techniques.

In the structure of school administration, I will request the Legislature to adopt the plan suggested by the State Council of Education for the operation of "service units" on a county or a multi-county basis.

HIGHER EDUCATION

The Legislature and this Administration have been as generous to the Teachers' Colleges and the State-aided universities as our hard circumstances will permit; more generous, I should say, than any Administration in the State's history.

We recognize that we are on the threshold of an era of enormous demand for higher education, brought about by our high level of prosperity, our emphasis on technology, and—most of all—by the coming into college age of the children who today reflect the rising birth rate of the 1940's.

We were wise, therefore, in bringing the State-aided universities into the permissible operation of the General State Authority. This session will undoubtedly be asked to implement our intention with an authorization in money terms.

In further recognition of our problems of higher education, which obviously go beyond the State-operated and State-aided institution, we have asked a distinguished commission to report to us on the whole scope of higher education in the Commonwealth and the State's obligations to it. That report, I am advised, will soon come to my office. It will, of course, be made public and made available to the Legislature.

INDUSTRIAL DEVELOPMENT

To support all the humanitarian and educational programs in our society, we must have an enduring and strong private economy. Essentially such an economy comes from the efforts of our citizens, each working to produce some material or service and sell it at a profit. But the State is not entirely a bystander. It can help or it can hinder. We want it to help.

The 1955 session passed a comprehensive industrial development program, substantially in the form suggested by this Administration. That program is now in operation. It will need no large-scale revision in 1957, and only a moderate renewal of financial support.

We can all take pride in the new vigor and direction which has come to the Department of Commerce, which is now professionally staffed with men who are the equals of the best railroad and utility industrial development experts.

We think they have a fine product to sell in the environment, the advantages, the skilled work force of our State. It will be within the power of this session of the Legislature to reverse the trend which has convinced many people that Pennsylvania's taxes on manufacturing industry are unduly burdensome. I hope it will be done. With improvement on the tax front, we may then have an impartial and dispassionate review of other obstacles to industrial growth, such as utility rates, freight rates, availability of industrial land, and all the other factors which are at least equal in importance to State and local taxes.

I think the people in this Administration have given abundant proof that they will work like beavers to bring substantial new industry to Pennsylvania.

We would like to see a team spirit spread across the State, a unified effort of business, labor, and government to expand our job opportunities. I can promise that the Commonwealth will do every reasonable thing expected of it.

For those parts of our State which are not sharing in the relatively full employment of these times, we still need effective Federal action to join with our State efforts. It has been repeatedly promised; it has not come. We hope that it will be brought to reality.

URBAN REDEVELOPMENT

The last Session of the Legislature renewed, after a lapse of four years, a State program of aid to municipalities for slum clearance and urban redevelopment. It has found an enthusiastic response and should be continued.

The great cities of the State, Philadelphia and Pittsburgh, have had dramatic success in redevelopment and municipal reconstruction. The smaller communities can

use the same processes; obtain the same State and Federal assistance; achieve the same success.

The Commonwealth will be of service with technical assistance and a reasonable stimulus of cash.

We will, of course, continue to speed the development of Point Park in Pittsburgh and Independence Mall in Philadelphia—State projects which have been true keystones in the renaissance of both cities.

To determine the State's proper role in housing, I have appointed still another citizens' commission broadly representative of the people of Pennsylvania. Their report will have great weight with me, and I am sure with the Legislature also, in determining the form that State assistance to better housing should take in Pennsylvania.

As to citizen participation in government, I would like to say now, in this formal state of the Commonwealth address, how important it is to draw able and public-spirited men and women into the unpaid service of their State. As Governor, I am very grateful to the hundreds of citizens who thus serve their community. I trust we will never be so arrogant in our public life that we will not welcome the fresh viewpoint and expert knowledge that citizen study groups can bring to our problems.

FARMING

While it is natural for most of us to think of Pennsylvania as an urban and industrial State, agriculture remains an important factor in our economy and a traditional stabilizer in our way of life. The last session of the Legislature helped the Pennsylvania farmer by guaranteeing the quality and honest representation of the feed and fertilizer that he buys. We provided for the 100 per cent refund of gasoline and tractor fuel tax used on the farm on a temporary basis. This should now be made permanent. We freed farm fishing ponds from burdensome and inappropriate regulations. A State general livestock show and 4H and FFA livestock shows were established.

At this session, we will ask that the successful Brucellosis eradication campaign in cattle be extended to swine. We will seek the same honest labelling of pesticides that we now compel for fertilizer.

In the Department of Agriculture, with legislative help as it may be required, we hope to expand our research programs and make a stronger effort to broaden our market for Pennsylvania's choice farm products.

MINERAL INDUSTRIES

The mining industries are synonymous with Pennsylvania. They have had their periods of expansion and their periods of decline; it is good to see coal moving forward again. No matter how much industrial growth we achieve, there will always be, in our lifetime, many thousands of Pennsylvanias whose whole allegiance will be to the mining industry, hard as it may sometimes be.

I am glad, therefore, that our program of economic development for Pennsylvania included research grants for work on Pennsylvania coal, and included the State-Federal program for mine drainage in the anthracite region.

It futher includes the completion of the mineral survey of the State, which is being efficiently carried out by the Deparatment of Internal Affairs.

We will ask the Legislature for appropriate legal authority to secure exploration for oil and natural gas in the offshore waters of Lake Erie. We will also ask for consideration of a basic change to unitization in our oil and gas fields, to replace the existing wasteful law of capture. This is a conservative measure of importance.

NATURAL RESOURCES

As to conservation, it is well-recognized that we have been able to achieve the best professional direction of our Department of Forests and Waters since the days of Gifford Pinchot.

The last session of the Legislature very wisely provided that the Department administer for conservation, recreation, dams, and flood control the considerable income the State receives from gas and oil royalties on State forest lands. The Department has also received substantial allocations from the Special Disaster Relief Fund administered by the State Council of Civil Defense.

The Department will soon report to the Legislature as to its use of these funds, and its future program for them.

It is interesting to note that the State's income from its oil and gas royalties will not necessarily end with the exhaustion of the fields; the Department has already entered into the first important contract to use the depleted wells for the storage of natural gas. Ultimate storage capacity will be 135 billion cubic feet, the largest such facility in the world.

The Department is stepping up its production of forest tree seedlings to 40,000,000 a year, so that it can meet the demand for tree cover for strip mined areas and for lands withdrawn from farming for participation in the Federal Soil Bank program.

The State park system is being vigorously developed, with a spectacular illustration in the control of beach erosion and the restoration of park facilities at Presque Isle State Park in Erie.

In all, fourteen existing State parks are getting major improvements with General State Authority financing while new parks are being developed with the special royalties fund.

Our objective is a good State park within 25 miles of every Pennsylvanian.

The timber management program, on a sustained yield basis, provided for the sale of 12,000,000 board feet of lumber and 6,500 cords of pulpwood from the State forest lands in 1956.

It is true that in the field of natural resources we have more than a managerial function. We must plan for the future. This is particularly true of our water, which each year will become more precious to us.

Pennsylvania's clean streams program is more vigorous than ever.

The great river valleys of the State—the Delaware, the Susquehanna-Juniata, the Upper Ohio and its tributaries—all must be given comprehensive plans for Federal, State, and local action.

The 1955 Legislature deserves great credit for the rapidity with which it moved on the problems resulting from the August floods. Flood control, flood prevention, and flood insurance are all being worked on or studied at the present time.

The conservation of wildlife, and the permanent pro-

vision of hunting and fishing opportunities in Pennsylvania, is of great importance. I am happy to report a high degree of professional competence in both the Game and Fish Commissions, and a spirit of cooperation in all the State agencies dealing with conservation which is daily creating joint enterprises which add immeasurably to their effectiveness.

HUMAN RESOURCES

The human resources of the Commonwealth are, of course, entitled to the same jealous protection we extend to our natural heritage. Pennsylvania may be proud that it traditionally gives to labor an equal place to management in the consideration of its public problems. We must be as intelligent and as progressive in our social and labor legislation as we are in our technological achievements.

The last session of the Legislature made important and proper revisions to our unemployment compensation, workmen's compensation, and compensation for occupational disease systems. We must keep these programs, so essential to the security of our labor force, under constant review, with the purpose in mind that Pennsylvania's codes in these matters will always rank with the best in the Nation.

In this area of public concern, I will specifically recommend to the Legislature that we require the payment of prevailing wages on all public contracts, just as the Federal Government has done for more than two decades.

I will further ask you to consider revisions in our laws regulating the issuance of preliminary injunctions in labor disputes, so that all parties may be truly guaranteed their day in court.

In the field of public assistance we shall recommend the continuation of the newly-adopted program to provide nursing-home care for the infirm aged. We shall also recommend that a moderate increase in flood allowance be authorized

Finally, it would seem clear to me—as I am sure it must to you—that employed women, doing the same task as men, deserve the same pay ratio. I will therefore recommend to you the passage of legislation assuring equal pay for equal work.

KOREAN WAR BONUS

The Nation makes its ultimate call upon its human resources when it summons its young men to risk death in defense of our Country. Pennsylvania paid a bonus to its soldiers who served in World War I and in World War II. I cannot see how, in good conscience, we can do less for the men who were in service in the Korean War.

I will heartily approve payment of a Korean War bonus, and urge my fellow Pennsylvanias to approve the Constitutional Amendment necessary for it. But this time, I hope you will agree with me, we must have an adequate plan for the tax measure which will pay for it.

CIVIL RIGHTS

The young men who fought in Korea, like the young men who fought in all our wars since the Revolution, were fighting for liberty—for the principle that there are human rights which no government and no mob, no prejudice nor any tyrant, must be allowed to take away from even the least of us.

A fundamental right is the right to vote, and to thus participate in self-government. Pennsylvania annually denies this right to many thousands of its citizens because we do not permit absentee voting.

I urge most strongly that the Legislature complete its action on the necessary Constitutional amendment, introduced and passed for the first time in the previous session. Then I hope you will join with me in urging its adoption by the people.

We in Pennsylvania are fortunate that our history does not plunge us into the agonizing problems which are being so painfully and belatedly resolved in the South. Law in this State gives no countenance to discrimination; in fact, we are rightly using the power of law to uproot it wherever it may still exist.

The last session of the Legislature passed a Fair Employment Practice Law. The Commission has been appointed and staffed; the law is in effect.

But we are not yet done with legislation in the area of human rights.

Strangely enough, we have not removed all of the old common law disabilities which are imposed on married women. These legal relics of the past should be disposed of in this modern age, and Pennsylvania law should recognize completely the ability of women, married or single, to control their property under exactly the same circumstances as men.

We have just discussed an old disability affecting the rights of women. Today, the rights of all of us are menaced by an unexpected product of our technical age—the wire-tapper.

I would suggest to the Legislature that the laws of Pennsylvania as to wire-tapping be brought into conformity with the Federal statutes.

Finally, in the field of human rights, I would ask the Legislature to consider an enactment which will make it clear that the State's policy forbids discrimination for race, creed, or color in admissions to all schools in the Commonwealth which receive aid from the State's tax funds.

CONCLUSION

I must again apologize, Ladies and Gentlemen of the General Assembly, for the length of this message on the state of the Commonwealth, but as I prepared it, it became evident that the scope of our problems prevented the brief discussion I would have preferred.

Just to touch on all the subjects in our range of concern has taken an hour or more.

To cover them in detail will take weeks of patient and painstaking work in the departments of the State, in the various citizen commissions which are working with us, in the committees of the House and Senate, and on the floor of each distinguished legislative body.

It is plain that we have our work cut out for us.

None of us will flinch from our duty.

We all will act, I am sure, to make this a short and businesslike session. But that does not mean that it will neglect its duty. We have much to do for Pennsylvania. Let us then counsel together, not as party antagonists, but as co-workers for the people of this State so that we do our part in realizing their best hopes from their elected government.

GEORGE M. LEADER

The LIEUTENANT-GOVERNOR. Governor Leader, on behalf of the Members of the General Assembly, I want to congratulate you on your most interesting and comprehensive speech. Thank you very much.

The Committee of the Senate and the House will now escort His Excellency, the Governor, to his chambers.

ELECTION RETURNS

LIEUTENANT-GOVERNOR FURMAN. This being the day and time agreed upon by concurrent resolution of the Senate and House of Representatives and in accordance with provisions of the Constitution and the laws of this Commonwealth for the opening and computing of the official returns for the election of Auditor General and State Treasurer held on Tuesday, November 6, 1956, in the several counties of this Commonwealth, the returns will be now opened and read.

The Teller on the part of the Senate is the gentleman from Montgomery, Mr. Propert. The Teller on the part of the House is the gentleman from Bradford, Mr. Moscrip. They will please come to the desk and proceed in the performance of their duty.

The returns for Auditor General were opened and read by the Clerk.

VOTES CAST FOR AUDITOR GENERAL ON NOVEMBER 6, 1956

AUDITOR GENERAL
General Election
November 6, 1956

COUNTIES	Francis R. Smith Dem.	Charles C. Smith Rep.	Frank Knotek Soc. Lab.
Adams	7,432	10,896	22
Allegheny	338,439	350,703	1,791
Armstrong	13,992	18,028	138
Beaver	39,293	34,277	186
Bedford	6,888	10,286	26
Berks	47,858	49,411	268
Blair	19,777	30,695	97
Bradford	6,146	14,451	47
Bucks	42,557	54,480	203
Butler	14,652	24,404	67
Cambria	47,831	38,685	316
Cameron	1,076	2,151	7
Carbon	10,566	11,417	38
Centre	8,763	13,769	29
Chester	22,053	44,119	72
Clarion	5,954	8,721	18
Clearfield	14,494	15,189	91
Clinton	6,046	7,480	32
Columbia	10,356	11,745	18
Crawford	10,251	17,294	60
Cumberland	15,379	27,015	67
Dauphin	32,635	56,296	228
Delaware	84,177	138,177	326
Elk	6,716	7,520	35
Erie	37,502	48,597	259
Fayette	39,438	24,721	127
Forest	743	1,340	1
Franklin	12,598	17,195	32
Fulton	2,014	2,091	7
Greene	10,896	5,999	20
Huntingdon	5,034	8,929	27
Indiana	12,293	16,552	....
Jefferson	7,597	11,712	34
Juniata	3,131	3,783	5
Lackawanna	59,128	58,080	99
Lancaster	29,085	65,702	95
Lawrence	20,945	22,858	154
Lebanon	11,972	20,535	45
Lehigh	32,842	44,558	162
Luzerne	67,833	83,071	574
Lycoming	16,305	23,536	69
McKean	5,456	13,980	54
Mercer	21,112	26,241	100
Mifflin	5,613	7,827	5
Monroe	6,601	8,538	44
Montgomery	64,464	126,557	283
Montour	2,488	3,462	....
Northampton	37,701	36,129	244
Northumberland	19,371	25,089	127
Perry	4,039	6,704	19
Philadelphia	510,229	364,003	1,133
Pike	1,601	3,678	6
Potter	2,577	4,647	22
Schuylkill	34,298	47,705	149
Snyder	2,278	6,569	16
Somerset	14,546	18,835	50
Sullivan	1,416	1,809	3
Susquehanna	4,820	9,899	35
Tioga	3,644	10,234	11
Union	2,069	6,162	14
Venango	6,512	15,866	31
Warren	4,844	11,490	36
Washington	51,913	34,586	214
Wayne	3,563	9,028	21
Westmoreland	79,090	58,145	384
Wyoming	2,353	5,471	14
York	41,459	44,895	91
Totals	2,116,744	2,364,017	8,998

The LIEUTENANT-GOVERNOR. The Chair recognizes the gentleman from Montgomery County, Mr. Propert.

Mr. PROPERT. Mr. President, the Tellers agree in their count and submit the following report for Auditor General:

FRANCIS R. SMITH, Democrat, received 2,116,744 votes.

CHARLES C. SMITH, Republican, received 2,364,017 votes.

FRANK KNOTEK, Socialist Labor, received 8,998 votes.

HIS EXCELLENCY, THE LIEUTENANT GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE MEMBERS OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

Honorable Sirs:

I have the honor to present the returns of the election for Auditor General of the Commonwealth of Pennsylvania wherein it was disclosed that

Francis R. Smith, Democrat, received 2,116,744 votes.
Charles C. Smith, Republican, received 2,364,017 votes.
Frank Knotek, Socialist Labor, received 8,998 votes.

as the same have been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the return boards.

Respectfully submitted,

JAMES A. FINNEGAN
Secretary of the Commonwealth

Seal
January 1, 1957

The LIEUTENANT-GOVERNOR. Mr. Charles C. Smith having received the highest number of votes was duly elected Auditor General for the term of four years from the first Tuesday of May, 1957.

The returns for State Treasurer were opened and read by the Clerk.

VOTES CAST FOR STATE TREASURER ON NOVEMBER 6, 1956

STATE TREASURER
General Election
November 6, 1956

COUNTIES	James W. Knox Dem.	Robert F. Kent Rep.	Louis Dirle Soc. Lab.
Adams	7,525	10,781	18
Allegheny	348,235	342,167	1,312
Armstrong	14,214	17,832	62
Beaver	39,918	33,610	150
Bedford	6,892	10,226	21
Berks	47,946	49,214	271
Blair	20,116	30,509	88
Bradford	6,240	14,152	31
Bucks	42,469	54,558	198
Butler	15,275	23,668	61
Cambria	47,939	38,911	223
Cameron	1,072	2,172	4
Carbon	10,439	11,522	38
Centre	8,890	13,666	28
Chester	22,007	44,060	59

Clarion	6,126	8,537	10
Clearfield	14,555	14,947	87
Clinton	6,079	7,409	21
Columbia	10,473	11,608	23
Crawford	10,062	17,734	59
Cumberland	15,363	26,955	59
Dauphin	32,660	56,194	210
Delaware	84,071	138,122	324
Elk	6,636	7,524	24
Erie	37,509	48,484	133
Fayette	39,514	24,461	107
Forest	748	1,336	2
Franklin	12,728	17,084	15
Fulton	2,016	2,072	6
Greene	10,938	5,880	17
Huntingdon	5,035	8,878	25
Indiana	12,466	16,757	....
Jefferson	7,720	11,628	31
Juniata	3,147	3,749	3
Lackawanna	59,128	57,961	76
Lancaster	28,893	65,597	87
Lawrence	21,377	22,567	77
Lebanon	12,114	20,325	37
Lehigh	32,786	44,548	147
Luzerne	67,516	82,848	480
Lycoming	16,383	23,478	49
McKean	5,509	13,936	49
Mercer	21,231	26,027	100
Mifflin	5,675	7,749	6
Monroe	6,567	8,534	38
Montgomery	64,356	123,427	234
Montour	2,484	3,473	5
Northampton	37,345	36,225	244
Northumberland	19,289	25,182	87
Perry	4,087	6,653	20
Philadelphia	508,101	364,671	1,104
Pike	1,607	3,687	6
Potter	2,597	4,662	11
Schuylkill	34,261	47,986	113
Snyder	2,328	6,545	10
Somerset	14,593	18,757	35
Sullivan	1,430	1,802	3
Susquehanna	4,811	9,931	27
Tioga	3,650	10,200	11
Union	2,119	6,171	11
Venango	6,537	15,912	24
Warren	4,913	11,430	33
Washington	52,606	34,141	144
Wayne	3,594	9,006	18
Westmoreland	79,192	57,987	303
Wyoming	2,390	5,475	6
York	41,510	44,620	101
Totals	2,128,002	2,347,920	7,471

The LIEUTENANT-GOVERNOR. The Chair recognizes the gentleman from Bradford, Mr. Moscrip.

Mr. MOSCRIP. Mr. President, the Tellers agree in their count and submit the following report for State Treasurer:

JAMES W. KNOX, Democrat, received 2,128,002 votes.
ROBERT F. KENT, Republican, received 2,347,920 votes.
LOUIS DIRLE, Socialist Labor, received 7,471 votes.

The LIEUTENANT-GOVERNOR. Mr. Robert F. Kent having received the highest number of votes was duly elected State Treasurer for the term of four years from the first Monday of May, 1957.

HIS EXCELLENCY, THE LIEUTENANT GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE MEMBERS OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

Honorable Sirs:

I have the honor to present the returns of the election for State Treasurer of the Commonwealth of Pennsylvania wherein it was disclosed that

James W. Knox, Democrat, received 2,128,002 votes.
Robert F. Kent, Republican, received 2,347,920 votes.
Louis Dirle, Socialist Labor, received 7,471 votes.

as the same have been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the return boards

Respectfully submitted,

(Signed) JAMES A. FINNEGAN
SEAL Secretary of the Commonwealth
January 1, 1957

The LIEUTENANT-GOVERNOR. Certificates of election for Auditor General and State Treasurer will now be signed in the presence of the General Assembly by the President of the Senate, the Speaker of the House and attested by the Tellers of the Senate and House of Representatives.

Certificates of election were signed as follows:

Commonwealth of Pennsylvania,
January 1, 1957.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the first day of January, A. D. one thousand nine hundred and fifty-seven, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Auditor General of this Commonwealth, and publish the same in the presence of both Houses of the General Assembly, conformably to the provisions of the Constitution and laws of said Commonwealth and upon counting the votes by a teller appointed on the part of each House, it appeared that Charles C. Smith had the highest number of votes; whereupon the said Charles C. Smith was declared to have been duly elected Auditor General of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

ROY E. FURMAN
President of the Senate
W. STUART HELM
Speaker of the House of Representatives
HENRY J. PROPERT
Teller on the part of the Senate
ANDREW S. MOSCRIP
Teller on the part of the
House of Representatives

Commonwealth of Pennsylvania,
January 1, 1957.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the first day of January, A. D. one thousand nine hundred and fifty-seven, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Treasurer of this Commonwealth, and publish the same in the presence of both Houses of the General Assembly, conformably to the provisions of the Constitution and laws of said Commonwealth and upon counting the votes by a teller appointed on the part of each House, it appeared that Robert F. Kent had the highest number of votes; whereupon the said Robert F. Kent was declared to have been duly elected Treasurer of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

ROY E. FURMAN
President of the Senate
W. STUART HELM
Speaker of the House of Representatives
HENRY J. PROPERT
Teller on the part of the Senate
ANDREW S. MOSCRIP
Teller on the part of the
House of Representatives

The LIEUTENANT GOVERNOR. The Joint Assembly will now proceed to the election of Director of the Legislative Reference Bureau.

The Chair recognizes the gentleman from Lancaster, Mr. Kessler.

Mr. KESSLER. Mr. President and Members of the General Assembly, I rise to nominate for the office of Director of the Legislative Reference Bureau a man who is unusually qualified for that office. Within a few days he will have completed 36 years service in the Legislative Reference Bureau and during that time he has been of tremendous assistance to all Legislators.

It is really an honor and a privilege for me, Mr. President, to nominate Burt R. Glidden of Lancaster County.

The LIEUTENANT-GOVERNOR. Are there any other nominations? The Chair hears none.

Mr. ANDREWS. Mr. Chairman, I move that the nominations for Director of Legislative Reference Bureau be closed.

The motion was agreed to.

Mr. Burt R. Glidden was unanimously elected Director of the Legislative Reference Bureau by a rising vote.

The LIEUTENANT-GOVERNOR. The Chair appoints the Senator from Lancaster, Mr. Kessler and the Member from Cambria, Mr. Andrews, to escort Mr. Glidden to the rostrum where the oath of office will be administered to him.

OATH OF OFFICE ADMINISTERED TO DIRECTOR OF LEGISLATIVE REFERENCE BUREAU

The oath of office was then administered to the Director-elect of the Legislative Reference Bureau, Mr. Burt R. Glidden, by Lieutenant-Governor Roy E. Furman.

The LIEUTENANT-GOVERNOR. The business for which the Joint Session was assembled having been transacted the Joint Session is now declared adjourned.

The Senators will please reassemble at 4:00 o'clock in the Senate Chamber.

The Chair now turns over to the Speaker of the House the gavel.

The SPEAKER (W. Stuart Helm) IN THE CHAIR

PROCEEDINGS OF JOINT SESSION PRINTED IN JOURNAL

Mr. BROWN. Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House be printed in full in this day's Legislative Journal.

The motion was agreed to.

RESOLUTION

PARKING SPACE

Mr. ANDREWS asked and obtained unanimous consent to offer a resolution which was read, considered and adopted as follows:

In the House of Representatives, January 1, 1957

Resolved, That the Speaker of the House of Representatives, the Majority Leader and the Minority Leader, constitute a continuing committee of the House of Representatives with authority to meet and confer from time to time with the Secretary of Property and Supplies for the purpose of securing convenient parking space for each member and officer of the House of Representatives.

The SPEAKER. For the information of the Members of the House, a supplemental resolution with reference to the Inaugural Committee appointment will be prepared and presented at our next session if that is satisfactory to the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, it is satisfactory, and I thank the Chair.

COMMITTEE ON COMMITTEES

The SPEAKER. In compliance with the rule of the House, the Chair has appointed the following committee: Messrs: Royer, Chairman, Breisch, Cooper, LaFore, Keller, Weidner, Davis, Petrosky, Boies, Amarando and the Speaker of the House, W. Stuart Helm, Ex Officio.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REASONS FOR PARDONS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

January 1, 1957

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons and commutations granted from January 5, 1955, to date.

GEORGE M. LEADER

The SPEAKER. The Reasons for Pardons will be noted in the Journal and printed in the Appendix.

ANNOUNCEMENTS

The SPEAKER. The Chair would like to announce that the Members are requested by the Chief Clerk to sign the Oath Book in the Chief Clerk's office immediately after adjournment. The membership has been so informed, I believe, in the bulletin that was sent out, but it is repeated for the information of the Members.

REPUBLICAN CAUCUS

Mr. JOHNSON. Mr. Speaker, I realize that a large number of the Members on this side have left for the day but even so I would like to announce that we have planned a Caucus of the Republican Members on Monday the 7th at 3:00 p. m. I believe a letter will also be sent out confirming this announcement.

DEMOCRATIC CAUCUS

Mr. ANDREWS. Mr. Speaker, on our side we will wait the event of the Majority party caucus. It is their first move and there will therefore be no Democratic caucus.

ADJOURNMENT

Mr. GOODLING. Mr. Speaker, I move that this House do now adjourn until Monday, January 7, 1957 at 4:30 p. m.

The motion was agreed to, and (at 3:36 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, JANUARY 7, 1957. No. 2.

SENATE

MONDAY, January 7, 1957.

The Senate met at 4:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D. D., Pastor of Market Square Presbyterian Church, Harrisburg, offered the following prayer:

Let us pray.

Almighty God, King of Kings and Lord of Lords, from Whom cometh all power and dominion in heaven and on earth, without Whose aid nothing enduring can be fashioned, and with Whose aid nothing can ultimately fail, we thank Thee for the manifold ways in which Thou hast proved Thyself to us when in humility and faith we have turned to Thee. From Thee we have gained strength to endure, patience to wait, wisdom to discern the right way and love that keeps us merciful and kind. O, God, most gracious, we thank Thee for Thy faithfulness that never fails.

Look now with Thy favor, we beseech Thee, upon the Senate of Pennsylvania here assembled. Imbue these chosen men with the spirit of wisdom, goodness and truth. So rule their hearts and bless their endeavors that law and order, justice and peace may prevail in the Commonwealth. Make them strong in the fear of God and in the love of righteousness, so that blessed by Thee, they may become a blessing to all our people to the glory of Thy Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. SARRAF further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR LAID ON THE TABLE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency. the Governor of the Commonwealth, which was read as follows and laid on the table.

RECALLING NOMINATION OF HAROLD H. SALKIND AS A MEMBER OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the appointment of Harold H. Salkind, Philadelphia, as a Member of the Registration Commission in and for the City of Philadelphia, from May 24, 1956, until January 6, 1957, or until his successor qualifies.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR LAID ON THE TABLE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and were laid on the table:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Adam P. Polak, 305 Upland Street, Chester, Delaware County, for appointment as Alderman in and for the Third Ward of the City of Chester, Delaware County, to serve until the first Monday of January 1958, vice John C. Bail, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Allan W. Keusch, R. D. 1, Glenmoore, Chester County, for appointment as Justice of the Peace in and for the Township of Wallace, Chester County, to serve until the first Monday of January 1958, vice Walter R. Russell, resigned.

GEORGE M. LEADER.

COMMUNICATION FROM THE GOVERNOR TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the

communication from His Excellency, the Governor of the Commonwealth, recalling the nomination of Harold H. Salkind.

The Clerk read the communication as follows:

RECALLING NOMINATION OF HAROLD H. SALKIND AS A MEMBER OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the appointment of Harold H. Salkind, Philadelphia, as a Member of the Registration Commission in and for the City of Philadelphia, from May 24, 1956, until January 6, 1957, or until his successor qualifies.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination of Harold H. Salkind as a Member of the Registration Commission in and for the City of Philadelphia, and request that it be returned to the Governor, at his request.

The Clerk read the nomination as follows:

MEMBER OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold H. Salkind, Philadelphia, as a Member of the Registration Commission in and for the City of Philadelphia, from May 24, 1956, until January 6, 1957, or until his successor qualifies.

GEORGE M. LEADER.

NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth of Pennsylvania.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

APPOINTMENT OF STANDING COMMITTEES

The PRESIDENT. The Chair wishes to make an announcement. Copies of the Standing Committees of the Senate of Pennsylvania for the Session of 1957 are on the Members' desks. This is for the information of the Senators, and the Clerk will not read these committees due to the fact that copies have been submitted to each Member individually.

The Appointment of the Standing Committees of the Senate will appear in the Legislative Journal.

SENATE COMMITTEES

Standing Committees of the Senate of Pennsylvania
Session of 1957

AGRICULTURE—(17)

MADIGAN, Chairman
HARNEY, Vice-Chairman

Chapman	Watson	Hays
Mallery	Kromer	Miller
Wade	Elliott	Ruth
Mahany	Camiel	Seyler
Kessler	Derk	Taylor, ex-officio

APPROPRIATIONS—(23)

CHAPMAN, Chairman
WATSON, Vice-Chairman

Mallery	Wolfe	DiSilvestro
Stevenson	Fleming	Lane
Blass	Madigan	Ruth
Berger	Propert	Sarraf
Mahany	Watkins	Stiefel
Wagner	Barr	Yosko
Kessler	Camiel	Taylor, ex-officio

BANKING—(19)

PROPERT, Chairman
WHALLEY, Vice-Chairman

Stevenson	Van Sant	McCreesh
Wade	Flack	McGinnis
Wagner	Ehrgood	Miller
Pechan	DiSilvestro	Silvert
Fleming	Donolow	Stiefel
Madigan		Taylor, ex-officio

CONSTITUTIONAL CHANGES AND FEDERAL RELATIONS—(17)

HARNEY, Chairman
BLASS, Vice-Chairman

Chapman	Flack	McCreesh
Pechan	Ehrgood	Mullin
Propert	Kromer	Schmidt
Madigan	Donolow	Stiefel
Scott	Kalman	Taylor, ex-officio

CORPORATIONS—(18)

MALLERY, Chairman
VAN SANT, Vice-Chairman

Watson	Berger	Miller
Fleming	Scott	Silvert
Kessler	Kromer	Stiefel
Mahany	Kalman	Weiner
Madigan	McMenamin	Yosko
	Taylor, ex-officio	

EDUCATION—(18)

WAGNER, Chairman
KESSLER, Vice-Chairman

Berger	Madigan	Mullin
Pechan	Kopriver	Ruth
Watkins	Scott	Schmidt
Fleming	Whalley	Seyler
Watson	Hays	Silvert
	Taylor, ex-officio	

ELECTIONS—(17)

WHALLEY, Chairman
WATKINS, Vice-Chairman

Chapman	Ehrgood	Miller
Mahany	Walker	Murray
Kopriver	Camiel	Sarraf
Harney	Derk	Seyler
Blass	McGinnis	Taylor, ex-officio

EXECUTIVE NOMINATIONS—(10)

WATSON, Chairman
STEVENSON, Vice-Chairman

Mahany	Flack	Dent
Berger	Barr	Ruth
Pechan		Taylor, ex-officio

FINANCE—(17)

KESSLER, Chairman
PROPERT, Vice-Chairman

Mallery	Harney	Lane
Wade	Kopriver	Seyler
Stevenson	Whalley	Silvert
Flack	Barr	Weiner
Van Sant	DiSilvestro	Taylor, ex-officio

FORESTS AND WATERS, GAME AND FISH—(17)

BLASS, Chairman
WOLFE, Vice-Chairman

Stevenson	Kopriver	McGinnis
Berger	Fleming	McMenamin
Harney	Whalley	Murray
Watkins	Kromer	Stiefel
Watson	Hays	Taylor, ex-officio

HIGHWAYS—(24)

WADE, Chairman
MALLERY, Vice-Chairman

Chapman	Pechan	Hays
Stevenson	Mahany	Derk
Blass	Flack	DiSilvestro
Wolfe	Scott	McGinnis
Propert	Whalley	McMenamin
Fleming	Van Sant	Ruth
Watson	Barr	Taylor, ex-officio
Kopriver		

INSURANCE—(17)

VAN SANT, Chairman
WAGNER, Vice-Chairman

Blass	Wade	Mullin
Watson	Fleming	Schmidt
Watkins	Elliott	Silvert
Kessler	Kalman	Weiner
Propert	McCreesh	Taylor, ex-officio

JUDICIARY GENERAL—(24)

SCOTT, Chairman
BERGER, Vice-Chairman

Chapman	Madigan	Donolow
Mallery	Harney	Lane
Stevenson	Whalley	McGinnis
Blass	Ehrgood	McMenamin
Mahany	Elliott	Schmidt
Kessler	Walker	Silvert
Propert	DiSilvestro	Yosko
	Taylor, ex-officio	

LABOR AND INDUSTRY—(17)

BERGER, Chairman
WADE, Vice-Chairman

Chapman	Scott	Murray
Stevenson	Van Sant	Lane
Watson	Elliott	Miller
Kessler	Donolow	Seyler
Harney	Kalman	Taylor, ex-officio

LAW AND ORDER—(17)

WATKINS, Chairman
KOPRIVER, Vice-Chairman

Mallery	Van Sant	Hays
Wagner	Walker	Mullin
Wolfe	Whalley	Murray
Pechan	Camiel	Yosko
Harney	McCreesh	Taylor, ex-officio

LOCAL GOVERNMENT—(17)

STEVENSON, Chairman
SCOTT, Vice-Chairman

Mallery	Kopriver	Mullin
Pechan	Van Sant	Schmidt
Fleming	Walker	Stiefel
Propert	Camiel	Yosko
Harney	Lane	Taylor, ex-officio

MILITARY AFFAIRS AND AERONAUTICS—(17)

WOLFE, Chairman
PECHAN, Vice-Chairman

Stevenson	Elliott	Mullin
Wade	Walker	Sarraf
Wagner	Donolow	Schmidt
Watkins	McCreesh	Weiner
Scott	Miller	Taylor, ex-officio

MINES AND MINING—(17)

KOPRIVER, Chairman
FLACK, Vice-Chairman

Chapman	Whalley	Sarraf
Mallery	Walker	Lane
Berger	Derk	Murray
Wolfe	Hays	Yosko
Wagner	Kalman	Taylor, ex-officio

PUBLIC HEALTH AND WELFARE—(18)

PECHAN, Chairman
CHAPMAN, Vice-Chairman

Blass	Kessler	DiSilvestro
Wagner	Whalley	Hays
Berger	Camiel	McCreesh
Kopriver	Derk	Sarraf
Watkins		Taylor, ex-officio

REAPPORTIONMENT—(12)

FLACK, Chairman
FLEMING, Vice-Chairman

Mahany	Kromer	Mullin
Kessler	Derk	Weiner
Ehrgood	Kalman	Taylor, ex-officio

RULES—(9)

MAHANY, Chairman

Berger	Barr
Pechan	Dent
Fleming	Ruth
Watson	Taylor, ex-officio

STATE GOVERNMENT—(17)

FLEMING, Chairman
MADIGAN, Vice-Chairman

Wade	Flack	McMenamin
Wagner	Van Sant	Seyler
Wolfe	Ehrgood	Weiner
Watson	Barr	Yosko
Blass	McGinnis	Taylor, ex-officio

BILLS INTRODUCED AND REFERRED

Messrs. MALLERY, TAYLOR, STEVENSON, WHALLEY, DENT and LANE read in place and presented to the Chair Senate Bill No. 1, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1987) and making an appropriation," and for the repair, improvements or additions of certain sewage treatment plants.

Which was committed to the Committee on State Government.

Mr. KOPRIVER, JR. read in his place and presented to the Chair Senate Bill No. 2, entitled:

An Act abolishing the Pennsylvania Tunnel Commission, assuming its obligations and appropriating money from the Motor License Fund.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 3, entitled:

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge, and the Saw Mill Run Interchange of the Parkway-West; providing for the necessary approaches and connections with State highways; empowering counties to pay certain damages and making an appropriation.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, the bill which I am about to introduce is commonly known as the Korean Bonus Bill, and it has the same sponsorship that we had in the last Session.

BILLS INTRODUCED AND REFERRED

Messrs. PECHAN, WOLFE, DENT and McMENAMIN read in place and presented to the Chair Senate Bill No. 4, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

Which was committed to the Committee on Military Affairs and Aeronautics.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 5, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

Which was committed to the Committee on Judiciary General.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 6, entitled:

An Act providing for the calling of a Convention to propose a revision or amendments of the Constitution of Pennsylvania with certain limitations the nomination and election of delegates thereto and the submission of the work of the convention to the voters for approval or rejection at a special election to be held for this sole purpose.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also read in his place and presented to the Chair Senate Bill No. 7, entitled:

An Act amending the act of May 8, 1909 (P. L. 475), entitled "An act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself, without more, operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth; . . . ," further defining the right of attorneys-at-law admitted to practice in the Supreme Court to practice in the courts of the several counties.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 8, entitled:

An Act relating to collection agencies; providing for and regulating the licensing of collection agencies and collectors; granting powers and imposing duties on the Secretary of Banking, prescribing unlawful acts and imposing penalties.

Which was committed to the Committee on Banking.

SENATE CONCURRENT RESOLUTIONS

PENNSYLVANIA 1957 INAUGURATION FUND COMMITTEE

Messrs. PECHAN, BERGER, SCOTT, BARR and DENT offered the following resolution, which was twice read as follows:

In the Senate, January 7, 1957.

On Jnuary 21, 1957, for the first time in a century, a citizen of this Commonwealth will be inaugurated as President of the United States of America. This Commonwealth has been invited to send representatives to the inaugural ceremony, and to provide units to participate in the inaugural parade and other public events appropriate to the occasion.

It is fitting and proper that the funds required for providing parade units as aforesaid be met by popular subscription; therefore be it

Resolved (the House of Representatives concurring), That the Speaker of the House of Representatives appoint three members of the House and the President pro tempore of the Senate appoint three members of the Senate, as members of the Pennsylvania 1957 Inauguration Fund Committee, whose duties it shall be to receive unsolicited voluntary contributions from persons, partnerships, corporations, and other entities, and to disburse the fund thereby created in defraying the expense of providing Pennsylvania units for the parade incident to the Presidential Inauguration of January 21, 1957. If any balance shall remain in the fund after defrayment of the expense aforesaid, such balance shall be delivered to the State Treasurer, for deposit in the General Fund of the Commonwealth of Pennsylvania.

RULE 39 SUSPENDED

Mr. PECHAN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committe, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, January 7, 1957.

Resolved (if the House of Representatives concur), That when the Senate adourns this week it reconvene on Tuesday, January 22, 1957 at three o'clock P. M., E.S.T., and when the House of Representatives adjourns this week it reconvene on Tuesday, January 22, 1957, at four-thirty o'clock P. M. E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. PECHAN. Mr. President, I move that the Senate do now take a recess for five minutes for the purpose of holding a Republican Caucus.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS INTRODUCED AND REFERRED

Mr. SCHMIDT. Mr. President, I ask unanimous consent to introduce bills at this time.

Messrs. SCHMIDT and KOPRIVER, JR., read in place and presented to the Chair Senate Bill No. 9, entitled:

A Joint Resolution proposing an amendment to article eight, of the Constitution of the Commonwealth of Pennsylvania enabling the Legislature to enact legislation providing for absentee voting.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

They also read in place and presented to the Chair Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," changing penalties for removal of bodies from burial places and for destruction, injury or removal of cemetery property.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, in offering this bill, I would like to state to the Members of the Senate that this legislation pertain to the regulation of atomic development within Pennsylvania. I have a number of co-sponsors on the bill.

This legislation is approved by the Council of State Governments and is in line with their thinking, whereby they are endeavoring to have atomic energy legislation throughout the Nation uniform.

BILLS INTRODUCED AND REFERRED

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. LANE, DENT, RUTH, YOSKO, SEYLER, WEINER, DONOLOW, STIEFEL, MALLERY, WADE, PECHAN, STEVENSON and CAMIEL read in place and presented to the Chair Senate Bill No. 11, entitled:

An Act relating to and regulating atomic development activities within the Commonwealth; providing for the appointment of a Coordinator of Atomic Development Activities and fiing his duties and salary; and requiring certain departments and agencies to make continuing studies and recommendations relative to atomic industrial development.

Which was committed to the Committee on State Government.

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 12, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," regulating the business of purchasing, selling, trading and exchanging of public utilities and providing for regulating and licensing of franchise dealers and brokers.

Which was committed to the Committee on Corporations.

He also read in place and presented to the Chair Senate Bill No. 13, entitled:

An Act relating to antenuptial contracts providing for the recordation thereof.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 14, entitled:

An Act to define and regulate the business of cashing checks, drafts or money orders and to regulate and license check cashers.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, the Governor sent over to us two names of two Philadelphians to be members of his official family. This not in the form of a tirade against the Members on the other side because they have not had the opportunity to really consider these two

gentlemen. However, for their edification—and probably it is a little difficult for us, as Senators, to get to know all these candidates whose names are sent over for one position or another—I would like to just mention a few things about both of these candidates.

One of them is the man who has been named for the office of Attorney General, Thomas McBride. He is a graduate of the University of Pennsylvania and is one of the outstanding lawyers in the city of Philadelphia. For quite some time, he has lectured on constitutional law and the art of cross-examination. His is a name which is well known throughout the State of Pennsylvania because he is somewhat of a lawyer's lawyer, having been called in by very many prominent attorneys throughout the Commonwealth to help or assist them in trying some of their more difficult criminal cases.

Two years ago, Mr. McBride was elected Vice-Chancellor of the Philadelphia Bar. Recently, he was elected Chancellor of the Bar Association. He was President of the Philadelphia Voluntary Association for three years and he is now serving on the Board of Directors and the Executive Committee. He has been connected and has been associated with many fine endeavors in the city of Philadelphia and the State of Pennsylvania. He has also been active in the Pennsylvania Bar Association and the American Bar Association.

As a lawyer, the State could not have chosen a finer man, a man who is more able to do the job and who will do it not only in light of the Democratic Party and as a member of the official Governor's family, but for all of the people of the Commonwealth of Pennsylvania. Mr. McBride has been in the forefront of many liberal causes and is well known throughout the State as having been active on behalf of personal liberties and personal freedom.

The other man, Mr. President, needs less introduction. He is one who is well known among you and one who is known nationally as the result of a past election campaign. He is Mr. James Finnegan, who was City Chairman and who served as President of City Council in Philadelphia. He also served as Secretary of the Commonwealth during the present Administration. I know that it is not necessary for me to point out to the Members of the Senate the political implications which these two appointments carry. Whether we approve them or not, in our capacity as Senators, these men will serve out their two years. I think, therefore, to withhold our approval is certainly not playing the game fairly nor doing the right thing.

I believe it is our duty, as Senators, whether we like these two gentlemen or not, or whether we agree with them or not—with the exception, unless they are either morally unfit to hold these jobs or legally unfit to hold these jobs—to give them our unanimous approval. I believe that these names ought to be brought up as quickly as possible and approved because they are part of the Governor's official family and I do not think that it behooves us to withhold these approvals which are necessary for all the people of Pennsylvania in their behalf.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, the distinguished gentleman from Philadelphia, Senator Weiner, spent some time discussing or bringing forth the virtues of Mr. McBride. I would like to inform him and the rest of my colleagues that the Republicans caucused especially for that reason. We unanimously endorsed Mr. McBride for that office. We concur in what the gentleman said about him.

The name of Mr. Finnegan was not brought up today because we did not think it was that important. I, personally, am just wondering. Mr. Finnegan came in at a salary of $15,000; he resigned and is now going to receive $20,000. I am just wondering whether he will give that other $5,000 to Adlai to help make up the loss which he met in his campaign

However, Mr. President, I am sure that we can assure the gentlemen on the other side that Mr. Finnegan's name will be brought up in due time.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

PENNSYLVANIA 1957 INAUGURATION FUND COMMITTEE

In the Senate, January 7, 1957.

On January 21, 1957, for the first time in a century, a citizen of this Commonwealth will be inaugurated as President of the United States of America. This Commonwealth has been invited to send representatives to the inaugural ceremony, and to provide units to participate in the inaugural parade and other public events appropriate to the occasion.

It is fitting and proper that the funds required for providing parade units as aforesaid be met by popular subscription; therefore be it

Resolved (the House of Representatives concurring), That the Speaker of the House of Representatives appoint three members of the House and the President pro tempore of the Senate appoint three members of the Senate, as members of the Pennsylvania 1957 Inauguration Fund Committee, whose duties it shall be to receive unsolicited voluntary contributions from persons, partnerships, corporations, and other entities, and to disburse the fund thereby created in defraying the expense of providing Pennsylvania units for the parade incident to the Presidential Inauguration of January 21, 1957. If any balance shall remain in the fund after defrayment of the expense aforesaid, such balance shall be delivered to the State Treasurer, for deposit in the General Fund of the Commonwealth of Pennsylvania.

APPOINTMENT OF PENNSYLVANIA 1957 INAUGURATION FUND COMMITTEE

The PRESIDENT. The Chair wishes to announce that the President pro tempore has appointed the following Senators as Members of the Pennsylvania 1957 Inauguration Fund Committee: the gentleman from Armstrong, Mr. Pechan; the gentleman from Carbon, Mr. Scott; and the gentleman from Westmoreland, Mr. Dent.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, January 7, 1957.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Tuesday, January 22, 1957 at three o'clock P. M., E.S.T., and when the House of Representatives adjourns this week it reconvene on Tuesday, January 22, 1957, at four-thirty o'clock P. M., E.S.T.

HOUSE CONCURRENT RESOLUTION

He also presented extract from the Journal of the House of Representatives which was twice read as follows:

SUPPLEMENTAL RESOLUTION FOR PRESIDENTIAL INAUGURAL COMMITTEE

In the House of Representatives, January 7, 1957.

Resolved (if the Senate concur), That the Speaker of the House of Representatives is hereby authorized to appoint eighty-three Democratic Members of the House of Representatives, and the President pro-tempore of the Senate is hereby authorized to appoint twenty-three Democratic Senators, who, together with the one hundred twenty-six Republican Members of the House and the twenty-seven Republican Senators already appointed, shall constitute a Joint Committee to represent the General Assembly of the Commonwealth of Pennsylvania in the Presidential Inaugural Ceremonies of The Honorable Dwight D. Eisenhower.

RULE 39 SUSPENDED

Mr. PECHAN. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, that the clerk inform the House of Representatives accordingly.

BILL INTRODUCED AND REFERRED

Mr. WADE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE read in place and presented to the Chair Senate Bill No. 15, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," clarifying provisions relating to certain limitations of prosecutions.

Which was committed to the Committee on Highways.

NOMINATION TAKEN FROM TABLE

Mr. WATSON, Mr. President, I call from the table the nomination of Thomas D. McBride, as Attorney General for the purpose of consideration at this time.

The nomination was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

ATTORNEY GENERAL

Thomas D. McBride, Philadelphia, from December 17, 1956, until superseded.

GEORGE M. LEADER.

CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nomination just read.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. ELLIOTT,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon said nomination.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. ELLIOTT,

That the Senate do advise and consent to the nomination of Thomas D. McBride as Attorney General.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
Donolow,	Madigan,	Schmidt,	Watson,
Elliott,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Flack,	McCreesh,	Silvert,	Wolfe,
Fleming,	McGinnis,	Stevenson,	Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. ELLIOTT. Mr. President, I second the motion.

The motion was agreed to.

NOMINATION TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nominations submitted by the Governor on January 1, 1957, for the appointment of Members of Boards, Commissions, etc. and Commissioners of Deeds, together with all other nominations submitted by the Governor.

The Clerk read the nominations as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MAJOR GENERAL, PENNSYLVANIA NATIONAL GUARD

Henry K. Fluck, Camp Hill, from May 23, 1956, until terminated.

BRIGADIER GENERALS, PENNSYLVANIA NATIONAL GUARD

Harry A. Markle, Jr., Allentown, from May 23, 1956, until terminated.
Arthur D. Kemp, Yeadon, from May 23, 1956, until terminated.
Robert C. Boden, Mechanicsburg, from May 23, 1956, until terminated.
Richard Snyder, Columbia, from May 23, 1956, until terminated.

ATTORNEY GENERAL

Thomas D. McBride, Philadelphia, from December 17, 1956, until superseded.

MEMBERS OF THE ADVISORY COUNCIL ON MENTAL HEALTH

Stanley J. Brody, Wyncote, from May 29, 1956, for the term of four years, and until his successor shall have been appointed and qualified.

MEMBER OF THE PENNSYLVANIA AERONAUTICS COMMISSION

Louis R. Inwood, Philadelphia, from May 28, 1956, until June 2, 1957, and until his successor shall be duly appointed and shall have qualified.

MEMBERS OF THE ANTHRACITE MINE DRAINAGE STUDY COMMISSION

Joseph T. Kershetsky, Shamokin, from December 14, 1956, until annulled.
August J. Lippi, Wilkes-Barre, from December 14, 1956, until annulled.
Martin F. Brennan, Hazleton, from December 14, 1956, until annulled.
Francis O. Case, Wilkes-Barre, from December 14, 1956, until annulled.
George J. Clark, Pottsville, from December 14, 1956, until annulled.
John G. Connell, West Pittston, from December 14, 1956, until annulled.

MEMBERS OF THE ANTHRACITE MINE INSPECTORS' EXAMINING BOARD

Ignatzius Zielenski, Wilkes-Barre, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
Earl Strack, West Hazleton, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
James L. Tolan, Mahanoy City, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
Walter B. Petzold, Scranton, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
George J. Clark, Pottsville, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF ARBITRATION OF CLAIMS

Clair Groover, Lewisburg, from July 30, 1956, until July 21, 1961, and until his successor shall be duly appointed and qualified.
Edward Paul Henry, Philadelphia, from September 26, 1956, until July 21, 1959, and until his successor shall be duly appointed and qualified.

MEMBER OF THE STATE BOARD OF EXAMINERS OF ARCHITECT

Raymond M. Marlier, Pittsburgh, from May 28, 1956, for the term of six years and until his successor shall have been appointed and qualified.

MEMBER OF THE STATE ART COMMISSION

John J. McKee, Pittsburgh, from May 25, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

Joseph A. Paulosky, Minersville, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.
Al. R. Callaghan, Heckschersville, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.
Joseph O'Haren, Shenandoah, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.
John B. Rich, Pottsville, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.
Franklin P. Diehl, Hegins, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.
John P. Radzievich, Minersville, from July 13, 1956, for the term of four years, and until his successor is appointed and qualified.
Joseph F. Hinchey, Jr., Centralia, from September 10, 1956, for the term of four years, and until his successor is appointed and qualified.
Joseph Land, Minersville, from September 10, 1956, for the term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF BARBER EXAMINERS

Frank Ward, Erie, from August 6, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
John YaSenka, Carnegie, from August 6, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
Harry W. Rock, Chambersburg, from August 6, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
Edward P. McCormack, Dunmore, from August 6, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
Louis J. Grimaldi, Philadelphia, from August 6, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE MINE INSPECTORS' EXAMINING BOARD FOR THE BITUMINOUS COAL MINES OF PENNSYLVANIA

Dennis J. Keenan, Spangler, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
John B. Price, Ebensburg, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
J. S. Whittaer, Library, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
Jesse F. Core, Uniontown, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.
Edward A. Watters, Jr., Pittsburgh, from May 23, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS COLLEGE

Carl H. Fleckenstine, Orangeville, from August 13, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Leo S. Dennen, Turbotville, from August 13, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Harold L. Paul, Port Carbon, from August 13, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Bernard J. Kelley, Philadelphia, from November 30, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Sam M. Jacobs, Danville, from November 30, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOSSBURG STATE HOSPITAL

James W. Preston, Mansfield, from May 24, 1956, for the term of four years and until his successor is appointed and qualified.

(Mrs.) Geneva C. Moore, Westfield, from May 24, 1956, for the term of four years and until her successor is appointed and qualified.

Joseph T. Surina, Elkland, from May 24, 1956, for the term of four years and until his successor is appointed and qualified.

John Lee, Knoxville, from May 24, 1956, for the term of four years and until his successor is appointed and qualified.

Charles H. Fessler, Sr., Covington, from May 24, 1956, for the term of four years and until his successor is appointed and qualified.

Harry T. Spencer, Canton, from May 24, 1956, for the term of four years and until his successor is appointed and qualified.

R. Earl Cotton, Galeton, from May 24, 1956, for the term of four years and until his successor is appointed and qualified.

(Mrs.) DeSales Tingley, Blossburg, from October 1, 1956, for the term of four years and until her successor is appointed and qualified.

J. Roger Crosetto, Blossburg, from October 1, 1956, for the term of four years and until his successor is appointed and qualified.

MEMBERS OF THE BUILDING AND LOAN BOARD

J. Howard Gilroy, Beaver Falls, from August 7, 1956, until September 1, 1961, and until his successor is duly appointed and has qualified.

John A Heske, Bethlehem, from August 7, 1956, until September 1, 1961, and until his successor is duly appointed and has qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS' COLLEGE

Joseph M. Dudas, Sr., Monessen, from July 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

T. Gerald Stanley, Belle Vernon, from July 18, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

D. C. Longanecker, Waynesburg, from July 18, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Peter T. Dumbauld, Somerset, from July 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

William V. Campbell, Homestead, from July 18, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

Daniel B. Swaney, Uniontown, from July 18, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

J. Albert Reed, California, from August 2, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF CHIROPODY EXAMINERS

Ralph Orr, Erie, from September 27, 1956, for the term of four years and until his successor shall have been appointed and qualified.

Matthew Francis Gutowicz, Philadelphia, from September 27, 1956, for the term of four years and until his successor shall have been appointed and qualified.

John S. Donaldson, Jr., from September 27, 1956, for the term of four years and until his successor shall have been appointed and qualified.

Frederick W. Deardorff, Philadelphia, from September 27, 1956, for the term of four years and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE CIVIL SERVICE COMMISSION

Elmer D. Graper, Edgewood, from May 24, 1956, until April 9, 1960, and until his successor is appointed and qualified.

(Miss) Susan H. Baker, Lancaster, from August 6, 1956, until April 9, 1958, and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS' COLLEGE

(Mrs.) Harriet S. Hearst, Clarion, from August 2, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

Samuel N. Guiher, Clarion, from August 2, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

R. R. Whitmer, Clarion, from August 2, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Edgar S. Hugus, Knox, from August 2, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

Francis H. McCabe, Ford City, from August 2, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

H. Orland Payne, Clarion, from August 2, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

MEMBERS OF THE COAL RESEARCH BOARD

F. O. Case, Wilkes-Barre, from July 10, 1956, for the term of three years and until his successor shall have been appointed and qualified.

Robert G. Pfahler, Paoli, from July 10, 1956, for the term of three years and until his successor shall have been appointed and qualified.

Joseph Pursglove, Jr., Pittsburgh, from July 10, 1956, for the term of three years and until his successor shall have been appointed and qualified.

Joseph T. Kershetsky, Shamokin, from July 10, 1956, for the term of three years and until his successor shall have been appointed and qualified.

John Seddon, Pittsburgh, from July 10, 1956, for the term of three years and until his successor shall have been appointed and qualified.

John G. Connell, West Pittston, from September 27, 1956, for the term of three years and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

John J. Eagan, Pottsville, from July 16, 1956, for the term of four years and until his successor is appointed and qualified.

James Berrang, New Philadelphia, from July 16, 1956, for the term of four years and until his successor is appointed and qualified.

Joseph Holden, St. Clair, from July 16, 1956, for the term of four years and until his successor is appointed and qualified.

James J. Donahue, Mahanoy City, from July 16, 1956, for the term of four years and until his successor is appointed and qualified.

Joseph A. Hughes, Pottsville, from July 16, 1956, for the term of four years and until his successor is appointed and qualified.

Frank H. Evans, Nesquehoning, from August 2, 1956, for the term of four years and until his successor is appointed and qualified.

(Miss) Margaret Mary McCall, Lansford, from August 2, 1956, for the term of four years and until her successor is appointed and qualified.

Charles McFadden, Summit Hill, from August 2, 1956, for the term of four years and until his successor is appointed and qualified.

(Mrs.) Helen Dougherty, Jim Thorpe, from August 2, 1956, for the term of four years and until her successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF COSMETOLOGY

(Miss) Katherine O. B. Gray, Bethlehem, from July 27, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

(Mrs.) Pearl Shapren, Philadelphia, from July 27, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

(Mrs.) Ann Salamay, Monaca, from September 10, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

(Miss) Evelyn Mae Reese, Exeter, from November 30, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

Perry Goldstein, Scranton, from July 27, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

W. S. Thomas, Scranton, from July 27, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Michael Harrington, Scranton, from July 27, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Edward Popil, Scranton, from July 27, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Edgar B. Cawley, Scranton, from July 27, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Bennett Strait, Delaware Water Gap, from July 27, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Joseph P. Reilly, Scranton, from September 17, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

MEMBERS OF THE DELAWARE RIVER PORT AUTHORITY

James V. Baney, Upper Darby, from July 5, 1956, for a term of five years and until his successor is appointed and qualified.

Ted Schlanger, Philadelphia, from July 5, 1956, for a term of five years and until his successor is appointed and qualified.

Frank M. Steinberg, Merion, from July 5, 1956, for a term of five years until his successor is appointed and qualified

MEMBERS OF THE STATE DENTAL COUNCIL AND EXAMINING BOARD

Carl M. Graul, Philadelphia, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Perry Swanson, Pittsburgh, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Harry K. Willits, Reading, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Charles S. Gaige, Lancaster, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

George I. Minch, Coraopolis, from October 2, 1956, for a term of four years and until his successor is appointed and qualified.

Frank C. Lewis, Beaver Falls, from October 2, 1956, for a term of four years and until his successor is appointed and qualified.

Genevieve W. Settino, Ambridge, from October 2, 1956, for a term of four years and until her successor is appointed and qualified.

(Mrs.) Minnie Greenberg, Coraopolis, from October 2, 1956, for a term of four years and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Floyd Shafer, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Clyde Willits Shaffer, East Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

(Mrs.) Kathryn Burdine Edwards, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

Patrick J. Connors, Old Forge, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

John B. Bergstresser, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Joseph J. Garrity, Drums, from October 8, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS' COLLEGE

Frank S. Holowach, Titusville, from December 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

John W. Grajciar, Sharon, from December 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

(Mrs.) Susan McComb, Stoneboro, from December 18, 1956, until the third Tuesday of January, 1961, and until her successor is appointed and qualified.

W. Verne Zahneiser, Edinboro, from December 18, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

MEMBERS OF THE STATE COUNCIL OF EDUCATION

(Miss) Cathleen M. Champlin, Philadelphia, from July 31, 1956, for a term of six years, and until her successor shall have been appointed and qualified.

James H. Duckrey, Cheyney, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

O. H. English, Abington, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

George E. Hamilton, Meadville, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

Andrew J. Nowak, Erie, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

Stephen B. Sweeney, Philadelphia, from July 31, 1956,

for a term of six years, and until his successor shall have been appointed and qualified.

(Mrs.) Pearl Buck Walsh, Dublin, from July 31, 1956, for a term of six years, and until her successor shall have been appointed and qualified.

Millard E. Gladfelter, Philadelphia, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

Paul R. Anderson, Pittsburgh, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF EMBREEVILLE STATE HOSPITAL

(Mrs.) Doris B. Lyons, Ithan, from December 14, 1956, for a term of four years and until her successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF FUNERAL DIRECTORS

Thaddeus S. Vincent, Danville, from December 14, 1956, until August 31, 1958, or until his successor is appointed and qualified.

Norman P. Casher, Cresson, from December 14, 1956, until August 31, 1959, or until his successor is appointed and qualified.

William H. Sweeny, Olyphant, from December 14, 1956, until August 31, 1961, or until his successor is appointed and qualified.

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

Russell M. Lucas, Philipsburg, from July 25, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE GREAT LAKES COMMISSION

John H. Dent, Jeannette, from October 8, 1956, for a term of four years, and until his successor is appointed and qualified.

Francis A. Pitkin, Harrisburg, from October 8, 1956, for a term of six years, and until his successor is appointed and qualified.

Joseph S. St. John, Erie, from October 8, 1956, for a term of two years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

Thomas H. Lane, Middletown, from October 1, 1956, for a term of four years, and until his successor is appointed and qualified.

James D. Novinger, Harrisburg, from October 1, 1956, for a term of four years, and until his successor is appointed and qualified.

Wayne M. Wagenseller, Harrisburg, from October 1, 1956, for a term of four years, and until his successor is appointed and qualified.

Wendell P. C. Morganthaler, Harrisburg, from October 1, 1956, for a term of four years, and until his successor is appointed and qualified.

Harold W. Swope, Harrisburg, from October 1, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

John Evancho, Jr., Freeland, from July 24, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF HOLLIDAYSBURG STATE HOSPITAL

(Mrs.) Greta M. McElhattan, Port Matilda, from December 14, 1956, for a term of four years and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF INDIANA STATE TEACHERS' COLLEGE

C. S. Weyandt, Indiana, from May 29, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

R. Dudley Tonkin, Cherry Tree, from May 29, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

Robert Reynolds, Pittsburgh, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Curtis James Clay, Braddock, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

James L. O'Toole, Sharon, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Patrick F. McCarthy, Punxsutawney, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Charles Ernest Kinsey, Armagh, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

James Hughes, Greensburg, from September 21, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

MEMBER OF THE INDUSTRIAL BOARD

(Mrs.) Agnes Collins, Mt. Lebanon, from July 11, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

MEMBERS OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

Ralph C. Swartz, Allentown, from July 24, 1956, for a term of one year, and until his successor shall be duly appointed and qualified.

Victor C. Diehm, Hazleton, from July 24, 1956, for a term of two years, and until his successor shall be duly appointed and qualified.

Asbury W. Lee, III, Clearfield, from July 24, 1956, for a term of four years, and until his successor shall be duly appointed and qualified.

J. Robert Baldwin, Erie, from July 24, 1956, for a term of five years, and until his successor shall be duly appointed and qualified.

Thomas L. Moran, Scranton, from July 24, 1956, for a term of six years, and until his successor shall be duly appointed and qualified.

Arthur L. Chapman, Warren, from August 20, 1956, for a term of three years, and until his successor shall be duly appointed and qualified.

J. Dean Polen, Avella, from December 1, 1956, for a term of seven years, and until his successor shall be duly appointed and qualified.

MEMBERS OF INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN FOR THE COMMONWEALTH OF PENNSYLVANIA

Maurice K. Goddard, State College, from October 8, 1956, for a term of two years or until successor is appointed.

Berwyn F. Mattison, Camp Hill, from October 8, 1956, for a term of two years or until successor is appointed.

Harold B. Rudisill, Hanover, from October 8, 1956, for a term of two years or until successor is appointed.

MEMBERS OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

John W. Smith, Selinsgrove, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

(Mrs.) Regie D. Thompson, Millheim, from December 14, 1956, for a term of four years and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS' COLLEGE

John F. Marshall, Lock Haven, from July 31, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

John M. Dwyer, Renovo, from July 31, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

(Miss) Kathleen A. Stephens, Coudersport, from July 31, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

(Mrs.) Caroline P. Waters, State College, from August 7, 1956, until the third Tuesday of January, 1961, and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

Israel D. Gray, Frackville, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

James Scott, Pottsville, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Victor John Bindie, Shenandoah, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Raymond Troy, Gordon, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Joseph V. Navitsky, Shenandoah Heights, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Peter J. Chaplinsky, Shenandoah, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Joseph Kershetsky, Mahanoy City, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

Peter J. Swoboda, Frackville, from September 21, 1956, for a term of four years and until his successor is appointed and qualified.

Stephen John Engle, Mahanoy City, from September 21, 1956, for a term of four years and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

(Mrs.) Ila H. Lugg, Nelson, from November 27, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

Francis J. Cichocki, Jr., South Waverly, from November 27, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

(Mrs.) Margaret McMillen, Mansfield, from November 27, 1956, until the third Tuesday of January, 1961, and until her successor is appointed and qualified.

John A. Mader, South Williamsport, from November 27, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

Frank McKinney, Elizabeth, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Caroline S. Wishik, Pittsburgh, from December 5, 1956, for a term of four years, and until her successor is appointed and qualified.

Homer R. Greene, Jr., Bellevue, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

Lawrence S. Reardon, Brentwood, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Phyllis Burns Trautman, Clinton, from December 5, 1956, for a term of four years, and until her successor is appointed and qualified.

Edward Prince Hawes, Coraopolis, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE COMMONWEALTH MENTAL HEALTH RESEARCH FOUNDATION

Warren K. Hess, Reading, from October 2, 1956, until December 31 ,1957, and until his successor shall be duly appointed and qualified.

J. W. Gitt, Hanover, from October 2, 1956, until December 31, 1957, and until his successor shall be duly appointed and qualified.

Philip S. Broughton, Pittsburgh, from October 2, 1956, until December 31, 1957, and until his successor shall be duly appointed and qualified.

George A. Bennett, Philadelphia, from October 2, 1956, until December 31, 1958, and until his successor shall be duly appointed and qualified.

William S. McEllroy, Pittsburgh, from October 2, 1956, until December 31, 1958, and until his successor shall be duly appointed and qualified.

Ralph H. Demmler, Pittsburgh, from October 2, 1956, until December 31, 1958, and until his successor shall be duly appointed and qualified.

Lessing J. Rosenwald, Jenkintown, from October 2, 1956, until December 31, 1959, and until his successor shall be duly appointed and qualified.

J. Howard Pew, Ardmore, from October 2, 1956, until December 31, 1959, and until his successor shall be duly appointed and qualified.

Louis Stein, Philadelphia, from October 2, 1956, until December 31, 1959, and until his successor shall be duly appointed and qualified.

MEMBERS OF THE STATE MILITARY RESERVATION COMMISSION

Leon Sacks, Philadelphia, from May 28, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

George W. Jarrett, Pittsburgh, from May 28, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE MILK CONTROL COMMISSION

John A. Smith, Dickinson, from May 28, 1956, until May 1, 1961, and until his successor shall have been appointed and qualified.

Simon K. Uhl, Somerset, from August 7, 1956, until May 1, 1957, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS' COLLEGE

Nevin H. Hillegass, Leola, from July 27, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

Ivan E. Newpher, Terre Hill, from July 27, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

(Mrs.) Velma D. McCollough, Lancaster, from July 27, 1956, until the third Tuesday of January 1959, and until her successor is appointed and qualified.

(Mrs.) Helen Guthrie Krause, Lebanon, from July 27, 1956, until the third Tuesday of January, 1961, and until her successor is appointed and qualified.

Samuel S. Wenger, Paradise, from July 27, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Raymond S. Hovis, York, from July 27, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Edward G. Wilson, Lancaster, from July 27, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

J. I. Hook, Waynesburg, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

Charles Adonizio, West Wyoming, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Robert J. Barrett, Pittston, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Henry F. Dorang, Ashley, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

John K. Evans, Nanticoke, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Edward Joseph, Duryea, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

William J. McAneny, Wilkes-Barre, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Samuel Ross, Shickshinny, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Stanley Salva, Glen Lyon, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Anthony M. Zabiegalski, Nanticoke, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

Clyde R. Flory, Sellersville, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

S. Marshall Gorson, Merion Station, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Henry Gouley, Media, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Paul G. Hartman, Jr., Lansdale, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Herbert G. Clark, Flourtown, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Morris Gerber, Norristown, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Stanley J. Brody, Wyncote, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Catherine Dutilh Sharpless, Rosemont, from May 24, 1956, for a term of four years, and until her successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF NURSE EXAMINERS

Sister M. Loyola Daugherty, Pittsburgh, from July 18, 1956, for a term of six years, and until her successor shall have been appointed and qualified.

(Mrs.) Movene Ponas, Johnstown, from October 23, 1956, for a term of six years, and until her successor shall have been appointed and qualified.

Michael F. Lenkowski, Philadelphia, from December 6, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

MEMBER OF THE OHIO RIVER VALLEY WATER SANITATION COMMISSION FOR THE COMMONWEALTH OF PENNSYLVANIA

M. K. McKay, Pittsburgh, from July 31, 1956, until May 24, 1960, and until his successor shall be appointed and qualified.

MEMBERS OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

Earl C. Bohr, Harrisburg, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

Joseph H. Britton, University Park, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

Robert D. Hanson, Harrisburg, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

William J. McCafferty, McKees Rocks, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

William T. Piper, Lock Haven, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

Bessie Kann Sack, Pittsburgh, from September 11, 1956, for a term of four years or until her successor is appointed and qualified.

Everett F. Zurn, Erie, from September 11, 1956, for a term of four years or until his successor is appointed and qualified.

B. Frank Rosenberry, Palmerton, from October 16, 1956, for a term of four years or until his successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Richard R. Van Kirk, Oil City, from November 26, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

William J. Van Essen, Pittsburgh, from November 26, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

Harry G. Plack, Harrisburg, from November 26, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

Louis Markovitz, Johnstown, from November 26, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

Guy D. Wengert, Camp Hill, from November 26, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD OF OSTEOPATHIC EXAMINERS

Calvin M. Smyth, Abington, from June 4, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

John W. Shirer, Pittsburgh, from June 4, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

David Rothman, Oxford, from September 11, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

Harvey C. Orth, Lewistown, from September 11, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

Ben L. Agresti, Erie, from September 11, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

MEMBER OF THE PENNSYLVANIA BOARD OF PAROLE

Richard T. S. Brown, Harrisburg, from May 29, 1956, for a term of four years or until his successor shall have been duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

H. Stanley Witwer, Elverson, from December 13, 1956, for a term of four years and until his successor is appointed and qualified.

David A. Bloomer, Phoenixville, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Clarence A. Kulp, Pottstown, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Agnes Speakman, Glenmoore, from December 13, 1956, for a term of four years, and until her successor is appointed and qualified.

Samuel Himmelstein, Philadelphia, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

William F. Hohl, Pottstown, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

Edward J. Lynett, Scranton, from June 1, 1956, until July 1, 1958, and until his successor shall have been appointed and qualified.

Joseph A. McDonough, Philadelphia, from June 1, 1956, until July 1, 1957, and until his successor shall have been appointed and qualified.

Richardson Dilworth, Philadelphia, from June 1, 1956, until July 1, 1957, and until his successor shall have been appointed and qualified.

Franklin W. Ruth, Jr., Lykens, from July 2, 1956, until July 1, 1959, and until his successor shall have been appointed and qualified.

Charles T. Douds, Englewood, N. J., from July 2, 1956, until July 1, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD OF PHARMACY

Sol S. Turnoff, Philadelphia, from May 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

Jacob H. Katz, Philadelphia, from May 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

(Mrs.) Dorothy Whalen Williams, Mahanoy City, from November 30, 1956, for a term of six years, and until her successor shall have been appointed and qualified.

MEMBERS OF THE STUDY COMMISSION OF THE PHILADELPHIA METROPOLITAN AREA

John D. Dougherty, Bristol, from November 19, 1956, until terminated.

(Mrs.) Elinore R. Ridge, Morrisville, from November 19, 1956, until terminated.

William B. Brosius, Berwyn, from November 19, 1956, until terminated.

J. Peter Williams, Newtown Square, from November 19, 1956, until terminated.

J. Paul MacElree, West Chester, from November 19, 1956, until terminated.

Stephen B. Sweeney, Lansdowne, from November 19, 1956, until terminated.

John V. Diggins, Wallingford, from November 19, 1956, until terminated.

Alfred L. Taxis, Jr., Norristown, from November 19, 1956, until terminated.

Robert Williams, Bryn Mawr, from November 19, 1956, until terminated.

Walter W. Patchell, Wynnewood, from November 19, 1956, until terminated.

William L. Batt, Philadelphia, from November 19, 1956, until terminated.

Thomas H. Carroll, Philadelphia, from November 19, 1956, until terminated.

William L. Rafsky, Philadelphia, from November 19, 1956, until terminated.

MEMBER OF THE STATE PLANNING BOARD

Patrick Waldron, Camp Hill, from July 2, 1956, until December 13, 1958, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

(Miss) Josephine DeWoody, Kennerdell, from December 13, 1956, for a term of four years, and until her successor is appointed and qualified.

Boyd N. Park, Franklin, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Leo J. Krasowski, Oil City, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Katherine Hinckley, Fredonia, from December 13, 1956, for a term of four years, and until her successor is appointed and qualified.

MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS

Michael Baker, Jr., Beaver, from November 12, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joseph Sharfsin, Philadelphia, from May 28, 1956, for the residue of the term ending April 1, 1965.

MEMBERS OF THE STATE REAL ESTATE COMMISSION

Vernon M. Wood, Sr., Harrisburg, from July 23, 1956, until September 21, 1959, and until his successor has been appointed and qualified.

James J. Moore, Gilbertsville, from July 23, 1956, until September 21, 1957, and until his successor has been appointed and qualified.

J. R. Montgomery, Russellton, from July 31, 1956, until September 21, 1960, and until his successor has been appointed and qualified.

Harry Segal, Philadelphia, from September 11, 1956, until September 21, 1958, and until his successor has been appointed and qualified.

Carl E. Shields, Butler, from September 25, 1956, until September 25, 1961, and until his successor has been appointed and qualified.

MEMBER OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

Harold H. Salkin, Philadelphia, from May 24, 1956, until January 6, 1957, or until his successor qualifies.

MEMBERS OF THE BOARD OF TRUSTEES OF RETREAT STATE HOSPITAL

Dominic P. Loughney, Pittston, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Joseph A. Willis, Wilkes-Barre, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Andrew Sagola, Plymouth, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

John Mondlak, Pittston, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Chester J. Korpusik, Duryea, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

George M. Ichter, Ashley, from May 24, 1956, for a term

of four years, and until his successor is appointed and qualified.

Bowman Curwood, Shickshinny, from May 24, 1956, for a term of four years, and until his successor is appointed and qualified.

Frank McCann, Ashley, from May 24, 1956, for a term of four years and until his successor is appointed and qualified.

MEMBER OF THE SANITARY WATER BOARD

M. K. McKay, Pittsburgh, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

George R. Brindle, Chambersburg, from July 20, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

I. Glenn Shively, Chambersburg, from July 20, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified

Jacob W .Wineman, Richmond Furnace, from July 20, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

William S. Rahauser, Pittsburgh, from July 20, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Marlan O. Walter, Millersburg, from July 20, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Richard A. Seaman, Williamsport, from October 23, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

(Mrs.) Elizabeth G. Zeidman, Rydal, from May 28, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SHIPPENSBURG STATE TEACHERS' COLLEGE

James B. Hockersmith, Shippensburg, from July 24, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Raymond A. Myers, Lemoyne, from July 24, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

J. Boyd Landis, Carlisle, from July 24, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

H. Gale West, Slippery Rock, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

John B. Veltri, Sharpsburg, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Merle D. Musick, Latrobe, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Robert C. Malcolm, Curtisville, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

(Mrs.) Emma Guffey Miller, Slippery Rock, from May 29, 1956, until the third Tuesday of January, 1957, and until her successor is appointed and qualified.

(Miss) Florence F. Murrin, Butler, from May 29, 1956, until the third Tuesday of January, 1957, and until her successor is appointed and qualified.

John A. Meehan, New Castle, from July 5, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

William D. Forsyth, Pittsburgh, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

Joseph F. Schierberl, Clarion, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF TORRANCE STATE HOSPITAL

John W. Stader, Latrobe, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

Stephen Wisyanski, Monessen, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

Virgil Chirico, Jeannette, from Decemper 14, 1956, for a term of four years and until his successor is appointed and qualified.

Clark Queer, Mt. Pleasant, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

Orlando Marini, New Kensington, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

John T. Peace, Sr., Blairsville, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

John C. Valko, South Fork, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

Clair Morgan, Mt. Pleasant, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

MEMBER OF THE PENNSYLVANIA TUNNEL COMMISSION

Oliver M. Kaufmann, Coraopolis, from May 28, 1956, for a term of four years, and until his successor shall be duly appointed and qualified.

MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

John F. Byrne, Philadelphia, from May 23, 1956, until June 4, 1965, and until his successor is appointed and qualified.

MEMBER OF THE UNEMPLOYMENT COMPENSATION BOARD OF REVIEW

Maurice Abrams, Wyncote, from May 28, 1956, until July 1, 1961, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

William H. Wood, Camp Hill, from August 7, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

MEMBERS OF THE VALLEY FORGE PARK COMMISSION

Leonard A. Talone, Conshohocken, from September 17, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

James Bush-Brown, Ambler, from September 17, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

(Mrs.) Lidie B. VanDenbergh, Philadelphia, from September 17, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

Albert H. Fritz, Quarryville, from September 17, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Adam M. Scheidt, Norristown, from September 17, 1956, until the third Tuesday of January, 1959, and until his successor shal have been appointed and qualified.

W. Atlee Burpee, Jr., Phildelphia, from September 25, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE VETERANS' COMMISSION

John G. Rainey, Pittsburgh, from May 28, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Morton Fromm, Lock Haven, from October 16, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Samuel J. Procopio, Philadelphia, from October 16, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Frank A. Taylor, Beaver Falls, from October 16, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Joseph P. Gavenonis, Mildred, from October 16, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

George M. Leighow, Danville, from December 12, 1956, until the third Tuesday of January, 1959, and until his successor shall have been apointed and qualified.

C. F. Wright, Jr., Butztown, from December 12, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

(Mrs.) Elinore R. Ridge, Morrisville, from August 20, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

Isadore A. Shrager, Philadelphia, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Thomas E. Priory, Bristol, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Emil J. Lever, Solebury, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Irving G. Schorsch, Feasterville, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

J. Carroll, Molloy, Jr., Doylestown, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Donald E. DeLacey, New Hope, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

Robert R. Batt, Ithan, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

(Mrs.) Frances V. Atkinson, Bryn Mawr, from May 29, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WOODVILLE STATE HOSPITAL

Robert A. Foley, Pittsburgh, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

E. J. Balsarini, Heidelberg, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

Stephen R. Fliss, Springdale, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

Charles Harmuth, Bridgeville, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Grace McDivitt, Bridgeville, from December 12, 1956, for a term of four years, and until her successor is appointed and qualified.

Herbert W. Bailey, Jr., Carnegie, from December 12, 1956, for a term of four years, and until his successor is appointed and qualified.

WORKMEN'S COMPENSATION REFEREE

Scholley Pace Alexander, Philadelphia, from July 9, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

PUBLIC ASSISTANCE BOARDS

Also the following persons to be MEMBERS OF THE COUNTY BOARDS OF ASSISTANCE, for the terms set opposite their names:

ADAMS COUNTY

Clyde L. Kennedy, York Springs, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

BEDFORD COUNTY

Edward McConnell, Bedford, from October 24, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

BERKS COUNTY

(Mrs.) Elizabeth W. Bard, Reading, from November 21, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

BRADFORD COUNTY

Leslie A. Packard, Canton, from May 23, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

(Mrs.) Stella E. Austin, Sayre, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

Robert Emmett Lynch, Athens, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

Everett Finley Carter, Towanda, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

LaRue Stanton, Camptown, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

CLEARFIELD COUNTY

George Clarke, Cleareld, from September 11, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

LEBANON COUNTY

Charles R. Young, Lebanon, from October 22, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

LUZERNE COUNTY

Leo J. Bergsmann, Wilkes-Barre, from October 24, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

MERCER COUNTY

William Nicholson, Sharon, from August 21, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

MIFFLIN COUNTY

(Mrs.) Della Moist, Lewistown, from September 5, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

MONTGOMERY COUNTY

(Mrs.) Marion L. Forrester, Bryn Mawr, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

(Mrs.) Esther C. Shaffer, Elkins Park, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

John E. Baer, Ambler, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

(Mrs.) Frances Gerber, Norristown, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

PHILADELPHIA COUNTY

Kirksey L. Curd, Philadelphia, from October 31, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

POTTER COUNTY

(Mrs.) Jane H. Wingo, Ulysses, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

SUSQUEHANNA COUNTY

Cecil R. Clink, Springville, from August 20, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

TIOGA COUNTY

Martin A. Roche, Mansfield, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

(Mrs.) Wanda Austin, Wellsboro, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

(Mrs.) Anne B. Keyzer, Tioga, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

(Mrs.) Celia Marvin Phillips, Wellsboro, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

WASHINGTON COUNTY

(Mrs.) Elizabeth Gales, Charleroi, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

Michael Plesher, Monongahela, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

George B. Stegenga, Houston, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER

Commonwealth of Pennsylvania,
Governor's Office, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be COMMISSIONERS OF DEEDS, for the term of five years to compute from the dates set opposite their names:

Le Roy H. Hanson, Baldwin, New York, July 2, 1956.

(Miss) Elenor A. Rose, Trenton, New Jersey, July 2, 1956.

Walter M. Lindsay, Rochester, New York, September 24, 1956.

(Miss) Catharine F. Hosbach, Camden, New Jersey, October 3, 1956.

GEORGE M. LEADER

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

SECRETARY OF THE COMMONWEALTH

James A. Finnegan, Philadelphia, from December 28, 1956, until superseded.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

(Mrs.) Anne H. Stine, Tyrone, from December 20, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

MEMBER OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Daniel P. Brown, Hawley, from December 26, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

Frank A. Thornton, Shamokin, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF CHEYNEY STATE TEACHERS' COLLEGE

Paul Comly French, Yardley, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

Orville R. Walls, Kennett Square, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

William M. Maier, Bryn Mawr, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

James M. Brittain, Bryn Mawr, from December 28, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Alfred H. Williams, Wallingford, from December 28, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

(Mrs.) Verona E. Beckett, Germantown, from December 28, 1956, until the third Tuesday of January 1961, and until her successor is appointed and qualified.

MEMBERS OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

Carlyle C. Hupka, Matamoras, from December 28, 1956, until July 15, 1959, and until his successor is appointed and qualified.

Gerhard F. Fortier, Export, from December 28, 1956, until July 15, 1960, and until his successor is appointed and qualified.

MEMBER OF THE STATE BOARD OF COSMETOLOGY

(Mrs.) Ann Bodkin Magnani, Dormat, from December 28, 1956, until the third Tuesday of January 1959, and until her successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS' COLLEGE

William A. Leonard, Jr., Oil City, from December 28, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF EMBREEVILLE STATE HOSPITAL

Herbert D. Cressman, Coatesville, from December 28, 1956, for a term of four years and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Milford Paris, Tioga, from December 26, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

George T. Cummins, Washington, from December 20, 1956, for a term of four years and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

Harvey Haldeman, Chester Springs, from December 27, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

J. S. Jiuliante, Sr., Erie, from December 26, 1956, for a term of four years, and until his successor is appointed and qualified.

Leon S. Rzepka, Erie, from December 26, 1956, for a term of four years, and until his successor is appointed and qualified.

Bernard J. Harkins, Erie, from December 26, 1956, for a term of four years, and until his successor is appointed and qualified.

Albert P. Vicks, Erie, from December 26, 1956, for a term of four years, and until his successor is appointed and qualified.

Earle D. McCrea, Oil City, from December 26, 1956, for a term of four years, and until his successor is appointed and qualified.

MEMBER OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

M. E. Patrick, Greensburg, from December 28, 1956, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE COUNCIL FOR THE BLIND

(Mrs.) Catherine P. Craig, Wyomissing, from December 31, 1956, for the term of four years, and until her successor shall have been appointed and qualified.

Paul L. Goldstrohm, Penns Park, from December 31, 1956, for the term of four years, and until his successor shall have been appointed and qualified.

MEMBER OF THE STATE BOARD OF CHIROPODY EXAMINERS

J. S. Pincus, Harrisburg, from December 31, 1956, for the term of four years, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS' COLLEGE

Alvin F. Kemp, Mertztown, from December 31, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Elroy P. Master, Robesonia, from December 31, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Peter Mahalage, Mahanoy City, from December 31, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

(Mrs.) Ann A. Sanford, Mansfield, from December 31, 1956, until the third Tuesday of January 1959, and until her successor is appointed and qualified.

GEORGE M. LEADER

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of County Boards of Assistance, to serve until December 31, 1959, and until their successors are duly appointed and qualified:

BRADFORD COUNTY

Miles Erle (Democrat), Milan, Bradford County.

Rev. Peter James Alisauskas (Non-Partisan), 106 Third Street, Towanda, Bradford County.

DAUPHIN COUNTY

Robert T. Crumling, Sr. (Democrat), 6 Jury Street, Highspire, Dauphin County.

MONTGOMERY COUNTY

Thomas P. McArthur, Jr. (Democrat), 3016 Stoney Creek Road, Penn Square Village, Norristown, Montgomery County.

Mrs. Agnes A. Fisher (Democrat), Morris Road, R. D. 1, Lansdale, Montgomery County.

PHILADELPHIA COUNTY

Lynwood F. Blount, Esq. (Democrat), 1325 North Sixtieth Street, Philadelphia, Philadelphia County.

TIOGA COUNTY

Mrs. Madelyn Weidman (Democrat), Westfield, Tioga County.

Clifton Seelye (Democrat), Knoxville, Tioga County.

GEORGE M. LEADER

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Fred Brunner, Limeport, Lehigh County, for appointment as Justice of the Peace in and for the Township of Lower Milford, Lehigh County, to serve until the first Monday of January 1958, vice John D. Miller, resigned.

GEORGE M. LEADER

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Adolph Schoenbrun (Democrat), 2789 Beechwood Boulevard, Pittsburgh 17, Allegheny County, for appointment as a Member of the Allegheny County Board of Assistance, to serve until December 31, 1959, and until his successor is duly appointed and qualified, vice Thomas M. Watt, McKeesport, resigned.

GEORGE M. LEADER.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Adam P. Polak, 305 Upland Street, Chester, Delaware County, for appointment as Alderman in and for the Third Ward of the City of Chester, Delaware County, to serve until the first Monday of January 1958, vice John C. Bail, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Allan W. Keusch, R. D. 1, Glenmoore, Chester County, for appointment as Justice of the Peace in and for the Township of Wallace, Chester County, to serve until the first Monday of January 1958, vice Walter R. Russell, resigned.

GEORGE M. LEADER.

NOMINATIONS REFERRED TO COMMITTEE

Mr. WATSON. Mr. President, I move that the nominations just read by the Clerk be referred to the Committee on Executive Nominations.

Mr. ELLIOTT. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Tuesday, January 22, 1957, at 3:00 o'clock, p.m., Eastern Standard Time.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:31 o'clock, p.m., Eastern Standard Time, until Tuesday, January 22, 1957, at 3:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, January 7, 1957

The House met at 4:30 p.m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Rev. Aaron Elek, Pastor of the Hungarian Presbyterian Church, Leechburg, Pennsylvania, offered the following prayer:

Eternal and Almighty God who art the author and Creator of all things visible and invisible, we have come together here in this hallowed place of decisions, in this renewed year of Thy providential grace. We have come with a deep desire in our hearts to confess Thy Sovereign Lordship, to promise Thee solemnly to accept thy judgement with a humble and obedient heart which Thou may lay upon us, to pledge ourselves to pursue ideals which bring us ever closer to that abundant life Thou hast destined for all Thy people to live.

Help us to dedicate ourselves anew to a greater and a fuller service of this Commonwealth, which is the cornerstone of our great nation. Let our greatness be preceeded by humility, our might by compassion, our wealth by the treasures of human love. Let Thine everlasting arms hold all those on whose shoulder the cross of the destiny of our land rests, give them courage to dare, wisdom to decide, and vision to see far ahead in our dark and challenging world. Impart these blessings to our President and to all those who labor and hope for the future in our country and in this state.

May the spirit and beauty of Christmas, and the peace and love remain in our hearts and in our midst, may this new year be a twilight of our new hopes and the fulfillment of all our noble desires. Hear our prayer gracious God and answer us. In the name of Thy most loving Son, we ask. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, January 1, 1957 will be postponed until printed.

The Chair hears none.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Johnson for Mr. McINROY because of a death in the family.

Mr. Johnson for Mr. BREISCH because of illness.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 7, 1957.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Tuesday, January 2, 1957 at three o'clock p. m. EST, and when the House of Representatives adjourns this week it reconvene on Tuesday, January 22, 1957, at four-thirty o'clock p. m., EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

PENNSYLVANIA 1957 INAUGURATION FUND COMMITTEE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate of Pennsylvania, January 7, 1957.

On January 21, 1957, for the first time in a century, a citizen of this Commonwealth will be inaugurated as President of the United States of America. This Commonwealth has been invited to send representatives to the inaugural ceremony, and to provide units to participate in the inaugural parade and other public events appropriate to the occasion.

It is fitting and proper that the funds required for providing parade units as aforesaid be met by popular subscription; therefore be it

Resolved (the House of Representatives concurring), That the Speaker of the House of Representatives appoint three members of the House and the President Pro Tempore of the Senate appoint three members of the Senate, as members of the Pennsylvania 1957 Inauguration Fund Committee, whose duties it shall be to receive unsolicited voluntary contributions from persons, partnerships, corporations, and other entities, and to disburse the fund thereby created in defraying the expense of providing Pennsylvania units for the parade incident to the Presidential Inauguration of January 21, 1957. If any balance shall remain in the fund after defrayment of the expense aforesaid, such balance shall be delivered to the State Treasurer, for deposit in the General Fund of the Commonwealth of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Mr. JOHNSON asked and obtained unanimous consent for the immediate consideration of the resolution.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

AMENDING HOUSE RULE 27

Mr. JOHNSON offered the following resolution and asked unanimous consent for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, January 7, 1957.

Resolved, That Rule No. 27 of the House of Representatives is hereby amended to read as follows:

Standing Committees

27. The Committee on Committees shall consist of the Speaker and ten members of the House, seven of whom shall be members of the majority party and three of whom shall be members of the principal minority party, whose duty shall be to recommend to the House the names of the members who are to serve on the standing committees of the House.

The Chairman and Vice-Chairman of the standing committees shall be appointed by the Speaker.

The floor leader of the majority party and the floor leader of the principal minority party shall be ex-officio members of all standing committees, without the right to vote; and they shall be excluded from any limitation as to the number of members on the committees or in counting a quorum.

Thirty-one standing committees of the House are hereby created:

1. Aeronautics; to consist of 15 members.
2. Agriculture and Dairy Industries; to consist of 20 members.
3. Appropriations; to consist of 20 members.
4. Banking and Building and Loan Associations; to consist of 20 members.
5. Boroughs; to consist of 20 members.
6. Cities-Counties, First-Second and Second Class A; to consist of 20 members.
7. Cities—Third Class; to consist of 15 members.
8. Counties; to consist of 20 members.
9. Education; to consist of 20 members.
10. Elections and Apportionment; to consist of 15 members.
11. Fisheries; to consist of 20 members.
12. Game and Conservation; to consist of 20 members.
13. Highways; to consist of 20 members.
14. Insurance; to consist of 15 members.
15. Judiciary; to consist of 20 members.
16. Judiciary Special; to consist of 15 members.
17. Labor Relations; to consist of 20 members.
18. Law and Order; to consist of 15 members.
19. Liquor Control; to consist of 20 members.
20. Military Affairs; to consist of 20 members.
21. Mines and Mining; to consist of 15 members.
22. Motor Vehicles; to consist of 20 members.
23. Municipal Corporations; to consist of 20 members.
24. Professional Licensure; to consist of 20 members.
25. Public Health and Sanitation; to consist of 15 members.
26. Public Utilities; to consist of 20 members.
27. Railroads and Railways; to consist of 15 members.
28. State Government; to consist of 20 members.
29. Townships; to consist of 20 members.
30. Ways and Means; to consist of 20 members.
31. Welfare; to consist of 20 members.

The SPEAKER. Will the House give its unanimous consent for the immediate consideration of the resolution? Is there objection?

Mr. READINGER. Mr. Speaker, I object to the immediate consideration of the resolution.

The SPEAKER. The Chair hears objection, and consent is not granted.

MOTION TO SUSPEND RULE 88.

Mr. JOHNSON. Mr. Speaker, I move that Rule 88 be suspended for the specific purpose of considering immediately a resolution to amend House Rule 27.

On the question,

Will the House agree to the motion?

Mr. READINGER. Mr. Speaker, the minority side will be willing to take a standing vote on this motion.

The SPEAKER. The Chair thanks the gentleman.

Mr. McCORMACK. Mr. Speaker, I would like to say to the Majority Leader that it is fundamentally unfair to consider Rules when we do not even have the Rules of the House before us. We have a lot of new Members here who are not acquainted or familiar with any of the Rules of the House, and yet there is nothing on our desks to tell us what those Rules are.

Mr. READINGER. Mr. Speaker, may I say at this point for the information of the gentleman from Philadelphia that it is our intention to interrogate the Majority Leader to ascertain what these changes amount to and to have them explained so all of the Members will have that information.

At this time the only motion before us is whether or not to suspend Rule 88 so that Rule 27 can be considered today.

On the question recurring,

Will the House agree to the motion to suspend Rule 88?

One hundred twenty Members having voted in the affirmative and sixty-five in the negative, the motion was agreed to and Rule 88 was suspended.

On the question recurring,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pomeroy.

Mr. POMEROY. Mr. Speaker, I believe I have leave to speak on Rule 27 and not on the motion. Am I correct in that?

The SPEAKER. The question is on the adoption of the resolution. The gentleman is in order and will proceed.

Mr. POMEROY. Mr. Speaker, I would like to speak briefly today to this House on the proposed change in the Rules.

The proposed abolition of the Cities of First Class Committee by the Rules Committee marks an inauspicious beginning of this legislative session and the discharge of our responsibilities as the majority party.

Certainly the thirty year tradition of a separate committee and the legislative needs of over two million people in Philadelphia, representing over 20 per cent of the state's population, requires compelling reasons to support the merger of the Committee which will leave Philadelphia without effective means of readying a legislative program.

Not only have the members of the Rules Committee and the House leadership failed to offer any good reason for the change, but they have refused to permit many leading and respected Philadelphia civic agencies and organizations to appear before them to explain their vigorous opposition to this change. These organizations, which have the full support of the major daily papers in Philadelphia, represent a broad cross section of labor unions, industry, and the community at large. Their combined membership includes the heads of hundreds of other leading organizations, as well as thousands of individual members. They have proved their effectiveness and their expression of the will of the majority, since they have successfully led general and primary election battles to give Philadelphia a Home Rule Charter and also to preserve it. A few of these leading groups which have protested this change are: The Citizens Charter Committee, the Chamber of Commerce of Greater Philadelphia, the Greater Philadelphia Movement and the Chairman of the Citizens' Committee on Philadelphia City Planning.

What is most disappointing in this entire situation is the fact that these unified requests that the Committee status be kept as it has been has been totally ignored without even a semblance of a hearing.

The onus is squarely on the Rules Committee to explain why an established committee which, with but one exception, has functioned steadily and continuously for several decades and has been responsible for providing all of the major legislation which has benefited Philadelphia during that time is peremptorily and suddenly

abolished. No adequate explanation has been given, for none exists.

It was the Cities of the First Class Committee which paved the way for the Philadelphia Home Rule Charter, the most important legislative decision in 100 years for Philadelphia. Tremendous issues will be before this Legislature—issues which concern Philadelphia alone, but which need action. A few of the decisions which will have to be made in this session are: Completion of home rule, ward realignment, hospital and health and welfare measures—to mention only four basic ones. Thorough consideration of the problems requires a full-time committee working on a steady basis so that legislation which has been carefully considered will reach the floor.

Can a committee which must also deal with Pittsburgh and Scranton problems, totally unrelated to Philadelphia, give full time and attention to Philadelphia legislation? The answer is obviously in the negative. In fact, it is unfair to Pittsburgh and to Scranton to short-change them by refusing to give those great cities a committee devoted to their problems alone. In all likelihood, the result will be inadequate consideration for everybody.

In addition, a committee dealing with local needs, which are totally unlike the needs of other areas, should have the overwhelming majority of its members from the area affected.

Legislative responsibility is a keystone of our democratic processes. Let those who must answer to Philadelphia voters form the majority of the committee dealing with Philadelphia. This has always been so. No good reason exists for the change. There are enough Philadelphians from both parties to serve on the committee. If the objection is that no Philadelphia Representative has enough seniority to head the committee, then appoint a senior chairman from a neighboring area which has interests in common with Philadelphia.

Clearly, the proposed change, far from having any good reason to recommend it, is utterly contrary to the best interests of all of the cities involved. In one move short shrift has been made of 30 years of legislative experience under both Democratic and Republican control, for both parties during that time have continued a legislative setup which has produced good legislation beneficial to Philadelphia and hurting no one elsewhere.

Let there be no mistake, the success of this move will not thwart progress or deter interested Members of this House and the people of Philadelphia from continuing to press for beneficial legislation which, by helping Philadelphia, improves Pennsylvania.

For these reasons, I shall vote "no" for the change in the Rules and hope that those who are deeply interested in the problems of two million people in Philadelphia will also vote "no."

Mr. READINGER. Mr. Speaker, may I compliment the gentleman from Philadelphia on the excellence of his remarks. I think he has spoken very clearly and to the point and has made the most excellent argument possible concerning one of these proposed changes.

May I now interrogate the Majority Leader?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the Majority Leader what changes are made in Rule 27, other than the amalgamation of the Cities and Counties First, Second Class and Second Class A.

Mr. JOHNSON. Mr. Speaker, it has always been the idea of the Members of the General Assembly, I think, whether the Democrats are in power or whether the Republicans are in power, to make for an orderly and expeditious manner in which we can conduct our session, in order to get a maximum amount of work done in the shortest possible time.

The good thinking of all legislative bodies throughout the nation is that we have fewer committees, fewer Members on committees, so that Members will not be spread out in their membership on committees so that they can do a good job on the committee of which they are Members. With that in mind we have made some changes in the Committee setup.

For instance, we have made a change in the number of committees. We have eliminated the Committee on Child Care by reason of the fact that we feel the functions of that committee having to do with children's hospitals and sanitoriums and so forth, can well be taken care of by the Welfare Committee as it was when we were in power before.

We have also eliminated the Committee on Workmen's Compensation with the view that the functions of that committee will be handled and conducted by the Committee on Labor Relations.

We have made another change this year. Previously the Committee Chairman and Vice Chairman were not counted in the membership of a committee. That is to say, while the committee was supposed to be a twenty man Committee, we actually had twenty-two because the Chairman and Vice Chairman were not included in the count.

Under this Rule change they will be included in the count and the Committee will be, if it is a major Committee, a twenty man Committee and if it is a minor committee, there will be only fifteen on that committee.

I believe we have also made a slight change making the Committee on Municipal Corporations a major committee so that there will be twenty on that committee instead of fifteen as heretofore.

The other change is as indicated by the debate of the gentleman. You know what that is and I will debate that after I have heard what further questions the Minority Leader has.

Mr. READINGER. Mr. Speaker, I desire to ask the Majority Leader what the reasons might be for suggesting in this Resolution a combination of the Cities-Counties First—Second and Second Class A, into one Committee.

Mr. JOHNSON. Mr. Speaker, in connection with the proposed consolidation of the Cities of the First Class with Cities Second Class and Second Class A, we took into consideration the fact that during the past year there was formed in Pennsylvania what is known as the League of Cities.

Heretofore, I believe it was known as the League of Third Class Cities. However, all the cities in Pennsylvania got together this past summer, I believe it was, and organized what they call the League of Cities. Now, all the cities in the state apparently are under the impression that their problems are similar, that they have the same needs as against townships and boroughs and rural communities, and for their best interests it would be well

for them to band together and have one organization, one executive director or legislative engineer, or whatever you might call it.

In line with that consolidation on their own part, we have consolidated them into two Committees, one of which we might call a Committee for major cities, the other a committee for minor cities. The committee of minor cities would be the Committee on Third Class Cities and, of course, the committee on major cities would be the consolidation, in effect, of Pittsburgh and Philadelphia into one committee.

There have been precedents for it. It was done in the 1953 session and the Chairman then was the gentleman from Allegheny, Mr. Ewing.

I do not recall that there was any unseemly thing that occurred by reason of that consolidation back in 1953. We have a similar situation in 1957.

If we were to have a committee on First Class Cities, we, of course, have five Republicans on this side from the City of Philadelphia, it would mean that the Republican Members of the committee would be the five from Philadelphia and eight other Republicans from elsewhere in the state. Conceivably the Democratic Members of the Committee would all be from Philadelphia, which would be seven.

Now let us consider who the Chairman of that committee might be. On our side of the five Republican Members the nearest one in seniority rating is No. 72. I think you will find when the Speaker announces his Committee Chairman appointments, ending up with thirty-one committees, the thirty-one Committee Chairmen would be those whose seniority numbers are from one to 31 inclusive, or rather to 37 inclusive, because there are six members on the Rules Committee who will not be Committee Chairmen.

Therefore, if we stick to our time honored rule of honoring those with seniority with Committee chairmanships, we on this side would not go down to seniority No. 72 and name a Committee Chairman.

Therefore, if we carried out the principle that has been established, you would have a Cities of the First Class committee with a Chairman not from Philadelphia. You would have the same situation that you have now with the consolidation of having a Chairman from elsewhere, who will be a man, I believe from Allegheny County, a man with the seniority which would entitle him to such a Committee.

Now then, in consolidating the two major cities of the state into one Committee it is not such a great problem or such a grave matter as the opponents would have you believe. You will find that when that Committee is announced they are people who I am sure will give Allegheny County a square deal and will give the City of Philadelphia a square deal.

Of the two major cities their problems are almost, I will not say identical, but they are certainly kindred problems. They both are operating under the Sterling Act, which was a forerunner of the tax entity Act in Pennsylvania. In fact, the only cities in Pennsylvania that can come under the Sterling Act are the City of Philadelphia and the City of Pittsburgh, so they do have a mutual problem, mutual rights, you might say, of taxation, and the arguments for and against taxation all stem from the same taxing act which applies to those two cities.

As I say, you have the seniority for a Chairman of a combined committee, and I am sure that with the cities having mutual interests, they will work well together and will work for the common good of both cities in a good parliamentary fashion. I am sure that the setup will be a better deal for Philadelphia than if we had a City of First Class setup, as I have outlined in my remarks.

Mr. READINGER. Mr. Speaker, in rising to oppose the adoption of this Resolution, amending Rule 27, particularly with reference to the matter that has just been discussed, the combination of the Cities First and Second Class, I would like to read into the record two telegrams which I received.

The first was from the Mayor of Philadelphia, the Honorable Richardson Dilworth, dated January 5, which reads as follows:

Philadelphia, Pa., January 7, 1957.

Hon. Albert S. Readinger
Minority Leader
House of Representatives
Harrisburg, Pa.

I had sincerely hoped and believed that when the General Assembly convened this year, the legitimate needs of Philadelphia would be accorded proper consideration, especially in the light of the serious problems that confront our city.

I was therefore alarmed to hear that the House leadership, and particularly you, was contemplating a move to abolish the Committee on Cities and Counties of the First Class, and substitute in its place a broader group which would deal with other cities besides Philadelphia.

The Committee on Cities and Counties of the First Class was originally established in recognition of the special and overwhelming nature of problems confronting Philadelphia. Its members, both Republican and Democratic, were from Philadelphia, knew the City's problems, and could, therefore, be expected to give measures designed to alleviate those problems earnest and careful consideration.

Under the plan now proposed, however, Philadelphia's interest would be either diluted or submerged altogether, since control of the committee would fall in the hands of western and upstate Legislators who have no interest in Philadelphia, and may, in fact, have opposing interests.

Furthermore, such a move would result in a backseat being given Rep. John N. Pomeroy, Jr., who is the ranking Republican from Philadelphia, and who has consistently voted for legislation beneficial to the City.

It is difficult enough for Philadelphia to get the consideration it needs and deserves from the Legislature. If the proposal goes through, chances are that bills essential to Philadelphia's well-being and welfare, will be throttled in Committee and never see the light of day.

I, therefore, urge that this proposal be shelved, and that the Committee of Cities and Counties of the First Class be permitted to continue as in the past.

RICHARD DILWORTH, Mayor of Philadelphia.

The other telegram which I have received dated January 7, is from Robert Sessions, President of the Philadelphia Chamber of Commerce, and it states as follows:

Philadelphia, Pa., January 7, 1957.

Hon. Albert S. Readinger
Minority Leader House of Representatives
Harrisburg, Penna.

The Executive Committee of the Chamber of Commerce of greater Philadelphia at its meeting today, expressed its great concern over reports that the Committee on City-Counties First Class in the State House of Representatives will be abolished. With the number of complicated and serious problems facing us, the largest City of Pennsylvania should continue to have a Committee in the State Legislature to give proper consideration to its needs. We feel very strongly that only through a separate committee, such as we now have whose sole responsibility is that of evaluating our objectives, can the one-fifth of the state's population in Philadelphia be adequately represented. We urge the retention in the House of Representatives of the Committee of City-Counties, First Class.

ROBERT E. SESSIONS, President.

Mr. Speaker, I have read both of these telegrams to indicate to the Members of this House that even though the Majority Leader has stated that the interests of Philadelphia and Allegheny counties and perhaps Scranton are similar, at least the leading people in Philadelphia, or some of them, do not agree. They feel that they are entitled to have a separate committee. They know and they stated emphatically that they have a lot of separate problems which are not of particular interest to the people of Allegheny County or Scranton.

Inasmuch as the Republicans in this House will be able to control every Committee by virtue of the larger numbers they will have on every committee, I see no way in which you could suffer politically in any way by retaining these two separate Committees you had before.

It may be true that you would have non-Philadelphians on the Committee. It may be true that you have a non-Philadelphian as Chairman of the committee. But nevertheless it seems to me that the interests of Philadelphia are great enough to warrant a separate Committee for their consideration of the bills which would pertain to Philadelphia and to Philadelphia alone.

Therefore, I am asking the Members to vote against the adoption of this Resolution.

MOTION TO LAY ON TABLE

Mr. O'BRIEN. Mr. Speaker, I move that the resolution to amend Rule 27 be laid upon the table.

On the question,

Will the House agree to the motion?

The motion was not agreed to.

On the question recurring,

Will the House adopt the resolution?

Mr. SCHWARTZ. Mr. Speaker, I must agree with my colleague from Philadelphia, Mr. Pomeroy, that there is no valid reason why the Committee on Cities-Counties First Class should be abolished and be consolidated with another committee.

Our statute books and our Constitution, recognize the city of the first class. The only one in existence is the city of Philadelphia. We in this House have some 39 Members from the city of Philadelphia, roughly 20 per cent of the membership of the House. We, therefore, should be given consideration. We should definitely have a separate Committee, a proper forum to consider legislation which affects the city of Philadelphia.

True, in the 1953 session the Committees were combined. I do not know whether anything terrible happened in the 1953 session to Philadelphia bills because of the fact that there was a joint committee, but the opposite was likewise true, nothing good happened because there was such a combination. Philadelphia legislation never saw the light of day.

I urge the Members of this House to consider the fact that there are 39 Members from Philadelphia and there should be a separate Committee to which any legislation affecting that city can be referred.

Mr. McCORMACK. Mr. Speaker, is the primary purpose behind the consolidation of these three Committees into one efficiency on the part of the majority party?

Mr. JOHNSON. Mr. Speaker, I would say one of the reasons for consolidating the Committees was the over-all reason I gave with respect to having fewer Committees and fewer Members on Committees so that the Members could expeditiously attend to their duties without being spread too thin, as we have been in the past.

Mr. McCORMACK. Mr. Speaker, you feel it is more desirable to have fewer Committees than we had in the past session, is that correct?

Mr. JOHNSON: My answer, Mr. Speaker, is that I believe it is the considered judgment of parliamentarians and legislators throughout the nation that the work of our general assemblies can go forward better with fewer Committees and fewer members on Committees. That is true. To do the job well and expeditiously is one way of increasing the esteem that the people have for our General Assembly. With that in mind, we have tried to do this small job, shall I say, of cutting down the number of Committees and the number on Committees.

Mr. McCORMACK. Mr. Speaker, I do not have the Rule before me which we are amending, but is it not true that we have a House Judiciary Committee as well as a House Judiciary Special Committee?

Mr. JOHNSON. That is correct.

Mr. McCORMACK. Would you tell us briefly what is the purpose and function of the Judiciary Special Committee, Mr. Speaker?

Mr. JOHNSON. Mr. Speaker, I hardly believe that the question is germane to the issue, although I believe we have in mind a special function for the Judiciary Special Committee which we do not choose to disclose at this time. It will be an important function. I believe the Democrats established the Committee and we thought it was a pretty good idea.

Mr. McCORMACK. Mr. Speaker, is the Chair going to rule that this inquiry is not germane?

The SPEAKER. A point of order has not been raised. The gentleman has tried to answer the gentleman's question.

Mr. McCORMACK. Mr. Speaker, we do have a Judiciary Committee, is that correct?

POINT OF ORDER

Mr. BELL. I would like to raise a Point of Order.

The SPEAKER. The gentleman will state it.

Mr. BELL. I would like to raise a point of order as

to whether the gentleman from Philadelphia is in order at this time.

The SPEAKER. The Chair rules that the gentleman is in order. The number of Committees and the membership on those Committees is the question before this House. The gentleman is in order and will proceed.

Mr. McCORMACK. Would I be correct, Mr. Speaker, in saying precisely that the sole purpose behind this Judiciary Special Committee is to pigeonhole legislation and to pickle it so that it will never get out and see the light of day?

The SPEAKER. The gentleman would not be in order in asking that question.

Mr. McCORMACK. Is there any reason, Mr. Speaker, why we cannot consolidate the House Judiciary Committee and the House Judiciary Special Committee?

The SPEAKER. Is the gentleman addressing the question to the Chair or to the Majority Leader?

Mr. McCORMACK. I am addressing it to the Majority Leader through the Chair, Mr. Speaker.

The SPEAKER. Does the gentleman from McKean, Mr. Johnson, desire to answer the question?

Mr. JOHNSON. Would the gentleman repeat his question, please?

Mr. McCORMACK. Is there any reason, whether it is substantial or not, why the House Judiciary Committee and the House Judiciary Special Committee cannot or was not consolidated under this rule change?

Mr. JOHNSON. Mr. Speaker, to repeat my previous answer, we have a special function in mind for the Judiciary Special Committee which would certainly hamper the job which we expect our Judiciary General Committee to do. As I say, I am not at liberty to disclose the function of that Committee at this time, but you will hear about it in the future.

Mr. McCORMACK. Thank you, Mr. Speaker.

I think, Mr. Speaker, we should put this Cities-Counties First Class Committee back into Rule 27. I think if we fail to do it we will be making a big mistake. We should consider that Philadelphia for the past five years has experienced a renaissance which has been heralded not only throughout the state but throughout the country. Because of the tremendous building we are now undertaking in Philadelphia and the money we are spending on roads and highways, I think we should be recognized. The only way we really can be recognized in this House is to have a committee set up to consider that problem, and that problem alone. Even the Majority Leader admitted that the problems of Philadelphia were a little different from the problems of the other counties.

I think that we will regret it. I think we should rise above partisan politics. I know in the 1953 session the gentleman who was Chairman of the Committee was not too interested in the constant badgering by civic groups from Philadelphia to get those bills out of committee. He had problems of his own in Allegheny County, and I think that he would . . .

POINT OF ORDER

Mr. EWING. I rise to a point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. EWING. We are not talking about the 1953 session at the present time, are we?

The SPEAKER. The Chair was unable to hear the gentleman.

Mr. EWING. We are not talking about the 1953 session, are we? The gentleman from Philadelphia stated that I was not interested in Philadelphia when I was Chairman of the Committee. For his information, we had meeting after meeting with the Philadelphia powers, both Democrats and Republicans, and they received exactly what they wanted in the city of Philadelphia.

Mr. McCORMACK. Mr. Speaker, I don't understand that and I do not wish to be derogatory.

The SPEAKER. We were discussing the amendment, and the gentleman will proceed.

Mr. McCORMACK. Mr. Speaker, I do not wish to be derogatory, nor was that my intention. I merely wanted to say that the Chairman at that time, whom I respect very much, had other problems more important than those of Philadelphia, and I just wanted to point that out. I think we should leave Rule 27 in so far as it pertains to the Cities and Counties of the First Class intact and we should not change it.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. Mr. Speaker, before I answer the question, I remember last session Charlie Smith and Albert Johnson double teamed Readinger, now I can see that Readinger and Andrews are going to double team Johnson. Go ahead. Let us have some fun.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, will proceed.

Mr. ANDREWS. We will be very sympathetic, Mr. Speaker with the gentleman — —

Mr. JOHNSON. We are not looking for sympathy Mr. Speaker.

Mr. ANDREWS. With the Majority Leader, who just now apparently is rattling around in Charlie Smith's shoes, I note from the remarks of the Majority Leader that the one Committee is charged with a secret mission. Are there any other committees that are also charged with secret missions, or is this Judiciary Special the only one concerning which the House is not entitled to information?

Mr. JOHNSON. Mr. Speaker, my answer to that is, we will probably do with the Judiciary Special Committee about the same thing that the Democrats did with it last session.

Mr. ANDREWS. I thank the gentleman for his plainness.

Mr. TOLL. I would like Mr. Speaker, to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. TOLL. Mr. Speaker, could the Majority Leader tell me how many Democratic Members will be on that Committee, the combined Committee?

Mr. JOHNSON. Yes, it is a committee of twenty. There will be thirteen Republicans on it and seven Democrats.

Mr. TOLL. Mr. Speaker, could the Majority Leader tell me how many of the Members of the Committee will be from Philadelphia?

Mr. JOHNSON. Mr. Speaker, I have only glanced at that particular committee. That has been the function of

the Committee on Committees. I believe the gentleman will have to bide his time and wait for the announcement of the Committee. I believe you know who the Democrats are on that Committee by reason of the selection of them on your side. Just what the makeup exactly of the Committee is, I am sorry, I cannot say until it is announced.

Mr. TOLL. Mr. Speaker, could the gentleman tell me how many Republicans from Philadelphia are going to be on that committee?

Mr. JOHNSON. No. I am sorry I do not have that information at hand.

Mr. TOLL. Thank you Mr. Speaker. And now may I say a word?

The SPEAKER. The gentleman will proceed.

Mr. TOLL. Mr. Speaker, I am glad to see that there is one Member of the House on the other side who recognizes the importance of having a separate Committee for dealing with bills for the largest city in the Commonwealth.

It appears that the majority in the Assembly here in the House are obliged to combine their membership from three large communities in the Commonwealth where they are unable to elect enough men from Philadelphia, Pennsylvania's largest community, in order to staff a Committee.

This kind of a start does not speak well for the intentions of the majority party in the House with the respect to its largest city.

Mr. O'BRIEN. Mr. Speaker, without interrogating the gentleman, who is on his own without the able guidance of Charles Smith, there is no question that in his responses to the interrogation from this side of the House he was motivated, and his party was motivated by political expediency and nothing else in the elimination of this particular Committee.

It is, I presume, the intention of the Republican majority to continue the Fisheries committee consisting of twenty Members. Now, I dare say that there might be more than two million fish in the Commonwealth of Pennsylvania's waters, but however there are more than two million people in the City of Philadelphia. They are being deprived of the representation in this great Commonwealth of Pennsylvania and the fish will be protected.

We heard the Majority Leader plead seniority and the lack of seniority insofar as the Philadelphia Republican Members are concerned.

Let me point out that there has been criticism of the mistakes and the errors of the Democratic control of this particular House in 1955 and 1956. But it is worthy of note that one Stephen McCann of Greene County, with only two terms in the Legislature, served as Chairman of the Education committee of this House in 1955 and 1956, and his Vice Chairman was Dr. Kolankiewicz, my former colleague and my predecessor who had seven terms. So, at least the Democrats ignored seniority when it was supposedly in behalf of the Commonwealth.

I want to raise in my final remarks a question of information.

QUESTION OF INFORMATION

Mr. O'BRIEN. I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. O'BRIEN. Would it be possible to have this Resolution read very slowly so that all of the Members, new and old, may have the opportunity of digesting it?

The SPEAKER. The Resolution has been read by the Clerk slowly, distinctly, and certainly everyone in this House heard the reading of the Resolution.

Mr. O'BRIEN. Mr. Speaker, I ask you under a Question of Information, if it could not be read again slowly, so that even a stupid individual like me that has not been in the House for ten years might be able to digest it?

The SPEAKER. The Chair will order the Resolution to be read again if the House so directs the Chair.

Mr. O'BRIEN. Can a Member ask for that privilege, Mr. Speaker, under a Question of Information?

The SPEAKER. The Resolution has been read as required under the Rules of this House.

Mr. O'BRIEN. May I request Mr. Speaker, that it be read just for my edification?

The SPEAKER. The Chair feels that the Resolution has been read and it would only be a matter of delay to read it again. The Chair will see that the gentleman gets a copy of the Resolution if he so desires.

Mr. O'BRIEN. I would like it before it is voted upon, sir. I think I am entitled to that privilege under a Question of Information.

The SPEAKER. If the gentleman will come to the desk we will see that he has a chance to read a copy of the Resolution.

Mr. O'BRIEN. Why are you so reluctant to alert all of the Members as to what changes are being made, Mr. Speaker?

The SPEAKER. The Resolution has been read and interrogation has been held on all points in the Resolution and I am certain that if there are any other questions the Members are free to ask them.

Mr. O'BRIEN. May I have the Resolution so that I can read it?

The SPEAKER. If the gentleman will come to the desk we will see that he is given a copy.

Mr. O'BRIEN. I intend to read it, Mr. Speaker, for information for myself, and I digest it as I read aloud.

The SPEAKER. The gentleman is not in order. This Resolution has been read for the information of the House.

Mr. O'BRIEN. I did not raise the question on the Point of Order, Mr. Speaker. I rose on a question of information on which the Speaker recognized me.

The SPEAKER. The Chair answered the gentleman on his Question of Information. The Chair will not permit the reading of the Resolution from the floor as a matter of delaying action on this floor.

Mr. O'BRIEN. It is not a question of delaying action; it is a question of information. There are several Members who arrived in the House since the reading of the Resolution by the Clerk. For instance the gentleman here from Allegheny County.

The SPEAKER. The Chair rules that the Resolution has been read and is clearly understood. If the gentleman from Allegheny desires to speak for himself or to ask any questions, the Chair will recognize him for that purpose.

Mr. O'BRIEN. Mr. Speaker, there is nobody excepting myself on this side of the House, and the Minority Leader was good enough to turn his copy over to me. We do not even have the Rule book or the Legislative Directory of 1955 and 1956 on our desks.

Just what are you trying to do? Just steam roller this without the enlightment of any of the Members as to what the contents are?

The SPEAKER. The gentleman knows that we have devoted possibly as much time to this Rule change as has ever been devoted to such a change in this House before. There is no effort to steam roller this change or any other change in this Legislature.

PARLIAMENTARY INQUIRY

Mr. READINGER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. READINGER. Is a motion in order at this present time for this Resolution to be re-read so that the Members might vote on that motion?

The SPEAKER. Does the Minority Leader desire to have this Resolution read?

Mr. READINGER. Mr. Speaker, I do not, but I desire to have the Members vote on whether or not they wish to have it re-read.

The SPEAKER. The Chair will entertain that motion.

Mr. READINGER. Mr. Speaker, I move that the Resolution be re-read for the information of the House.

On the question.

Will the House agree to the motion?

Sixty-six Members having voted in the affirmative and one hundred and twenty in the negative, the motion was not agreed to.

On the question recurring,

Will the House adopt the resolution?

Mr. SHERMAN. Mr. Speaker, may I interrogate the Majority Leader?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. SHERMAN. Mr. Speaker, may I first ascertain whether the Speaker is a Member of the Rules Committee?

The SPEAKER. That Committee has not been announced.

Mr. SHERMAN. Does the Speaker know, or does Mr. Johnson know whether he is to become a member of the Rules Committee?

Mr. JOHNSON. I believe I would refer that question to the Parliamentarian. That is a Rule of the House. I believe the Speaker is not a Member of the Rules Committee as such.

Mr. SHERMAN. Has the Majority Leader participated in discussions so that he would have an active part in the naming of the Rules Committee?

The SPEAKER. The Rules Committee is appointed by the Speaker of the House under the Rules of the House. The Majority Leader does not have anything to do with the selecting of the Members of that committee.

Mr. SHERMAN. Mr. Speaker, may I address this to the Majority Leader: if he is appointed as a Member of the Rules Committee or as an active participant in the Rules Committee, does he have any intention to recommend to his party or to the Speaker, that at least four Members from Philadelphia be appointed on this new Committee about to be formed?

Mr. JOHNSON. Does the gentleman refer to the appointment of the Rules Committee?

Mr. SHERMAN. To the appointment of the proposed—

The SPEAKER. Will the gentleman yield? For the information of the gentleman, the Rules Committee has nothing whatsoever to do with the appointment of the Members of the standing committees of this House. They are appointed by the Committee on Committees.

Mr. SHERMAN. Does the Majority Leader know as to whether or not he is to become a Member of the Committee on Committees?

The SPEAKER. The Committee on Committees is a caucus committee and the members have been appointed by both the Republican caucus and the Democratic caucus.

They have already met and performed their duties.

Mr. SHERMAN. Am I correct, Mr. Speaker, that the gentlemen made mention in his speech as one of the reasons for proposing this new Committee is that with the cooperation of Philadelphia and the outlying districts it would benefit Philadelphia as well as the outlying districts?

Mr. JOHNSON. Was that a question or a statement?

Mr. SHERMAN. A question. That is a question Mr. Speaker, as to whether he has made such mention in his speech? Am I correct? That it would be to the benefit of Philadelphia as well as the outlying districts to have a combination Committee of 1, 2, and 2A?

Mr. JOHNSON. Mr. Speaker, for the gentleman's information that statement was made by the gentleman from Philadelphia, Mr. Pomeroy.

Mr. SHERMAN. Mr. Speaker. I think if the gentleman reads over his remarks, I think I am correct, that he did mention that the problems of Philadelphia would be promptly considered along with the problems of the other counties in the formation of this new proposed committee.

Mr. JOHNSON. No, Mr. Speaker, I said that the committee composed of Members from both Philadelphia and Allegheny County, whose problems are similar, would treat just as fairly the problems of one city as that of the other city. I believe that is what I said.

Mr. SHERMAN. Do you believe that the problems of one city should be treated along with the problems of a city with similar facilities?

Mr. JOHNSON. Mr. Speaker, I believe that this committee in the consideration of a bill having to do with the City of Philadelphia will give the City of Philadelphia very fair and able consideration, and will not act in detriment to the City of Philadelphia. I think they will be fair and will give anything that comes before them a very fine audience, hearing and consideration.

Mr. SHERMAN. Mr. Speaker, would the gentleman be in favor then of any bill which affects the City of Philadelphia and any outlying districts which is of benefit to the outlying districts?

Mr. JOHNSON. Mr. Speaker, I am sorry I did not quite understand that question. Would the gentleman repeat it please?

Mr. SHERMAN. I will be more detailed in my question then. Since you propose or are in favor of a combination eliminating Philadelphia, a city of the first class, from consideration alone and combining it into Cities—Counties First—Second and Second Class A, if a problem of Philadelphia is considered along with a problem of a district outside of Philadelphia, which is not a city of the first class, would you be in favor of such a course of action if the problems are of a similar nature?

Mr. JOHNSON. Mr. Speaker, the answer to that is that as far as the city of Philadelphia is concerned and this

particular Committee, all the legislation having to do with the city of Philadelphia, or legislation having to do with cities of the Second Class and Second Class A will be referred to that committee. If it is a problem concerning townships, it will go to the Committee on Townships. If it is a problem having to do with third class cities, it will go to the Committee on Cities Third Class.

Mr. SHERMAN. Would you, as Majority Leader of your party, be willing to recommend to the Speaker and the heads of your party that at least four Members from Philadelphia be on that committee?

The SPEAKER. The Chair has already informed the gentleman that members on the Standing Committees are appointed by the Committee on Committees and not by the Speaker or the Majority Leader.

Mr. SHERMAN. Mr. Speaker, that was not my question. I think the Majority Leader, as such, has a right, as well as anyone else has, to recommend something to the Committee on Committees, or to the Speaker, or anyone else in charge. I, therefore, put the question as to whether the Majority Leader would recommend to the Committee on Committees the appointment of four Members from Philadelphia, in line with its population, as proper representation on that Committee.

The SPEAKER. Does the gentleman from McKean Mr. Johnson, desire to answer the interrogation?

Mr. JOHNSON. Will the gentleman yield? I would like to interrogate the Minority Floor Leader, please.

Mr. SHERMAN. Mr. Speaker, I will yield for the time being.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. JOHNSON. Mr. Readinger, has the gentleman from Philadelphia, Mr. Sherman, made a request to you that four Members from Philadelphia on your side be made members of this new consolidated committee?

Mr. READINGER. Mr. Speaker, the gentleman in question has not made such a request, although he probably knows that we named seven Philadelphia Democrats to the Committee on our side.

Mr. JOHNSON. I thank the gentleman.

The SPEAKER. Does the gentleman from Philadelphia, Mr. Sherman, desire to be recognized?

Mr. SHERMAN. Yes, I wish to continue my interrogation. I yielded only for the time being so that the Majority Leader could interrogate the Minority Leader. I still have not had an answer to my question from the Majority Leader.

Mr. JOHNSON. Mr. Speaker, there has been appointed a Committee on Committees. I do not believe any Member of this House, whether it was the Majority Leader, or the Whip, or anyone else, has exercised any influence on the Committee on Committees. So when I was asked the question whether I knew who was on the Committee, I could not honestly say I knew who was on the Committee, because it has always been the province of the Committee on Committees on the Republicman side and the Committee on Committees on the Democratic side to choose the committee members. That is their prerogative and certainly they do not want the Majority Leader or the Minority Leader impressing his will upon them.

Mr. SHERMAN. I will accept it for what it is worth.

Mr. Speaker, may I now interrogate the Chairman of the Committee on Committees?

The SPEAKER. Will the Chairman of the Committee on Committees permit himself to be interrogated?

Mr. ROYER. I shall, Mr. Speaker.

Mr. SHERMAN. Mr. Speaker, may I be informed by the Chairman of the Committee on Committees whether it is his intention to appoint four Members from Philadelphia, Republicans and Democrats, or all Republicans for that matter on this new proposed Committee?

Mr. ROYER. Mr. Speaker, in answer to the gentleman, the members of the Democrats on the Committee on Committees are Mr. Petrosky, Mr. Amarando and Dr. Boies. If he will ask them, they might tell him who the members from Philadelphia are on the Committee of Cities-Counties First—Second and Second Class A.

Mr. SHERMAN. Mr. Speaker, I am asking the Chairman of the Committee on Committees a simple question, whether four members from Philadelphia have been appointed on that Committee or whether they intend to appoint four members to the committee, Republicans or Democrats?

Mr. ROYER. Mr. Speaker, it is entirely within the province of the Democratic Members on the Committee on Committees as to who they appointed to these Committees.

Mr. SHERMAN. That is not an answer to the question. It is just a simple question, and a simple answer is all I am asking. The question is whether the four are being appointed from Philadelphia, Republicans or Democrats?

The SPEAKER. If the gentleman will be patient, I am sure that he will hear the report of the Committee on Committees within a very few minutes. He will then know how many Philadelphians are on the Committee.

Mr. READINGER. May I correct an erroneous statement I made a few minutes ago about there being seven Philadelphia Demorcats on this particular committee. I must have been suffering from a lapse of memory, because the fact is that there are three Philadelphia Democrats appointed to that Committee from our side, three from Allegheny and one from Scranton.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. READINGER and PETROSKY.

A verification of the roll was requested by Messrs. READINGER, PETROSKY and TOLL.

The roll was verified and was as follows:

YEAS—117

Adams,	Ewing,	Lee, K. B.,	Rigby,
Agnew,	Fetterolf,	Light,	Royer,
Ashton,	Fox,	Lippincott,	Seltzer,
Auker,	George,	Magee,	Snare,
Barton,	Gibb,	Mahan,	Spray,
Bell,	Gibson,	Markley,	Steckel,
Blair,	Goldstein,	Marsh,	Stevens,
Bower,	Goodling,	Merry,	Stimmel,
Bowman,	Goodrich,	Metz,	Stoner,
Brand,	Gramlich,	Mikula,	Strausser,
Brenninger,	Gross,	Miller, B. Z.	Stroup,
Breon,	Guthrie,	Miller, H. G.,	Stuart,
Brown,	Haudenshield,	Miller, W. H.,	Thompson,
Brucker,	Henzel,	Moody,	Tompkins,
Buchanan,	Hocker,	Moscrip,	Ujobai,
Carson,	Horst,	Moyer,	Varner,
Cooper,	Ide,	Murphy,	Wall,
Dalrymple,	Isaacs,	Murray, H. P.,	Weidner,
Davis,	Jenkins,	Murray, P. G.,	Wescott,

DeLong,	Johnson,	Naugle,	Whittaker,
Dengler,	Johnston,	O'Dell,	Willard,
Dennison,	Jones, T. H. W.	Ogilvie,	Willaredt,
Dietterick,	Jump,	Parry,	Wilt,
Donahue,	Keller,	Phillips,	Wood,
Donaldson,	Kernaghan,	Piper,	Worley,
Down,	Kooker,	Post,	Wyatt,
Dunn,	Korns,	Price,	Wynd,
Edwards,	Lafore,	Pursley,	Zimmerman,
Erb,	Lee, A. M.,	Ragot,	Helm,
Eshleman,			Speaker

NAYS—74

Amarando,	Filo,	McCann,	Scarcelli,
Anderson, S. A.,	Fineman,	McCormack,	Schuster,
Andrews,	Flynn,	McGee,	Schwartz,
Boies,	Frascella,	McLaughlin,	Sherman,
Boory,	Gailey,	Mihm,	Shields,
Brennan,	Garlock,	Monroe,	Silverman,
Breth,	Gelfand,	Muldowney,	Smith,
Bucchin,	Hamilton,	Musto,	Snider,
Campano,	Heavey,	O'Brien,	Taylor,
Cianfrani,	Holt,	Pashley,	Toll,
Cioffi,	Jim,	Petrosky,	Trusio,
Comer,	Jones, G. E.	Polaski,	Varallo,
Cummins,	Kamyk,	Pomeroy,	Walsh,
Curwood,	Kornick,	Readinger,	Wargo,
Devlin,	Krakow,	Reidenbach,	Welsh,
Dougherty,	Leonard,	Renwick,	Wheeler,
Duffy,	Limper,	Rovansek,	Williams,
Eilberg,	Lopresti,	Rudisill,	Yatron,
Farabaugh,	Lutty,		

NOT VOTING—18

Anderson, M. S.,	Heffner,	McInroy,	Munley,
Breisch,	Kehler,	McKeever,	Stone,
Cleveland,	Knecht,	Mills,	Vaughan,
Floyd,	Lovett,	Mullen,	Verona,
Foster,	Maxwell,		

So the question was determined in the affirmative and the resolution was adopted.

REPORT FROM COMMITTEE ON COMMITTEES

Mr. ROYER. Mr. Speaker, I submit the following report from the Committee on Committees.

In the House of Representatives, January 7, 1957.

Resolved, That in compliance with the provisions of Rule 27 of the House, it is recommended that the Members of the House named herein be and are hereby elected Members of the Standing Committees of this House of Representatives. The Chairmen and Vice-Chairmen included in this report are appointed by the Speaker of the House.

AERONAUTICS

WORLEY, Chairman
KOOKER, Vice Chairman

Dunn	Post	Duffy
Jenkins	Stevens	Eilberg
Merry	Wynd	Shields
Miller, Wendell H.	Anderson, Sarah A.	Trusio
Murphy		

AGRICULTURE AND DAIRY INDUSTRIES

LIGHT, Chairman
ASHTON, Vice Chairman

Breisch	Stoner	Farabaugh
Edwards	Wescott	Garlock
Fox	Wood	Mihm
Goodling	Worley	Petrosky
Goodrich	Zimmerman	Snider
Korns	Cummins	Wheeler

APPROPRIATIONS

WOOD, Chairman
WILLAREDT, Vice Chairman

Blair	Haudenshield	Boies
Bower	Hocker	Lovett
Brown	Jump	Musto
Cooper	Tompkins	Reidenbach
Erb	Weidner	Snider
Guthrie	Andrews	Varallo

BANKING AND BUILDING AND LOAN ASSOCIATIONS

COOPER, Chairman
FOSTER, Vice Chairman

Brucker	Mikula	Anderson, Matt S.
Buchanan	Moyer	Comer
Fetterolf	Murray, Harvey P.	Curwood
Gibson	Murray, Paul G.	McGee
Heffner	Stuart	Petrosky
Lee, Austin M.	Amarando	Polaski

BOROUGHS

VARNER, Chairman
ESHLEMAN, Vice Chairman

Adams	Miller, Wendell H.	Filo
Brenninger	Parry	Lopresti
Breon	Spray	Rudisill
Cleveland	Wyatt	Smith
Dunn	Zimmerman	Stone
Fox	Capano	Wargo

CITIES—COUNTIES

FIRST—SECOND AND SECOND CLASS A

WILT, Chairman
POMEROY, Vice Chairman

Brucker	Phillips	Dougherty
Donaldson	Rigby	Frascella
Ewing	Spray	Kamyk
Gibb	Stuart	Mihm
Goldstein	Vaughan	Reidenbach
Johnston	Boory	Verona

CITIES—THIRD CLASS

MIKULA, Chairman
OGILVIE, Vice Chairman

Down	Moyer	Filo
Jump	Murphy	Polaski
Magee	Murray, Paul G.	Walsh
Mahan	Bucchin	Yatron
Miller, Harold G.		

CONSERVATION AND WILD LIFE

METZ, Chairman
MOODY, Vice Chairman

Ashton	Goodrich	Filo
Auker	Gross	Gailey
Barton	Lee, Kenneth B.	Jim
Carson	McInroy	Maxwell
Dalrymple	Snare	Renwick
DeLong	Breth	Smith

COUNTIES

ERB, Chairman
DOWN, Vice Chairman

Barton	Pursley	Cioffi
Brand	Ragot	Farabaugh
Light	Wescott	Flynn
Metz	Wyatt	Gailey
O'Dell	Wynd	Wheeler
Parry	Brennan	Yatron

EDUCATION

MARKLEY, Chairman
MOSCRIP, Vice Chairman

Donahue	Knecht	Boies
Eshleman	Light	Bucchin
Goldstein	Stroup	Hamilton
Goodling	Weidner	McCann
Henzel	Wescott	Reidenbach
Keller	Andrews	Varallo

ELECTIONS AND APPORTIONMENT

ROYER, Chairman
GOLDSTEIN, Vice Chairman

Bower	Lafore	Holt
Bowman	Lee, Austin M.	Lopresti
Breisch	Moscrip	Pashley
Gooding	Anderson, Matt S.	Schwartz
Jones, Thos. H. W.		

FISHERIES

STONER, Chairman
MAHAN, Vice Chairman

Blair	Moyer	Jim
Brand	O'Dell	Kornick
Breon	Ragot	Krakow
Cleveland	Willard	Musto
Donahue	Zimmerman	Shields
Gramlich	Breth	Trusio

HIGHWAYS

HOCKER, Chairman
BRENNINGER, Vice Chairman

Bell	Murray, Harvey P.	Garlock
Davis	Royer	Heavey
Down	Seltzer	Muldowney
Erb	Thompson	Rovansek
Gramlich	Willaredt	Silverman
Mahan	Curwood	Williams

INSURANCE

MURRAY, PAUL G., Chairman
GEORGE, Vice Chairman

Brown	Pursley	Hamilton
Brucker	Stimmel	Kamyk
Horst	Willaredt	Mills
Naugle	Brennan	O'Brien
Piper		

JUDICIARY

TOMPKINS, Chairman
AUKER, Vice Chairman

Agnew	Magee	Lopresti
Donaldson	Moody	McCormack
Isaacs	Steckel	Rudisill
Jones, Thos. H. W.	Stroup	Sherman
Kehler	Wilt	Stone
Lippincott	Fineman	Toll

JUDICIARY SPECIAL

JONES, THOMAS H. W., Chairman
DONALDSON, Vice Chairman

Bell	Moscrip	Eilberg
Bower	Royer	Gelfand
Bowman	Weidner	Leonard
Guthrie	Duffy	Schwartz
Miller, Harold G.		

LABOR RELATIONS

BROWN, Chairman
GRAMLICH, Vice Chairman

Agnew	Kernaghan	Leonard
Buchanan	Miller, Wendell H.	Limper
Carson	Phillips	Rovansek
Eshleman	Seltzer	Schuster
George	Strausser	Welsh
Gross	Capano	Williams

LAW AND ORDER

NAUGLE, Chairman
ISAACS, Vice Chairman

Breon	Ujobai	Mullen
Gibb	Wilt	Munley
Kernaghan	Wyatt	Scarcelli
Knecht	Floyd	Schuster
Lee, Kenneth B.		

LIQUOR CONTROL

PRICE, Chairman
VAUGHAN, Vice Chairman

Barton	Korns	Dougherty
Brenninger	Marsh	Lovett
DeLong	McInroy	Mills
Dennison	Merry	Taylor
Foster	Mikula	Verona
Ide	Amarando	Wargo

MILITARY AFFAIRS

DAVIS, Chairman
BELL, Vice Chairman

Adams	Ogilvie	Limper
Brand	Piper	McKeever
Dietterick	Seltzer	McLaughlin
Dunn	Snare	Mullen
George	Stevens	Scarcelli
Jenkins	Anderson, Sarah A.	Walsh

MINES AND MINING

EWING, Chairman
KEHLER, Vice Chairman

Buchanan	Post	Munley
Dennison	Stevens	Rovansek
Edwards	Varner	Welsh
Knecht	Kornick	Williams
Marsh		

MOTOR VEHICLES

GUTHRIE, Chairman
GIBB, Vice Chairman

Dengler	Markley	Cianfrani
Dennison	Merry	Comer
Ewing	Rigby	Devlin
Fetterolf	Strausser	Frascella
Johnston	Ujobai	McKeever
Lafore	Amarando	Sherman

MUNICIPAL CORPORATIONS

WESTCOTT, Chairman
LIPPINCOTT, Vice Chairman

Bowman	Murray, Harvey P.	Cianfrani
Dalrymple	Phillips	Devlin
Fetteroff	Pursley	Gelfand
Hocker	Steckel	Holt
Ide	Stuart	Monroe
Isaacs	Boory	Welsh

PROFESSIONAL LICENSURE

WALL, Chairman
RIGBY, Vice Chairman

Adams	Moody	Dougherty
DeLong	Murphy	Fineman
Dietterick	Parry	Jones, Granville E.
Kooker	Piper	Krakow
Metz	Whittaker	Maxwell
Miller, Beatrice Z.	Boies	McGee

PUBLIC HEALTH AND SANITATION

JUMP, Chairman
HENZEL, Vice Chairman

Dietterick	Marsh	Jones, Granville E.
Fox	Miller, Beatrice Z.	McGee
Gross	Whittaker	Monroe
Guthrie	Breth	Silverman
Kooker		

PUBLIC UTILITIES

THOMPSON, Chairman
MAGEE, Vice Chairman

Cooper	Steckel	Lutty
Gibson	Stimmel	Maxwell
Heffner	Tompkins	Mills
Ide	Wall	Muldowney
Lee, Austin M.	Willard	O'Brien
Post	Heavey	Pashley

RAILROADS AND RAILWAYS

McINROY, Chairman
MILLER, HAROLD G., Vice Chairman

Ashton	Snare	Floyd
Carson	Spray	Limper
Heffner	Worley	Schuster
Jenkins	Cioffi	Taylor
O'Dell		

STATE GOVERNMENT

KELLER, Chairman
AGNEW, Vice Chairman

Auker	Price	Jones, Granville E.
Haudenshield	Stimmel	Lutty
Horst	Stroup	Mihm
Lippincott	Wall	Polaski
Ogilvie	Wood	Verona
Pomeroy	Hamilton	Wargo

TOWNSHIPS

BLAIR, Chairman
HORST, Vice Chairman

Dalrymple	Korns	Flynn
Dengler	Lee, Kenneth B.	Kornick
Edwards	Whittaker	McCann
Foster	Willard	Musto
Goodrich	Wynd	Renwick
Johnston	Cummins	Wheeler

WAYS AND MEANS

BREISCH, Chairman
STRAUSSER, Vice Chairman

Davis	Price	McCormack
Ewing	Royer	McLaughlin
Gibson	Stoner	Petrosky
Keller	Thompson	Snider
Lafore	Varner	Toll
Naugle	Lovett	Varallo

WELFARE

HAUDENSHIELD, Chairman
DONAHUE, Vice Chairman

Cleveland	Miller, Beatrice Z.	Bucchin
Dengler	Pomeroy	Kamyk
Henzel	Ragot	Leonard
Kehler	Ujobai	Monroe
Kernaghan	Vaughan	Munley
Markley	Andrews	Taylor

Respectfully submitted by the Committee on Committees

BAKER ROYER, Chairman
GEORGE W. COOPER
JOHN A. LaFORE, JR.
MARVIN V. KELLER
LEROY A. WEIDNER
JAMES K. DAVIS
ANTHONY J. PETROSKY
DAVID M. BOIES
LOUIS J. AMARANDO
W. STUART HELM
Speaker of the House Ex-Officio

On the question,

Will the House adopt the resolution?

Mr. POMEROY. Mr. Speaker, I would like to interrogate the Chairman of the Committee on Committees.

The SPEAKER. Will the Chairman of the Committee on Committees, Mr. Royer, permit himself to be interrogated?

Mr. ROYER. I shall, Mr. Speaker.

Mr. POMEROY. Mr. Chairman, is my understanding correct that on the Committee of Cities-Counties—First, Second and Second Class A there are five Members from Philadelphia on that Committee?

Mr. ROYER. Mr. Speaker, in answer to the gentleman from Philadelphia, I do not know.

Mr. POMEROY. You do not know?

Mr. ROYER. I do not.

Mr. POMEROY. I wanted to be sure I heard the report correctly that there were five Members from Philadelphia on that Committee.

The SPEAKER. If the gentleman does not have a list of the Members of that Committee, the Chair will direct that the membership of that particular Committee be read again.

Mr. POMEROY. If you would, please, sir.

The membership of the Cities-Counties—First, Second and Second Class A was read by the Clerk.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

The SPEAKER. The Chair would inform the Members that printed booklets of the report of the Committee on Committees will be found in the Members' mail boxes at the close of the session today.

COMMITTEE ON RULES APPOINTED

The SPEAKER. In compliance with the Rules of the House, the Speaker has appointed the following Committee on Rules: Messrs. JOHNSON, BOWER, GIBSON, WEIDNER and LAFORE.

SUPPLEMENTAL RESOLUTION

PRESIDENTIAL INAUGURAL COMMITTEE

Mr. ANDREWS asked and obtained unanimous consent to offer the following resolution which was read, considered and adopted as follows:

In the House of Representatives, January 7, 1957.

Resolved, (if the Senate concur) That the Speaker of the House of Representatives is hereby authorized to appoint eighty-three Democratic Members of the House of Representatives, and the President Pro Tempore of the Senate is hereby authorized to appoint twenty-three Democratic Senators, who, together with the one hundred twenty-six Republican Members of the House and the twenty-seven Republican Senators already appointed, shall

constitute a Joint Committee to represent the General Assembly of the Commonwealth of Pennsylvania in the Presidential Inaugural Ceremonies of The Honorable Dwight D. Eisenhower.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT

The SPEAKER. Members are now privileged to introduce their bills by filing them with the Bill Clerk to the Speaker's left. All three copies must be legibly signed and dated. Keep one copy for your personal use.

Members who have bills in the Legislative Reference Bureau should arrange to pick them up for introduction at tomorrow's session.

PETITION

IN RE CONTESTED ELECTION OF HARRIS G. BRETH

The SPEAKER. The Chair lays before the House a petition in the matter of the contested election of Harris G. Breth to the office of Representative of the General Assembly from the first Legislative District of Clearfield County.

The petition was read as follows:

In the matter of the contested election of Harris G. Breth to the office of Representative in the General Assembly from the First Legislative District of Clearfield County.	Appeal from the order of Common Pleas Court of Clearfield County, Pennsylvania, To Nos. 163, 164, 165, 166, 167, November Term, 1956, dated the 12th day of December, 1956.

To the Honorable, the Speaker of the House of Representatives and the Representatives assembled:

The petition of William C. Chase respectfully represents:

1. That the said William C. Chase was a candidate for election to the office of Representative in the General Assembly from the First Legislative District of Clearfield County at the election held in the said District on November 6, 1956.

2. That the candidates of the said office at the said election were Harris G. Breth, Democrat, and your petitioner, Republican.

3. That the final vote both civil and military for the respective candidates was:

Harris G. Breth 7,855
William C. Chase 7,847

4. That on November 21, 1956, Petitions were presented to the Court of Common Pleas for the opening of Ballot Boxes and the reconvassing of the votes in the following Districts:

Morann Precinct, Woodward Township; Cooper Precinct, Cooper Township; Munson Precinct, Morris Township; and Ashcroft Precinct, Morris Township.

The Computing Board found clerical errors in all of these Precincts with the exception of Ashcroft. The Computing Board corrected the votes cast and inserted the correct vote with red pencil.

Subsequently, on November 29, 1956, additional Petitions were presented to the Court for the opening of Ballot Boxes in the following Precincts:

In Lawrence Township; Glen Richey, Hillsdale, and Plymton; also Blue Ball of Boggs Township; Winburne of Cooper Township.

5. As a result of the recount on the first group the majority of Harris G. Breth was reduced from 41 to 8, and in the 8 there was one ballot in Morann Precinct of Woodward Township which was a mutilated ballot. In the second group Mr. Chase picked up 12 votes and Mr. Breth picked up 4 votes but in Mr. Breth's total votes from those precincts in the second group there were two mutilated ballots.

6. Your petitioner having been advised by counsel believes and, therefore, avers that if both groups had been included in the final recount instead of only the first group and, further, that the mutilated ballots were disregarded, that the official figures instead of Harris G. Breth 7,855 and William C. Chase 7,847, it would have been William C. Chase 7,859 and Harris G. Breth 7,856.

7. However, the President Judge of Clearfield County by Orders dated December 12, 1956, supplementing his oral order of December 4, 1956, declared that the petitions governing the second group were filed too late, which copies of the orders are attached hereto and made a part thereof.

It is the contention of your petitioner that the Court by such Order was in error, especially because of the fact that he states that the completion of the Computing Board was actually on November 23, 1956, and despite the fact that by his Order of November 28, 1956, he was directing a further step in the recount, and further that the Computing Board was actually in session on December 3, 1956, and the petitions covering the second group were filed on November 29, 1956, which, in effect, was four or five days previous to the date on which the Computing Board was in session.

Your petitioner makes this appeal under the laws of the Commonwealth of Pennsylvania as are more particularly set forth under the Act of 1937, June 3d, P. L. 1333, Article XVII, Paragraph 1747, and further that a Petition of Diminuation is being filed with the Common Pleas Court of Clearfield County in order that the facts alleged herein pertaining to the disclosures in the recount of the second group will be made a part of the record for the purpose of appeal to the Supreme Court of Pennsylvania.

/s/ WILLIAM C. CHASE, Petitioner

AFFIDAVIT

Commonwealth of Pennsylvania }
County of Dauphin } ss:

William C. Chase, being duly sworn according to law, deposes and says that he is the petitioner and the party aggrieved by the decision of the Court in the above entitled matter, and that he believes that he was duly elected to the Office of Representative in the General Assembly from the First Legislative District of the County of Clearfield and that the statements set forth in the foregoing petition are just and true to the best of his knowledge and belief.

/s/ WILLIAM C. CHASE

Sworn to and subscribed before me this 7 day of January, A. D. 1957

/s/ HELEN A. KEDAL, Notary Public

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Petition to open ballot box of Glen Richey Precinct of Lawrence Township, Clearfield County, Pennsylvania	No. 164 November Term, 1956

ORDER

Exceptions dated December 8, 1956 were not argued until December 10, 1956.

The exceptions are overruled for the same reasons set forth in the Opinion of the Janesville Precinct ballot box on December 7, 1956.

The record in the Janesville Precinct proceedings indicated the County Election Board completed its computation November 23, 1956, thus making November 28, 1956 the last day to file petitions under Section 1703 of the Election Code of June 3, 1937, P. L. 1333 (25 P. S. 2600-3552), by virtue of which under Section 1703 (25 P.S. 3263) the Court shall correct the County Election Board's computation of votes cast in any or all election contests. Section 1703 provides that if the petitions are presented "before the certification of all of the returns of the county, and in no event later than five days after the completion of the computation and canvassing of all of the returns of the county by the county board," the Court shall then correct the computation.

The petition presented states the Computation Board date of completion as November 21, 1956, when it was actually November 23, 1956. The County Board certifying the vote on December 4, 1956 would not serve to extend the time for filing the petitions under Section 1703 in order to give the Court power to change the computation of the County Board, as the Act specifically states the petitions under 1703, shall in no event be later than five days after the completion of the computation, so long as it is before the certification. The computation, or canvass of all of the votes, is one act. Following the computation of the votes, the Election Board certifies the results. This is another act or duty placed upon the Board by the law. These two acts are not coextensive, but are separate and distinct. Frequently the completion of the computation occurs the same day the certification occurs, but this does not merge these two acts into one.

By the Court

December 12, 1956

/s/ JOHN J. PENTZ, President Judge

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Disputed ballots of Morann Precinct, Woodward Township; Plymton Precinct, Lawrence Township; and Hillsdale Precinct, Lawrence Township, all Precincts located in Clearfield County, Pennsylvania

ORDER

The petition presented and heard December 10, 1956, is addressed to three ballots discovered when the ballot boxes were opened in the Hillsdale Precinct of Lawrence Township; Plymton Precinct of Lawrence Township, and Morann Precinct of Woodward Township. All of these ballots have the proper X mark in the party column, but in the boxes opposite the individual candidates for the various offices appear a check mark which is contrary to the Election Code. Thus we have the proper marking placed in the party column, but improper markings in the boxes for the candidates.

Although the petitions to change the final computation, in accordance with the objection to the ballots, is too late, as heretofore ruled, the ballots were properly counted in the final total by the Precinct Election Boards. In the party column appears the proper marking. At the name of the various candidates appears an improper marking. This does not, however, render the ballot void. On two of the ballots there is the proper marking in the party column, and improper markings of the individual names of the candidates of that party. On one of the ballots appears an improper marking for candidate of the opposite party. Following McCAFFREY'S APPEALS, 337 Pa. 552, these ballots are counted as being validated by the proper marking in the party column, and the improper marking does not invalidate the entire ballot.

Exceptions dismissed.

BY THE COURT

December 12, 1956

/s/ JOHN J. PENTZ, President Judge

Referred to the Committee on Elections and Apportionment.

ANNOUNCEMENT

The SPEAKER. The Chair requests all the Chairmen of the standing Committees of the House to meet with him in the new House Caucus Room immediately after the adjournment of today's session.

ANNOUNCEMENT

The SPEAKER. The Chair has been asked to announce that the committee assignment booklets have been so closely guarded that one of the clerks has gone and they are locked in a cupboard in the Chief Clerk's office. However, 160 of them are available and are in the boxes of that many Members of the House. Others can be obtained the first thing tomorrow morning.

REPORT OF THE LEHIGH COAL AND NAVIGATION COMPANY

The SPEAKER laid before the House the Report of the Lehigh Coal and Navigation Company for the year 1956.

(For Report, see Appendix).

REPORT OF THE BOARD OF DIRECTORS OF CITY TRUSTS—PHILADELPHIA

The SPEAKER laid before the House the Report of the Board of Directors of City Trusts of Philadelphia for the year 1955.

(For Report, see Appendix).

THANKS EXTENDED

Mr. READINGER. Mr. Speaker, I have no further business, but I do not want the session to adjourn today without a word of thanks to the majority Members for having voted for that resolution a few minutes ago by which all of us Democrats will be placed on the Inaugural Committee. We assure you that we will do the same thing for you in 1961.

ADJOURNMENT

Mr. SNIDER. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 8, 1957 at 10:30 a.m.

The motion was agreed to, and (at 6:26 p.m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, JANUARY 8, 1957. No. 3.

HOUSE OF REPRESENTATIVES

TUESDAY, January 8, 1957

The House met at 10:30 a. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Aaron Elek, Pastor of the Hungarian Presbyterian Church, Leechburg, Pennsylvania, offered the following prayer:

Dear God, Father of all Mankind!

We call upon Thy name on behalf of Thy servants assembled here to commence their portion of supreme civilian duties Thou hast called them to perform with responsibility.

Strengthen and unite them when their task is great, protect and uphold them when problems call for the right decisions, when discouragement and despair loom on the horizon. Make them strong in Thy fear, and great in the love of righteousness and peace.

Bless every citizen in this state with a greater sense of true appreciation for the fruits of the land and for the peace of the homes. Save us from violence, discord and confusion, and from every evil way. Be Thou the Protector of our liberties, fashion us into one eternally united people on the principles by which our land was conceived, upheld and defended. In the time of prosperity, temper our self-confidence with thankfulness, in the time of trouble, suffer not our trust in Thee to fail.

Look upon the afflictions of the world. Through the power of love and understanding heal the wounds, restore the trust, and fill the gaps which separate one man from another here and abroad.

In His Name we ask. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, January 7, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. BOWER, COOPER and RIGBY.

HOUSE BILL No. 1.

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania, enabling the Legislature to enact legislation providing for absentee voting.

Referred to the Committee on Elections and Apportionment.

By Messrs. WOOD and BOWER. HOUSE BILL No. 2.

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Referred to the Committee on State Government.

By Messrs. OGILVIE, GIBSON and DAVIS.

HOUSE BILL No. 3.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

Referred to the Committee on Military Affairs.

By Mr. GOLDSTEIN. HOUSE BILL No. 4.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," requiring the Auditor General to publish a monthly report of persons employed by the Commonwealth.

Referred to the Committee on State Government.

By Messrs. ESHLEMAN and WEIDNER.

HOUSE BILL No. 5.

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of

the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," requiring the names of candidates to be printed on the ballots or on the ballot labels on voting machines with the same size and kind of type.

Referred to the Committee on Elections and Apportionment.

By Messrs. MOODY and BARTON.

HOUSE BILL No. 6.

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania making changes with respect to the meeting of the General Assembly.

Referred to the Committee on State Government.

By Mr. TOMPKINS. HOUSE BILL No. 7.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making it unlawful to knowingly listen into deliberations of juries.

Referred to the Committee on Judiciary.

By Mr. BOWER. HOUSE BILL No. 8.

An Act making an appropriation to the House of Representatives for payment of expenses of members.

Referred to the Committee on Appropriations.

By Mr. TOMPKINS. HOUSE BILL No. 9.

An Act amending the act of June 29, 1953 (P. L. 304), entitled "An act providing for the administration of a statewide system of vital statistics; prescribing the functions of the State Department of Health, the State Advisory Health Board and local registrars; imposing duties upon coroners, prothonotaries, clerks of orphans' court, physicians, midwives and other persons; requiring reports and certificates for the registration of vital statistics; regulating the disposition of dead bodies; limiting the disclosure of records; prescribing the sufficiency of vital statistics records as evidence; prescribing fees and penalties; and revising and consolidating the laws relating thereto," making it unlaw for unauthorized persons to copy duplicate or issue certificates of birth, death or fetal death.

Referred to the Committee on Public Health and Sanitation.

By Mr. RIGBY. HOUSE BILL No. 10.

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," providing for minority party representation in council.

Referred to the Committee on Cities—Counties—First, Second and Second Class A.

By Mr. STRAUSSER. HOUSE BILL No. 11.

An Act authorizing incorporated towns to regulate junk yards.

Referred to the Committee on Boroughs.

By Messrs. GIBSON, DAVIS and JOHNSON.

HOUSE BILL No. 12.

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, making special provision for the taxation of private forest reserves.

Referred to the Committee on Game and Conservation.

By Mr. ESHLEMAN. HOUSE BILL No. 13.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," providing sick leaves for employes and changing the provisions relating to other leaves of absence.

Referred to the Committee on State Government.

By Messrs. TOMPKINS, BELL and ISAACS.

HOUSE BILL No. 14.

An Act requiring the publication of the reasons for recommending pardons.

Referred to the Committee on Judiciary.

By Mr. WORLEY. HOUSE BILL No. 15.

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, giving citizens eighteen years of age the right to vote.

Referred to the Committee on Elections and Apportionment.

By Mr. WORLEY. HOUSE BILL No. 16.

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by providing for absentee voting.

Referred to the Committee on Elections and Apportionment.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. BELL, ISAACS, KELLER, Mrs. KOOKER and Mr. POMEROY.

(Concurrent) RESOLUTION No. 1

In the House of Representatives, January 7, 1957

David K. Darcy, Harold Foster and Harry Zietz were convicted by a jury for the slaying of William Kelly, an innocent bystander, during a holdup of a tavern in Bucks County. The jury fixed the punishment at death in the electric chair.

The conviction and sentence was appealed to the Supreme Court of Pennsylvania and the case reached the Supreme Court of the United States five times.

On September 29, 1956 the Board of Pardons, acting on Darcy's twenty-sixth application for executive clemency, recommended that the sentences of death be commuted to sentences of life imprisonment.

The commutations granted by the Governor have aroused public interest and indignation. The action of a non judicial body in substituting its judgment for that of the jury which heard the case, and of the many jurists who studied the case has been criticized throughout the

State. The opinion prevails in many quarters that political consideration influenced the action of the Board of Pardons in this and in other recent cases.

It is imperative therefore that a complete and thorough investigation be made of the action of the Board of Pardons, to determine whether or not any abuses have occurred with respect to the powers entrusted to it; therefore be it

Resolved, (The Senate concurring) That the Speaker of the House of Representatives appoint four members of the House and the President Pro Tempore of the Senate appoint four members of the Senate, who together shall constitute, a joint committee, and be authorized and directed to make an immediate investigation of all actions of the Board of Pardons in connection with the pardon, parole, or commutation of sentence of persons convicted of crimes. The committee shall have the power to issue subpoenas under its hand and seal requesting and commanding any person or persons to appear before it and answer questions touching matters properly being inquired into and to produce such books, papers, records, and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of courts of this Commonwealth. The committee shall have power to administer oaths and affirmations to witnesses appearing before it. Any person who shall wilfully neglect or refuse to testify before the committee or to produce any books, papers, records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases and be it further

Resolved, That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed sixty days.

Referred to the Committee on Rules.

SENATE MESSAGE

PENNSYLVANIA 1957 INAUGURATION FUND COMMITTEE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 7, 1957

The President Pro Tempore of the Senate has appointed Senators Albert R. Pechan, William Z. Scott and John H. Dent a committee on the part of the Senate pursuant to Senate Resolution No. 102, and shall be known as the Pennsylvania 1957 Inauguration Fund Committee.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SUPPLEMENTAL INAUGURAL COMMITTEE APPOINTED

The SPEAKER. Pursuant to the provisions of a supplemental Resolution adopted by the House of Representatives and the Senate, the Speaker appoints the Democratic Members of the House of Representatives to serve with the Republican Members of the House, already appointed to represent the General Assembly of the Commonwealth of Pennsylvania at the Presidential inaugural ceremonies of the Honorable Dwight D. Eisenhower for President of the United States.

PENNSYLVANIA 1957 INAUGURATION FUND COMMITTEE

The SPEAKER. Pursuant to the provisions of the concurrent Reolution adopted by the Senate and the House of Representatives, Monday, January 7, 1957, the Speaker appoints as a Committee on the part of the House to serve on the select Inaugural Committee, Messrs. Johnson, Gibson, and Wescott.

ORGANIZATION OF STANDING COMMITTEES

Mr. GIBSON. Mr. Speaker, I have been requested to announce the standing Committee organization meetings, which will take place immediately.

I desire to explain to the Members that we have broken the meetings down into four different groups and four different time periods. I request that as soon as the first group has completed their meetings the Members immediately return to the floor of the House so that we can call the next group of Committees, because many of the Members may be on some of those Committees also.

For your convenience there has been furnished to you a schedule of the Committees and the rooms where they will meet for organization. The time has been left blank because we did not know just what time these Committees would meet.

The following House Committees will meet for organization immediately. We have requested the Chairmen to get their organization meetings over as promptly as possible. We estimate we can call the next group in approximately 15 minutes with all of the Members back in their seats at that time.

For the information of the Members, Room 145 is in the Chief Clerk's Suite, Rooms 245 and 246 are on the second floor center wing, the 300 numbered rooms are on the third floor center wing, and the 500 numbered rooms are on the E floor center wing.

Mr. Speaker, we will call the first group for immediate organization and request the Chairmen and the Members of those Committees to proceed to the rooms designated on the sheet which you received in your mail box this morning.

Judiciary, Room 145.
Cities—Counties First—Second and Second Class A, Room 521.
Motor Vehicles, Room 522.
Appropriations, Room 245 and 246.
Counties, Room 323.
Boroughs, Room 324.
Law and Order, Room 325.
Elections and Apportionment, Room 329.
Welfare, Room 330.
Aeronautics, Room 331.

Will those Committees immediately proceed to the designated rooms?

The SPEAKER. The House will be at ease awaiting the return of the Committees.

Mr. GIBSON. Mr. Speaker, the second group of Committees to organize is as follows:

Labor Relations, Room 323.
Cities—Third Class, Room 521.
Military Affairs, Room 522.
Education, Room 324.
Liquor Control, Room 325.

Highways, Room 329.
Agriculture and Dairy Industries, Room 331.

Mr. Speaker, I request the Chairmen of these Committees, as soon as they are organized, to please give me the information so that we can proceed to the third group. We would like to have the Members back in 15 minutes, if possible.

The SPEAKER. The House will be at ease awaiting the return of the Committees.

Mr. GIBSON. Mr. Speaker, we are ready to proceed to the organization of the third group of Committees:

Judiciary Special, Room 145.
Municipal Corporations, Room 521.
State Government, Room 324.
Professional Licensure, Room 325.
Railroads and Railways, Room 522.
Public Health and Sanitation, Room 329.
Fisheries, Room 331.
Game and Conservation, Room 330.

I request again that the Chairmen report the organization of their committees when they return.

The SPEAKER. The House will be at ease awaiting the return of the Committees.

Mr. GIBSON. Mr. Speaker, the fourth group of Committees to organize are as follows:

Banking and Building and Loan Associations Room 330.
Mines and Mining, Room 324.
Public Utilities, Room 323.
Townships, Room 522.
Ways and Means, Room 521.

Welfare, Room 330, after the Banking and Building and Loan Association Committee has organized. Mr. Haudenshield will organize the Committee.

The SPEAKER. The Chair requests that at the close of these Committee meetings the Members return promptly to their seats. The Chair has a very important announcement to make concerning the Inaugural Committee trip to Washington.

The House will now be at ease awaiting the return of the Committees.

Mr. GIBSON. Mr. Speaker, it gives me great pleasure to announce that the standing Committees of the House are completely organized 100 per cent. I wish to thank the Chairmen and Members of the Committees for their cooperation in completing this duty in the early part of the session.

The SPEAKER. The Chair wishes to express its thanks to the Majority Whip, the gentleman from Warren, Mr. Gibson, for a job ably handled and its appreciation to both the Majority and the Minority Members for their complete cooperation.

ANNOUNCEMENT

INAUGURAL TRAIN

The SPEAKER. The Chair requests the Clerk to read the announcement concerning the inaugural train to Washington, D. C.

> To all members and others who are making plans to attend the Inauguration at Washington on Jan. 21st, the fare will be eight dollars ($8.00) round trip including lunch both ways. Reservations must be in Chief Clerk's office, with check or cash not later than Friday, Jan. 18.

RULES OF HOUSE TO BE PRINTED IN LEGISLATIVE JOURNAL

The SPEAKER. The Chair has directed the present Rules of the House of Representatives to be printed in full in today's Legislative Journal for the information of the Members of the House, if there is no objection.

The Chair hears none, and the rules will be so printed.

RULES OF THE HOUSE OF REPRESENTATIVES

Commonwealth of Pennsylvania

DUTIES OF THE SPEAKER

Speaker to Preside Over All Sessions—Speaker Pro Tempore.

1. The Speaker shall preside over all sessions of the House. In his absence, he may name a Member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment, except when the Speaker obtains leave of absence, in which case he may depute a Member as Speaker pro tempore during such leave, which shall not exceed ten days. During the time specified the Speaker pro tempore shall exercise all of the powers of the Speaker, except the signing of bills and other papers.

Taking the Chair—Journal.

2. He shall take the Chair on every legislative day at the hour to which the House shall have adjourned, and immediately call the Members to order. On the appearance of a quorum, the Speaker shall proceed to the regular order of business as prescribed by the rules of the House.

The Journal of the proceedings of the last days sitting shall not be read unless so ordered by a majority vote of the House.

Order and Decorum.

3. He shall preserve order and decorum, and, in case of disturbance or disorderly conduct in the galleries or lobbies may cause the same to be cleared. When two or more Members shall rise at the same time, he shall name the one entitled to the floor.

Questions of Order.

4. He shall decide all questions of order. An appeal from his decision shall be made by two Members or the Speaker may in the first instance submit the question to the House. All questions involving the determination of the constitutionality of a bill shall be submitted to the House for decision. On questions of order there shall be no debate except on an appeal from the decision of the Speaker or on reference of a question by him to the House when no Member shall speak more than once unless by leave of the House. Questions of order may be raised while an appeal is pending but no appeal from the decision of the presiding officer may be taken while the first appeal is pending. All decisions upon questions of order shall be noted by the Clerk and placed at the end of the Journal of each session with reference to the decisions as stated in the Journal.

Appoints Committees.

5. He shall appoint the Members of select and conference committees, unless otherwise ordered by the House.

Signature of Speaker.

6. He shall sign all bills, orders, addresses, and joint resolutions, in the presence of the House, after their titles have been publicly read, and the fact of signing shall be entered upon the Journal; and all writs, warrants and subpoenas issued by the House shall be signed by him, and attested by the Chief Clerk, as required by the Constitution, Article III, Section 9.

Oaths to Employes.

7. He shall administer to the employes of the House an oath or affirmation that they will severally support the Constitution of Pennsylvania and of the United States and that they will discharge their respective duties with fidelity, that they will not knowingly demand or receive, directly or indirectly, any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to their office, other than the compensation allowed by law.

Supervision of Hall of the House and Committee Rooms.

8. The Chief Clerk shall have supervision and control over the Hall of the House, caucus rooms, committee and all other rooms assigned to the House. The use of the Hall of the House when the General Assembly is convened may be granted only by the House.

QUORUM

What Constitutes a Quorum

9. A majority of all the Members shall constitute a quorum, but a smaller number may adjourn from day to day, and compel the attendance of absent Members as required by the Constitution, Article II, Section 10.

When Less Than a Quorum Vote

10. When less than a quorum vote on any subject under the consideration of the House, it shall be the duty of the Speaker forthwith to order the doors of the House to be closed, and that the roll of Members be called by the Clerk, and if it is ascertained that a quorum is present either by answering to their names or by their presence in the House—the yeas and nays shall again be ordered by the Speaker, and if any Member present refuses to vote, such refusal shall be deemed a contempt, and unless purged, the Speaker shall order the Sergeant-at-Arms to remove said Member or Members without the bar of the House, and all privileges of membership shall be refused the person or persons so offending, until the contempt be duly purged.

Call of the House

11. If a question shall be raised by a Member as to the absence of a quorum in the House, the doors shall be closed and no Member shall be permitted to leave except by permission of the House. The names of the Members shall be called by the Clerk and the absentees noted. Those for whom no sufficient excuse is made, may by order of a majority of those present, be sent for and taken into custody wherever they may be found, by the Sergeant-at-Arms and his assistants appointed for that purpose, and brought before the bar of the House, where unless excused by a majority of the Members present, they shall be reproved by the Speaker for neglect of duty.

Members who voluntarily appear during a call shall unless the House otherwise directs, be immediately admitted to the Hall of the House and they shall, upon being recognized by the Speaker announce their presence for the purpose of having their names entered upon the Journal.

These proceedings shall be without debate and no motion, except to adjourn shall be in order.

Persons Admitted Under a Call of the House

12. While the House is under a call, officers of the House and employes designated by the Chief Clerk shall be admitted to the Hall of the House.

Visitors shall not be admitted to the floor of the House after the doors are closed and until the proceedings under the call are terminated, but they shall be permitted to leave.

ORDER OF BUSINESS

Sessions

13. The House shall convene on Mondays at 4:30 o'clock p. m. unless otherwise ordered. On every other legislative day it shall convene at the hour to which the House shall have adjourned.

Order of Business

14. The daily order of business shall be as follows:

First. Prayer by the Chaplain.

Second. Corrections to the Journal and approval of the preceding day's Journal.

Third. The referring to proper committees by the Speaker of bills, resolutions, letters, petitions, memorials, remonstrances and accompanying documents.

Fourth. The asking of leave of absence.

Fifth. The receiving of reports of committees.

Sixth. Bills on first reading.

Seventh. Bills on second reading.

Eighth. Bills on final passage recalled from the Governor.

Ninth. Bills on final passage. (Bills on the final passage postponed calendar may be called up under this order of business).

Tenth. Bills on the third reading and final passage. (Bills on the third reading or final passage postponed calendar may be called up under this order of business.)

Eleventh. Resolutions (House and concurrent).

Twelfth. Unfinished business.

Any subject may by a majority vote of the House be made a special order of business and when the time fixed for its consideration arrives the Speaker shall lay it before the House. A similar vote shall be required to rescind or postpone a special order of business.

Privileged Questions

15. No business regularly before the House shall be interrupted, except by motion—

For adjournment.

To lay on the table.

For the previous question, namely, "shall the main question be now put?"

For postponement
For commitment
For amendment
which several motions shall have precedence in the foregoing order.

Debate on the motion for postponement shall be confined to the question of the postponement and shall not include discussion of the main question.

The motion for commitment is open to debate only as to the reasons for or against reference to committee and shall not include a discussion of the merits of the main question.

Debate on the motion to amend shall be limited to the amendment and shall not include the general merits of the main question.

Adjournment

16. A motion for adjournment or recess shall always be in order and shall be decided without debate, except as to the time of meeting. It cannot be received when the House is voting on another question, nor while a Member is addressing the House.

INTRODUCTION OF BILLS, PETITIONS, MEMORIALS AND LETTERS

Introduction of Bills

17. Bills shall be introduced by filing with the Chief Clerk to be by him numbered and handed to the Speaker for reference to appropriate committees, and report at the session following the day of presentation.

If the Speaker shall neglect or refuse to refer any bill or bills (whether House or Senate) within two days after presentation, in which the House is in session, it shall be in order for any Member to move for the reference of said bill or bills to the appropriate committee or committees. Upon instruction so given, the bill or bills shall be immediately referred to said committee or committees.

Sponsors—Copies of Bills—Lost Bills

18. All House bills shall be presented in triplicate, and signed by the Members introducing the same, and date of filing entered thereon. The original copy is for the use of the committee, the second copy is for the use of the printer and the third copy is for the use of the members of the press. No House bill shall have more than two sponsors, and no sponsor shall be added after a bill is reported from Committee.

If the official copy of any bill is lost or otherwise missing prior to the time of its final enactment, the Chairman or Vice Chairman of the Committee to which the bill was last referred shall present the facts in writing to the House, and the House may by resolution direct the Chief Clerk to furnish a copy of said bill duly certified by the Chief Clerk, which copy shall be substituted for the original.

The resolution to direct the Chief Clerk to furnish such copy shall be privileged for the immediate consideration of the House.

Printing of Bills Introduced

19. All bills and non-privileged resolutions (excepting resolutions of condolences and congratulations) when introduced, shall be printed for the use of the Members and shall be numbered consecutively.

Bills Amending Existing Laws

20. All bills introduced amending sections or parts of existing laws shall set forth only the section or parts of the law as re-enacted and shall not contain any recitation of the section or portion of the existing law proposed to be amended; and in the section or part of the law to be re-enacted shall be shown between light brackets, the word, phrase or provisions of the existing law, if any, which are to be stricken out or eliminated by the proposed amendment, and all new words, which are to be inserted into or added to the law by the proposed amendment shall be underscored, as required by the Constitution, Article III, Section 6.

Petitions, Memorials and Letters

21. Petitions, memorials, letters and accompanying documents shall be filed with the Chief Clerk to be by him handed to the Speaker for reference to appropriate committees.

A Member filing such petition or other papers shall endorse thereon the general purport thereof; his name, the date of filing and the district he represents. Upon the reference thereof the Speaker shall announce said name and title which shall be entered upon the Journal.

COMMITTEES:

Kind and Rank of Committees

22. Committees may be of four kinds and rank in order named:

Committee of the Whole House.
Standing Committees.
Select Committees.
Conference Committees.

Committee of the Whole

23. The House may resolve itself into Committee of the Whole at any time on the motion of a Member which shall be duly seconded, and in forming a Committee of the Whole, the Speaker shall leave the chair and a chairman shall be appointed by him to preside over said committee.

Rules of Proceedings in Committee of the Whole

24. The rules and proceedings of the House shall be observed in the Commitee of the Whole as far as they are practicable, except that a Member may speak more than once on the same subject. A motion for the previous question cannot be made therein nor a motion to lay on the table or to adjourn.

Amendments Made in the Committee of the Whole

25. Amendments made in the Committee of the Whole shall not be read when the Speaker resumes the chair, unless required by one or more Members.

Papers on the Table

26. When in the Committee of the Whole any papers laid on the table of the House relating to the bill or resolution before the committee may be taken from the table by the Committee.

STANDING COMMITTEES

27. The Committee on Committees shall consist of the Speaker and ten members of the House, seven of whom shall be members of the majority party and three of whom shall be members of the principal minority party, whose duty shall be to recommend to the House the names of the members who are to serve on the standing committees of the House.

The Chairman and Vice-Chairman of the standing committees shall be appointed by the Speaker.

The floor leader of the majority party and the floor leader of the principal minority party shall be ex-officio members of all standing committees, without the right to vote; and they shall be excluded from any limitation as to the number of members on the committees or in counting a quorum.

Thirty-one standing committees of the House are hereby created:

1. Aeronautics; to consist of 15 members.
2. Agriculture and Dairy Industries; to consist of 20 members.
3. Appropriations; to consist of 20 members.
4. Banking and Building and Loan Associations; to consist of 20 members.
5. Boroughs; to consist of 20 members.
6. Cities—Counties—First, Second and Second Class A; to consist of 20 members.
7. Cities—Third Class; to consist of 15 members.
8. Counties; to consist of 20 members.
9. Education; to consist of 20 members.
10. Elections and Apportionment; to consist of 15 members.
11. Fisheries; to consist of 20 members.
12. Game and Conservation; to consist of 20 members.
13. Highways; to consist of 20 members.
14. Insurance; to consist of 15 members.
15. Judiciary; to consist of 20 members.
16. Judiciary Special; to consist of 15 members.
17. Labor Relations; to consist of 20 members.
18. Law and Order; to consist of 15 members.
19. Liquor Control; to consist of 20 members.
20. Military Affairs; to consist of 20 members.
21. Mines and Mining; to consist of 15 members.
22. Motor Vehicles; to consist of 20 members.
23. Municipal Corporations; to consist of 20 members.
24. Professional Licensure; to consist of 20 members.
25. Public Health and Sanitation; to consist of 15 members.
26. Public Utilities; to consist of 20 members.
27. Railroads and Railways; to consist of 15 members.
28. State Government; to consist of 20 members.
29. Townships; to consist of 20 members.
30. Ways and Means; to consist of 20 members.
31. Welfare; to consist of 20 members.

Introduction of Hospital; Home Appropriation and Highway Route Bills

28. No bills appropriating moneys to state-aided hospitals or state-aided homes shall be introduced in the House of Representatives except such as appropriate in a single bill the total sum to be appropriated to all of the institutions within the same class or group. Requests for appropriations for particular state-aided hospitals or state-aided homes shall be filed with the Chairman of the Committee on Appropriations on forms to be furnished by the Legislative Reference Bureau, and shall be signed by the Member requesting the appropriation.

No bills for the establishment of new State highway routes shall be introduced in the House of Representatives except such as include in single bills the total mileage to be added to the State Highway System or the Rural State Highway System at a session of the General Assembly. Requests for the adoption of a particular highway or portion thereof as a State highway or rural State highway, or amendments making additions to or changes in any existing State highway, with the description thereof, shall be filed with the Chairman of the Committee on Highways on forms furnished by the Legislative Reference Bureau, and shall be signed by the Members requesting the same.

Committee on Rules

29. A committe of five shall be appointed by the Chair, which, together with the Speaker ex-officio shall constitute a Committee on Rules, and shall report to the House from time to time rules for the government thereof, and amendments to such rules; said committee shall be privileged to report at any time and said report shall be adopted by a majority vote.

Power and Duties of Committees

30. Each committee shall have full power over the bill, resolution or other paper committed to it, except that the committee can not change the subject, nor amendments adopted by the House.

Committee Records

31. Each of said committees shall keep a record or minutes of all proceedings before them, which record or minutes shall be open for examination by any Member of the House or Senate, or upon leave granted by the respective committee to any one. The committee records shall be filed with the Chief Clerk, upon the final adjournment of the House, to be kept for a period of two years.

Committee Meetings

32. No committees shall sit while the House is in session without leave.

CONFERENCE COMMITTEES

Conference Committees—How Made Up

33. All conference committees shall be composed of Members who vote in the majority on the point or points of difference, but the committee shall not have power or control over any part of the bill, resolution or order, except parts as to which a differerence exists between the House and Senate.

Reports of Conference Committees

34. All reports of Committees of Conference shall be presented after having been signed by a majority of the committee of each House, and be printed and placed upon the desks of the Members before the same shall be considered by the House.

CONSIDERATION OF BILLS AND RESOLUTIONS BY COMMITTEES

All Bills Referred to Committees

35. No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the Members, as required by the Constitution, Article III, Section 2.

Bills Not to Be Reported

36. No committee, either standing or select, shall report any bill for the action of the House, the passage of which is prohibited by the Constitution of the State as provided by Article III, Section 7.

Committee Reports to Be in Writing

37. All reports of committees shall be in writing: Provided, That the minority of a committee may make a report in writing, setting forth the reasons for their dissent.

Negative Reports

38. The recommendation by a committee that a bill be negatived shall not affect its consideration by the House but the words "negative recommendation" shall be printed conspicuously on a line above the title of the bill. Such bill shall not be placed upon the calendar except by a majority vote of the Members elected to the House, but if such motion be negatived once, it shall not be renewed.

Disposition of Bills in the Hands of Members of the Committee for Report

39. When a committee has directed that a bill or resolution be reported to the House, it shall be the duty of the Member assigned to report the same to make report thereof at the next meeting of the House and in no event shall such report be delayed longer than two days, in which the House is in session.

If the Member assigned to report any bill or resolution shall fail to report it within two days as required; the Chairman or Vice Chairman of the Committee to which it was last referred shall present the facts in writing to the House, and the House may by resolution direct the Chief Clerk to furnish the Committee with a copy of said bill or resolution duly certified by the Chief Clerk which copy shall be reported to the House in lieu of the original.

The resolution to direct the Chief Clerk to furnish such copy shall be privileged for the immediate consideration of the House.

When Committees May Be Discharged from Consideration of Bill

40. That when a bill or resolution has been ten calendar days in the hands of a committee after having been referred to it, any committee may be discharged from further consideration of the bill or resolution by a vote of a majority of the Members elected to the House.

ACTION ON BILLS IN THE HOUSE

Calendar of Bills

41. All bills and resolutions reported affirmatively shall be placed on the calendars in their numerical order. House bills shall precede Senate bills.

Reading of Bills

42. Every bill and every joint resolution shall be read at length on three different days. All amendments made thereto shall be printed for the use of the Members before the final vote is taken thereon and no bill shall become a law and no such resolution be adopted unless, on its final passage, the vote be taken by yeas and nays. The names of the persons voting for and against the same shall be entered on the Journal, and a majority of the Members elected be recorded thereon as voting in its favor, as required by the Constitution, Article III, Section 4.

First Reading

43. When bills on first reading are in order, the Speaker shall take up the calendar and announce each bill in the order in which it appears on the calendar. They shall be severally read at length, and agreed to without amendment or debate, and journalized accordingly. No bill after it has once been reported from committee shall be recommitted until it has been read the first time.

Second Reading

44. When bills are on second reading, they shall be considered by sections or articles and be subject to amendment in any part. The title of the bill shall be read last.

No House bill shall be considered unless called up from the second reading calendar by a Member. If not called up for fourteen calendar days it shall be dropped from the calendar unless otherwise ordered by the House.

Third Reading and Final Passage

45. When bills on third reading are in order, the Speaker shall take up the calendar and announce each bill in its order, when it shall be read at length and, having been agreed to, the Speaker shall announce as follows:

"This bill has been read three times, at length, on three different days, considered and agreed to, and is now on its final passage. Agreeably to the provisions of the Constitution, the yeas and nays will be taken. The question is—'shall the bill pass finally?' "

Amendments to Bills or Resolutions

46. No bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House, nor shall a motion or proposition be entertained under color of such an amendment; nor shall any bill or resolution be amended by substituting therefor, under a motion to strike out, or otherwise, any other bill or resolution on a subject different from that under consideration, as required by the Constitution, Article III, Section 1.

Copies—Amendments

47. When amendments are proposed to a bill or resolution there shall be presented to the Chair by the sponsor thereof six type-written copies of each amendment.

Motions or Amendments May Be Withdrawn

48. All motions except the following:

(a) Motions to go into Committee of the Whole,
(b) Motions for reconsideration,
(c) Motions for the previous question,

may be made without a second. Resolutions, motions, amendments and appeals may be withdrawn by the mover

or the mover and second, as the case may be, before a decision and if withdrawn, the proceedings had thereon shall be expunged from the Journal.

No dilatory motions shall be entertained by the Speaker.

If the Speaker or any two Members require it, all motions shall be in writing.

How Amendments Shall Be Printed

49. In printing amendments to House or Senate bills, all new matter added to the bill shall be in CAPITAL LETTERS, and matter to be eliminated from the bill shall be indicated by strike-out type.

In reprinting House bills previously amended by the House, and in reprinting Senate bills, previously amended by the Senate, all matter appearing in strikeout type shall be dropped entirely from the new print and all matter appearing in CAPITAL LETTERS shall be reset in lower case Roman type.

Disposition of House Bills on the Postponed Calendar

50. Any House bill placed upon the postponed calendar not called up within five days in which the House is in session, after being placed upon said calendar, shall be dropped unless the time be extended by vote of the House, upon motion for cause shown.

To Lay on the Table Carries All Adhering Questions With It

51. A motion to lay on the table shall be decided without debate, and shall carry with it all questions which adhere to it, except in the case of laying an appeal on the table. (See Rule 52.)

Amendment Laid on Table Shall Not Carry Bill With It

52. When an amendment proposed to any pending measure is laid on the table, it shall not carry with, or prejudice such measure.

Bills on Table

53. A motion to take a bill or other subject from the table of the House shall be decided without debate or amendment and is in order under the same order of business in which the matter affected was laid on the table.

Postponement—Commitment—Amendment

54. A motion for postponement shall preclude commitment. A motion for commitment shall preclude amendment or decision on the original subject.

Postponement for Substitute Motion

55. No motion can be received to postpone for the purpose of introducing a substitute.

No Bill To Be Passed Containing More Than One Subject

56. No bill, except the General Appropriation bill, shall be passed containing more than one subject, which shall be clearly expressed in its title, as required by the Constitution, Article III, Section 3.

Appropriation Bills

57. No bill appropriating money for charitable or benevolent purposes will be considered further than second reading until after the General Appropriation bill shall have been reported from committee.

Appropriations to Private Institutions

58. No bill shall be passed appropriating money to any charitable or educational institution not under the absolute control of the Commonwealth other than normal schools established by law for the professional training of teachers for the public schools of the State, except by a vote of two-thirds of all Members elected, as required by the Constitution, Article III, Section 17.

Local or Special Bills to Be Advertised

59. No local or special bill shall be passed by the House unless the same shall be accompanied by proof of the publication of the notice thirty days prior to the introduction thereof, in accordance with law, and proof of such publication shall be certified to by the Chairman of the Committee reporting the bill, as required by the Constitution, Aritcle III, Section 8.

Not in Order to Consider Bill of Similar Character After Being Once Defeated

60. When a bill has been defeated by the House, it shall not be in order to introduce and consider a similar one, or to act on a Senate bill of like import, during the same session.

Bills Vetoed by the Governor to Be Reconsidered

61. All veto messages upon being announced by the Speaker, shall be read and reconsideration of the bill proceeded with.

DEBATE

Member Must Speak from Own Desk

62. No member shall be permitted to make a motion, or address the Speaker, unless such Member be at his desk.

Manner of Addressing the House

63. When a Member is about to speak in debate, or to communicate any matter to the House, he shall rise, and respectfully address himself to "Mr. Speaker" confining his remarks to the subject before the House, and avoiding personal reflections.

Members Not to be Interrupted During Debate

64. No Member when speaking shall be interrupted, except by a call to order by the Speaker, or by a Member to explain, or by a motion for the previous question; nor shall any Member be referred to by name in debate, unless for transgression of the rules of the House and then by the Speaker only.

Number of Times Member May Speak

65. No Member shall speak more than twice on the same subject, without the leave of the House.

Transgression of Rules

66. If any Member in speaking or otherwise transgress the rules of the House, the Speaker shall, or any Member may, through the Speaker, call him to order, the Member so called to order shall immediately sit down,

unless permitted by the House to explain; the House shall, if appealed to, decide the case, but without debate; if there is no appeal, the decision of the Speaker shall be submitted to, and if the case requires it, the Member so called to order shall be liable to the censure of the House.

Personal Privilege

67. Any Member may rise and explain a matter personal to himself by leave of the Speaker, but he shall not discuss any pending question in such explanation. Question of personal privilege shall be limited to questions affecting the rights, reputation and conduct of Members of the House in their representative capacity.

Previous Question

68. The previous question shall not be moved by less than twenty Members rising for that purpose, and shall be determined without debate. When the previous question has been called and sustained by a majority of the Members voting its effect shall be to cut off all debate and bring the House to a direct vote upon the immediate question on which it has been ordered.

Division of the Question

69. Any Member may call for the division of a question, which shall be divided, if it comprehends questions so distinct, that one being taken away, the rest may stand entire for the decision of the House. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert.

Behavior During Putting of Question and Debate

70. While the Speaker is putting the question or addressing the House, none shall walk out of or across the House; or when a Member is speaking, shall entertain private discourse; nor while a Member is speaking shall pass between him and the Chair.

VOTING

Members Required to Be Present and Vote

71. Every Member shall be present within the Hall of the House during its sittings, unless excused by the House, or necessarily prevented, and shall vote for or against each question put, unless he has a direct personal or pecuniary interest in the determination of such question, or unless he be excused by the House.

Member Having Private Interest In Bill Not to Vote

72. A Member who has a personal or private interest in any measure or bill proposed or pending before the House shall disclose the fact to the House and shall not vote thereon, as required by the constitution, Article III, Section 33.

Form of Putting Question

73. All motions made shall be repeated by the Speaker, who shall put the question distinctly, in the following form, viz: "As many as favor the motion will say 'Aye'."

After the affirmative is expressed, "As many as are opposed, will say 'No'."

Division of the House.

74. The Speaker, or any Member may call for a division of the House, when the Speaker shall again put the question distinctly and in the following manner, viz:

"As many as are in the affirmative (as the question may be) will rise."

He shall put the opposite side of the question, "As many as are in the negative will rise."

Order of Calling the Roll

75. When the names of the Members shall be called it shall be done in alphabetical order, except "Mr. Speaker" who shall be called last. When once begun the roll call may not be interrupted.

Persons Prohibited at Clerk's Desk

76. No Member or other person shall remain by the Clerk's desk during the call of the roll or the counting of the yeas and nays.

Changing of Vote

77. A Member may change his vote before the result of a vote has been finally announced by the Speaker.

Member Must Be Within the Hall of the House to Vote

78. No Member shall be permitted to vote unless he be present in the Hall of the House on the first call of the yeas and nays.

The Hall of the House is defined as the floor space within its four walls and does not include the adjoining conference rooms, the lobbies or the upper gallery of the House. The Legislative Journal shall show the result of each roll call by yeas and nays and not voting.

Call for Yeas and Nays—Reason for Votes

79. The yeas and nays of the Members on any question shall, at the desire of any two of them, be entered on the Journals, and the Members shall have the right to insert the reasons for their votes on the Journals, by submitting them in writing to the Speaker immediately after the roll has been called.

Verification of the Roll and Challenging of Votes

80. Upon the completion of a roll call and before the result of the vote has been announced by the Speaker three Members of the House may demand a verification of the roll. After the affirmative or negative roll has been declared verified it is too late to change or record a vote thereon. Any Member may challenge in writing the vote or votes of Members who are recorded as voting. If the votes so challenged would change the result the announcement of the vote shall be postponed by the Speaker until the allegations made shall have been investigated when, if necessary, the roll shall be corrected and the true result announced by the Speaker.

Reconsideration

81. A motion for reconsideration shall be permitted when made and seconded by Members who were on the prevailing side on the original question and within five days in which the House is in session after the decision,

excepting when a bill or resolution shall have been recalled from the Governor in which case a motion to reconsider shall be entertained though more than five days shall have elapsed. It shall be decided by a majority of those voting. No motion for the reconsideration of any vote shall be in order after a bill, resolution, report, amendment or motion upon which the vote was taken shall have gone out of the possession of the House. When a motion to reconsider is lost, it shall not be renewed on the same question, nor shall such a motion be entertained when a question has been twice defeated.

CONCURRENCE IN COMMUNICATIONS FROM THE SENATE

Concurrence in Senate Communications

82. Communications from the Senate to the House shall be read and information shall be given to the Senate whenever any proposition coming from that body shall be concurred in.

Concurring in House Bills Amended by the Senate

83. When a bill or joint resolution that originated in the House has passed the Senate with amendments, the section of the bill as amended, together with the amendments, shall be read by the Clerk, after which reading the proposed amendments shall be open to the action of the House. If no action is taken by the House, the Speaker shall, without a motion put the question, "Will the House concur in the amendment (or amendments) made by the Senate?" and the vote be immediately taken by yeas and nays. The same number of votes shall be required to concur in the amendment (or amendments) as were required originally to pass the bill or joint resolution in the House. The House shall not take any action on bills or joint resolutions that have been returned by the Senate as amended, until copies of the bill or joint resolution as amended have been printed and placed on the desks of the Members, as required by the Constitution, Article III, Section 5.

RESOLUTIONS

Original and Concurrent Resolutions

84. All resolutions originating in the House (except those privileged), shall be introduced by Members filing six typewritten copies thereof with the Chief Clerk, signed and dated to be numbered by the Chief Clerk and handed to the Speaker, who shall refer all such resolutions, including all Senate Concurrent Resolutions (not privileged), to appropriate committees in the same manner as bills. No House resolution shall have more than two sponsors.

The following resolutions are privileged for the immediate consideration of the House:

Recalling bills from the Governor.
Returning bills to the Governor.
Recalling bills from one House to the other.
Those emanating from the Committee on Rules.
Those discharging committees.
Those placing negative bills on the calendar.
Those relating to Joint sessions of the Senate and House.
Those relating to condolence or congratulations shall be privileged when they relate to Members and officers of this General Assembly and their respective families.
Those relating to adjournment or recess.

When resolutions are reported from committees, those originating in the House shall be printed and placed on the desks of the Members before consideration by the House, after which they may be called up under the regular order of business for resolutions.

Certain Resolutions to Be Referred to Rules Committee

85. All resolutions fixing the date of final adjournment or fixing the last day for introduction of bills, shall be referred to the Committee on Rules and reported therefrom before being acted upon by the House; Provided, however, That said committee shall be subject to discharge from the consideration of said resolutions the same as all other committees, in case of bills.

RECORDS

Journal

86. The House shall keep a Journal of its proceedings which shall be printed and placed upon the desks of the Members.

History of Bills in the House

87. A weekly history showing the status of all House bills and original House resolutions, with an alphabetical index by subjects shall be prepared under the direction of the Chief Clerk of the House.

RULES

Alteration or Suspension of Rules

88. Any rule of the House may be suspended at any time for a specific purpose by a majority vote of the Members elect; after the accomplishment of which purpose the rule shall remain in force as before.

A motion to suspend the rules may not be amended, postponed, committed or laid upon the table.

Any motion to alter or amend the rules permanently shall lie over one day and shall be adopted by a majority vote of the Members elect.

The rules shall be published in the Pennsylvania Manual, a copy of which shall be delivered to each Member at the commencement of the session.

Jefferson's Manual to Govern the House

89. The rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the House.

MISCELLANEOUS RULES

Committee Proceedings Not Permitted in Debate.

90. A Member shall not relate in debate what was done or said in committee except such as is contained in the written report or is authorized by the committee.

Visitors.

91. Persons shall be admitted to the floor of the House during its sessions provided seats in the spaces allotted to visitors are available. No visitor shall be permitted to stand while the House is in session.

No other person shall occupy a Member's seat. Members shall not be interrupted by visitors while the House is in session.

Newspaper Correspondents.

92. (a) Any person accorded the privileges of a newspaper correspondent must be the telegraphic correspondent of a daily newspaper, or of a recognized press association, who is not engaged in any department of the State government, or in any other business, or must be the official reporter for a Harrisburg daily newspaper; and no more than one representative of each newspaper shall be admitted to the press gallery at one time.

(b) All applications for admission to the press gallery must be made to the Speaker. Such application shall state the name of the newspaper, its location, times of publication, and be signed by the applicant.

(c) The Speaker shall verify the statements made in such application, and if the application is approved by him, he shall issue a correspondent's card, signed by him and by the President of the Correspondents' Association.

(d) The correspondents shall not visit Members in their seats during the sessions of the House, and shall abide by such rules and regulations, as may be adopted by the Rules Committee of the House.

(e) The card issued by the Speaker must be presented when required by any Sergeant-at-Arms. It shall not be transferable. The transfer or loan of such card to any one shall be followed by its cancellation and the withdrawal of all its privileges from the correspondent so offending.

(f) The gallery allotted to newspaper correspondents shall be for their exclusive use and persons not holding correspondents' cards shall not be entitled to admission thereto.

Journal Rooms.

93. No persons except in the exercise of an official duty directly connected with the business of the House shall be permitted in the following rooms:

(a) Where the Legislative Journal is compiled.

(b) Where the original Journal papers are filed and official House messages and communications are prepared.

(c) The Bills and Documents Room.

Lounging Prohibited in the Hall of the House.

94. It shall be the duty of the Sergeant-at-Arms to prevent all persons not connected with the Legislature, from assembling in the halls at any time when the House is not in session for the purpose of lounging and loafing. For the purpose of enforcing this rule, two of said officers shall be in attendance at all times, and the persistent neglect or disregard of this rule shall be cause for dismissal by the Speaker.

Soliciting Subscriptions Prohibited.

95. No officer or employe of the House shall solicit subscriptions for any purpose, from any Member, other officer or employe of the House.

Peddling Within the Hall of the House Prohibited.

96. No person shall be permitted to hawk, peddle or offer for sale any article of traffic at any time within the hall of the House; and it shall be the duty of the Sergeant-at-Arms to strictly enforce this rule.

REPORT FROM COMMITTEE

Mr. JOHNSON from the Committee on Rules, reported as committed, House Resolution No. 1.

DEPARTURE TIME OF INAUGURAL TRAIN

Mr. JOHNSON. There has been some question as to the time of departure of the train both from Harrisburg and from Washington, and the other points of departure and pickup throughout the state.

The SPEAKER. The Chair has been informed that the departure time for the inaugural train is Monday, January 21st at 6:30 a.m. from Harrisburg.

The Chair also has been informed that the same train will return the Members to Harrisburg.

TIME OF NEXT MEETING

Mr. READINGER. Mr. Speaker, I am rising to inquire of the Majority Leader concerning the meeting during the week of the 21st. A lot of the Members would like to know whether we are going to meet only on the 22nd or whether we are going to meet on the 22nd and 23rd. Would the Majority Leader please inform us?

Mr. JOHNSON. Mr. Speaker, the present plans are that we will meet on both the 22nd and the 23rd. It is quite possible that as we meet on the 22nd we will call a recess during the session for the purpose of Committee meetings and to allow Committee Chairmen to go over bills that are presently in Committee with a view to having a calendar for the session on the 23rd. We contemplate meeting on the 23rd to have a First Reading Calendar and transact such other business as might come before the Assembly.

ADJOURNMENT

Mr. GRAMLICK. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 22, 1957 at 4:30 p.m.

The motion was agreed to, and (at 12:01 p.m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, JANUARY 22, 1957. No. 4.

SENATE

TUESDAY, January 22, 1957

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D.D., Pastor of the Market Square Presbyterian Church, Harrisburg, offered the following prayer:

Let us pray.

Eternal God, Who committest to us the swift and solemn trust of life, since we know not what a day may bring forth, but only that the hour for serving Thee is always present, may we be alert to the instant claims of Thy holy will, not waiting for tomorrow but yielding today.

Lay to rest, by the persuasion of Thy spirit, all unworthy pride, intolerance or fear. Consecrate with Thy presence the way our feet may go. Lift us above pettiness and selfishness into a large-hearted, high-minded spirit of service. Help us to live by faith, hope and love, that we may escape the tensions that tie us up in small bundles. Teach us a simple and steadfast reliance on Thy sure will. Make us patient with others. Help us to remember how frail we are, that we may learn to rely more completely on Thee. Help us to remember with what great gifts Thou hast endowed us, that we may live nobly as befittest Thy children.

So may we live, even as we pray in the spirit of the Master. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. KALMAN, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution directing the Chief Clerks of the Senate and House of Representatives to make arrangements for postage for mailing the Legislative Journal and providing that payment of postage for mailing Journal, bills, calendars and histories be provided for in the Appropriation Bill.

GEORGE M. LEADER.

COMMUNICATION FROM THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations.

RECALLING THE NOMINATION OF M. E. PATRICK AS A MEMBER OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the appointment of M. E. Patrick, Greensburg, as a member of the State Board of Veterinary Medical Examiners, from December 28, 1956, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Registration Commission in and for the City of Philadelphia, until January 6, 1961, or until their successors qualify:

Charles W. Sweeney, Esq. (Republican), 2015 Spring Garden Street, Philadelphia, Philadelphia County.
Leon Sacks, Esq. (Democrat), 2428 North Fifty-fourth Street, Philadelphia, Philadelphia County.
James C. Crumlish, Jr. (Democrat), 7105 McCallum Street, Philadelphia, Philadelphia County.
Robert S. Hamilton (Republican), 6321 Ridge Avenue, Roxborough, Philadelphia, Philadelphia County.
Harold H. Salkind (Democrat), 2101 Walnut Street, Philadelphia, Philadelphia County.

GEORGE M. LEADER.

MEMBER OF THE WASHINGTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Marie G. Kelly (Democrat), 988 Thompson Avenue, Donora, Washington County, for appointment as a member of the Washington County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Delia Kelly, Donora, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF CHEYNEY STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Cheyney State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Dr. Walter H. Mohr, George School, Newtown, Bucks County, vice Mrs. Mary F. Comfort, Haverford, whose term expired.
Mrs. Anne Walton Pennell, Moylan, Delaware County. (Reappointment)
Lancelot Tynes, 638 North Peach Street, Philadelphia 31, Philadelphia County, vice James G. Vail, Media, deceased.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Nellie V. Curran, Galeton, Potter County, for appointment as a member of the Board of Trustees of Mansfield State Teachers' College, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Paul H. Conner, Coudersport, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Marion Walker, 10 Brown Avenue, Clarendon, Warren County, for appointment as a member of the Board of Trustees of the Pennsylvania Soldiers' and Sailors' Home, for the term of four years, and until his successor is appointed and qualified, vice J. Frank Graff, Kittanning, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of California State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

William V. Campbell, 315 East Eleventh Avenue, Homestead, Allegheny County.
Daniel B. Swaney, 712 Morgantown Road, Uniontown, Fayette County.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified.

Mrs. Emma Guffey Miller, Wolf Creek Farm, Slippery Rock, Butler County.
Miss Florence F. Murrin, Butler, Butler County.

GEORGE M. LEADER.

MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank C. Forderer (Democrat), 2729 North Front Street, Philadelphia, Philadelphia County, for reappointment as a member of the Philadelphia County Board of Assistance,

until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jean K. Haupt, 125 East Center Street, Nazareth, Northampton County, for appointment as Justice of the Peace in and for the Borough of Nazareth, Northampton County, to serve until the first Monday of January 1958, vice Charles E. Knecht, deceased.

GEORGE M. LEADER.

ASSOCIATE JUDGE IN AND FOR THE COUNTY OF WYOMING

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest M. Pinnock, Meshoppen, Wyoming County, for appointment as Associate Judge in and for the County of Wyoming, until the first Monday of January 1958, vice Hon. Milton Stang, deceased.

GEORGE M. LEADER.

MEMBER OF THE FAYETTE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate (Reverend) William E. McClellan (Democrat), R. D. 1, Lemont Furnace, Fayette County, for appointment as a member of the Fayette County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Reverend Frederick D. Wilkes, Brownsville, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold T. Sipe, R. D. 2, Hollsopple, Somerset County, for appointment as Justice of the Peace in and for the Township of Conemaugh, Somerset County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel F. Hinkle (Republican), 112 Para Avenue, Hershey, Dauphin County, for appointment as a member of the Advisory Board on Problems of Older Workers, for a term of four years or until his successor is appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry M. Ludwick, Box 33, Delmont, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of New Salem, Westmoreland County, to serve until the first Monday of January 1958, vice M. F. Gosser, deceased.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John F. Marshall, 350 East Water Street, Lock Haven, Clinton County, for reappointment as a member of the Board of Trustees of Lock Haven State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Clarion State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified.

Edgar S. Hugus, Knox, Clarion County.
Francis Henry McCabe, 419 Ford Street, Ford City, Armstrong County.
H. Orland Payne, 11 North Seventh Street, Clarion, Clarion County.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Edinboro State Teachers' College,

until the third Tuesday of January 1963, and until their successors are appointed and qualified:

William P. Rose, Cambridge Springs, Crawford County. (Reappointment)

Mrs. Helen D. Rye, 15 Maple Drive, Edinboro, Erie County, vice Alfred L. Cochran, Edinboro, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Bloomsburg State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Howard R. Berninger, Mifflinville, Columbia County, vice Earl V. Wise, Berwick, whose term expired.

John H. Shuman, 54 East Main Street, Bloomsburg, Columbia County, vice Mrs Elsie A. Jones, Bloomsburg, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF INDIANA STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Indiana State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

R. Dudley Tonkin, Cherry Tree, Indiana County.

C. S. Weyandt, R. D. 1, Indiana, Indiana County.

James Hughes, 313 Forster Street, Greensburg, Westmoreland County.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22 ,1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Garrity, Deep Meadows Farm, R. D., Drums, Luzerne County, for appointment as a member of the Board of Trustees of East Stroudsburg State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Kutztown State Teachers' College until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Rev. John K. Stoudt, Leesport, Berks County, vice Dr. Samuel E. Rager, Kutztown, whose term expired.

Charles W. Eisenhard, 2323 South Third Street, Allentown, Lehigh County, vice Mrs. Harriet G. Blank, Allentown, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Millersville State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Ivan E. Newpher, Terre Hill, Lancaster County.

Nevin H. Hillegass, Leola, Lancaster County.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Scotland School for Veterans' Children, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

George R. Brindle, R. R. 1, Chambersburg, Franklin County.

I. Glenn Shively, 204 Lincoln Way West, Chambersburg, Franklin County.

Jacob W. Wineman, Richmond Furnace, Franklin County.

GEORGE M. LEADER.

GENERAL COMMUNICATIONS

REPORT OF PHILADELPHIA JUNE GRAND JURY'S FINAL PRESENTMENT

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

DISTRICT ATTORNEY'S OFFICE
ROOM 666 CITY HALL
PHILADELPHIA 7, PA.

(SEAL)

VICTOR H. BLANC
DISTRICT ATTORNEY

June 29, 1956

Harold Watkins
Secretary of the Senate
Capitol Building
Harrisburg, Pa.

Dear Sir:

Enclosed please find two copies of the Philadelphia June Grand Jury's final presentment. Its comprehensiveness, scope and quality merit state-wide recognition. I feel that at least parts of it are of special interest to you and the entire membership of the Senate.

Very truly yours,

/s/ Armand Della Porta

ARMAND DELLA PORTA
Assistant District Attorney
Chief, Indictment Division

Enclosures

(For Report of Philadelphia June Grand Jury's Final presentment see Appendix.)

REPORT OF PHILADELPHIA SEPTEMBER GRAND JURY'S FINAL PRESENTMENT

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

DISTRICT ATTORNEY'S OFFICE
ROOM 666 CITY HALL
PHILADELPHIA 7, PA.

(SEAL)

VICTOR H. BLANC
DISTRICT ATTORNEY

September 28, 1956

Harold Watkins
Secretary of the Senate
Capitol Building
Harrisburg, Pa.

Dear Mr. Watkins:

Enclosed please find two copies of the Philadelphia September Grand Jury's final presentment. Its comprehensiveness, scope and quality merit state-wide recognition. I feel that at least parts of it are of special interest to you and the entire membership of the Senate, when they reconvene.

Very truly yours,

/s/ Armand Della Porta
ARMAND DELLA PORTA
Assistant District Attorney
Chief, Indictment Division

Enclosures

P. S. This is the last letter you will be receiving from me on this subject, but the reports will keep on coming to you from my successor, Thomas Shiomos, since I have been promoted to the Trial Staff of this office.

(For Report of Philadelphia September Grand Jury's Final Presentment see Appendix.)

REPORT OF PHILADELPHIA NOVEMBER GRAND JURY'S FINAL PRESENTMENT

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

DISTRICT ATTORNEY'S OFFICE

ROOM 666 CITY HALL
PHILADELPHIA 7, PA.

(SEAL)

VICTOR H. BLANC
DISTRICT ATTORNEY

November 30, 1956

Lt. Gov. Roy E. Furman
President of the Senate
Capitol Building
Harrisburg, Pa.

Dear Sir:

Enclosed please find two copies of the Philadelphia November Grand Jury's final presentment. Its comprehensiveness, scope and quality merit state-wide recognition. I feel that at least parts of it are of special interest to you and the entire membership of the Senate.

Very truly yours,

/s/ Thomas Shiomos
THOMAS SHIOMOS
Assistant District Attorney
Chief, Indictment Division

Enclosures

(For Report of Philadelphia November Grand Jury's Final Presentment see Appendix.)

REPORT OF PHILADELPHIA DECEMBER GRAND JURY'S FINAL PRESENTMENT

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

DISTRICT ATTORNEY'S OFFICE
ROOM 666 CITY HALL
PHILADELPHIA 7, PA.

(SEAL)

VICTOR H. BLANC
DISTRICT ATTORNEY

January 4, 1957

Lt. Gov. Roy E. Furman
President of the Senate
Capitol Building
Harrisburg, Pa.

Dear Sir:

Enclosed please find two copies of the Philadelphia December Grand Jury's final presentment. Its comprehensiveness, scope and quality merit state-wide recognition. I feel that at least parts of it are of special interest to you and the entire membership of the Senate.

Very truly yours,

/s/ Thomas Shiomos
THOMAS SHIOMOS
Assistant District Attorney
Chief, Indictment Division

Enclosures

(For Report of Philadelphia December Grand Jury's Final Presentment see Appendix.)

REPORTS OF PHILADELPHIA MAY, 1955, JULY AND AUGUST 1956 GRAND JURY'S FINAL PRESENTMENTS

The PRESIDENT laid before the Senate, Reports of Philadelphia May, 1955, July and August 1956 Grand Jury's Final Presentments.

(For Reports see Appendix.)

REPORT FROM INDIANA HOSPITAL PURSUANT TO SECTION 13 OF THE ACT OF DECEMBER 22, 1951, P. L. 1726

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

INDIANA HOSPITAL

INDIANA, PENNSYLVANIA

August 1, 1956

The Honorable George M. Leader
Governor, Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

Dear Governor Leader:

Pursuant to Section 13 of the Act of December 22, 1951, P. L. 1726, the Indiana Hospital submits the following report:

1. The Indiana Hospital maintains and operates an approved School of Nursing and receives State-aid for the training of student nurses under Act 131 A of the 1951 General Assembly.

2. The undersigned is closely acquainted and in frequent communication with the Director of the School of Nursing, who is known to be not a subversive person. Said Director, being closely acquainted with all instructors and others employed in an official capacity with reference to the School of Nursing, has informed the undersigned that there are no subversive persons among them. The careful screening of character and reputation incident to appointment of instructors and others connected with the School of Nursing, and the regular and close relationship imposed among these by the very nature of their duties, precludes any of them being subversive without knowledge thereof coming to the undersigned.

3. The undersigned therefore sets forth unequivocally that Indiana Hospital has no reason to believe that there is in its employ any instructor or other person in any official capacity with reference to its School of Nursing who is a subversive person.

Copies of this report are being furnished to the President of the Senate and to the Speaker of the House of Representatives.

INDIANA HOSPITAL
ADELINE W. HAWXHURST, Admr.

HOSPITAL REPORTS PURSUANT TO SECTION 13 OF THE ACT OF DECEMBER 22, 1951, P. L. 1726

The PRESIDENT laid before the Senate, Reports from the Harrisburg Hospital, Latrobe Hospital, Wilkes-Barre General Hospital, The Lancaster General Hospital, Saint Joseph's Hospital, Abington Memorial Hospital, The Frankford Hospital, The Hahnemann Hospital, and Wyoming Valley Hospital, pursuant to Section 13 of the Act of December 22, 1951, P. L. 1726.

(For Reports see Appendix.)

EXPRESSING APPRECIATION TO THE 1955 SESSION OF THE GENERAL ASSEMBLY FOR LEGISLATION BENEFICIAL TO PITTSBURGH PUBLIC SCHOOLS

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

PITTSBURGH PUBLIC SCHOOLS
EARL A. DIMMICK, SUPERINTENDENT
PITTSBURGH 13, PA.

ADMINISTRATION BUILDING
BELLEFIELD AVENUE AT FORBES

July 26, 1956

Hon. Roy E. Furman
Lieutenant Governor
Commonwealth of Pennsylvania
Capitol Building
Harrisburg, Pennsylvania

My dear Mr. Furman:

On Tuesday, July 17, 1956, the Board of Public Education of the School District of Pittsburgh adopted a resolution expressing its appreciation to the 1955 Session of the General Assembly of Pennsylvania for legislation beneficial to this school district.

It is my privilege to transmit a copy of this resolution to you along with my personal thanks for the many new laws benefiting the public schools of Pittsburgh and the Commonwealth.

Sincerely yours,

/s/ Earl A. Dimmick
Superintendent of Schools

Enclosure

(For Resolution see Appendix.)

RESOLUTION 4—1956 EXTRA SESSION

GENERAL ASSEMBLY OF NORTH CAROLINA

The PRESIDENT laid before the Senate the following commnication, which was read by the Clerk as follows:

STATE OF NORTH CAROLINA

Department of State

TO all to whom these presents shall come, Greeting:

I, Thad Eure, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached (5 (Five) sheets) to be a true copy of Resolution 4—1956 Extra Session General Assembly of North Carolina the original of which is now on file and a matter of record in this office.

In Witness Whereof, I have hereunto set my hand and affixed by official seal.

Done in Office, at Raleigh, this 1st day of August in the year of our Lord 1956.

/s/ THAD EURE
Secretary of State

(SEAL)

(For Resolution see Appendix.)

NOTIFICATION OF SPECIAL CEREMONY

The PRESIDENT. The Chair wishes to announce at this time that the oath of office was administered in the Senate Chamber to the Honorable Anthony J. DiSilvestro, of the First Senatorial District, at a Special Ceremony on the fifteenth day of January 1957.

The transcript of these proceedings will be entered in the Legislative Journal as a Supplement.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MAJOR GENERAL, PENNSYLVANIA NATIONAL GUARD

Henry K. Fluck, Camp Hill, from May 23, 1956, until terminated.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

(Mrs.) Elinore R. Ridge, Morrisville, from August 20, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

Isadore A. Shrager, Philadelphia, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Thomas E. Priory, Bristol, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Emil J. Lever, Solebury, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Irving G. Schorsch, Feasterville, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

J. Carroll Molloy, Jr., Doylestown, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

Donald E. DeLacey, New Hope, from August 20, 1956, until the third Tuesday of January, 1959, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

REPORT FROM COMMITTEE

Mr. ELLIOTT, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 4, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

REPORT FROM THE JOINT STATE GOVERNMENT COMMISSION

BIENNIAL REPORT OF THE JOINT STATE GOVERNMENT COMMISSION, 1955-1957

Mr. RUTH submitted the following communication and report from the Joint State Government Commission.

The communication was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA

JOINT STATE GOVERNMENT COMMISSION
OF THE GENERAL ASSEMBLY

P. O. BOX 61

ROOM 450—CAPITOL BUILDING
HARRISBURG

January 22, 1957.

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith the Biennial Report of the Joint State Government Commission, 1955-1957.

Copies of this report for members of the Senate have been delivered to the Senate post office.

Respectfully submitted,

/s/ BAKER ROYER.
Chairman

(For Report see Appendix.)

BILLS INTRODUCED AND REFERRED

Messrs. PECHAN, KROMER and WALKER read in place and presented to the Chair Senate Bill No. 16, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," requiring excusing of children for non-attendance for treatment by physician, osteopath, optometrist or dentist.

Which was committed to the Committee on Education.

Messrs. PECHAN and WHALLEY read in place and presented to the Chair Senate Bill No. 17, entitled:

An Act authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles; authorizing the suspension of operators' licenses or permits of persons refusing to submit to a chemical test and making the results of the chemical tests admissible in evidence.

Which was committed to the Committee on Highways.

Messrs. WOLFE and PECHAN read in place and presented to the Chair Senate Bill No. 18, entitled:

An Act making an appropriation to the Department of Military Affairs for expenses of a civilian high-power rifle team to the annual High-Power National Rifle Matches presently held at Camp Perry, Ohio.

Which was committed to the Committee on Military Affairs and Aeronautics.

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 19, entitled:

An Act amending the act of June 19, 1913 (P. L. 534) entitled "An act relating to appointment of deputy constables," defining the jurisdiction of deputy constables.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 20, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for revocation of operators licenses for failure to stop on signal of a peace officer and exceeds the speed limit in an attempt to escape pursuit.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 21, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for suspension of registration of vehicles used in commission of a felony.

Which was committed to the Committee on Highways.

Mr. WATSON read in his place and presented to the Chair Senate Bill No. 22, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania at Doylestown, Pennsylvania.

Which was committed to the Committee on Agriculture.

Messrs. WATKINS, PROPERT, HARNEY and WATSON read in place and presented to the Chair Senate Bill No. 23, entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; . . ." prohibiting the imposition of wage income or occupation taxes on non-residents, and abolishing such taxes heretofore imposed.

Which was committed to the Committee on Local Government.

Messrs. SCOTT, VAN SANT, WHALLEY, KROMER, ELLIOTT, FLACK, WOLFE and WALKER read in place and presented to the Chair Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interstate bodies.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 25, entitled:

An Act amending the act of May 8, 1919 (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll-bridges over the Delaware River," providing members of the "Commission" shall serve without compensation.

Which was committed to the Committee on State Government.

Messrs. WADE and VAN SANT read in place and presented to the Chair Senate Bill No. 26, entitled:

An Act amending the act of April 27, 1927 (P. L. 450), entitled as amended "State Fire Marshal Law," further defining reports to be made by fire insurance corporations or associations.

Which was committed to the Committee on Insurance.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 27, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof.

Which was committed to the Committee on Highways.

Messrs. PECHAN, WADE, ELLIOTT and EHRGOOD read in place and presented to the Chair Senate Bill No. 28, entitled:

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, permitting citizens eighteen years of age or over to vote.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. STEVENSON, MALLERY, KOPRIVER, JR. and LANE read in place and presented to the Chair Senate Bill No. 29, entitled:

An Act amending the act of May 9, 1949 (P. L. 908), entitled "An act relating to public records of political subdivisions other than cities and counties of the first class . . ." authorizing county controllers to destroy or dispose of certain records and papers.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 30, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" providing for the disposition of certain unused Commonwealth license forms, tags, buttons and certificates in the possession of county treasurers.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 31, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law," defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 32, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 33, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law," authorizing certain political subdivisions to borrow money for improvements and equipment without the issuance of bonds.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 34, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050) entitled "Local Tax Collection Law," further regulating the collection of taxes and settlement of tax duplicates.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 35, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled, as amended, "The Fourth to Eighth Class County Assessment Law," imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "The Fourth to Eighth Class County

Assessment Law," providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect, and validating appeals heretofore heard.

Which was committed to the Committee on Local Government.

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 37, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for the assignment of the interest of lien holders.

Which was committed to the Committee on Highways.

Messrs. MULLIN and SEYLER read in place and presented to the Chair Senate Bill No. 38, entitled:

An Act amending the act of April 24, 1947 (P. L. 80), entitled, "Interstate Act of 1947," changing provisions with respect to illegitimates.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 39, entitled:

An Act fixing the number of Senators in the General Assembly of the State; apportioning the State into senatorial districts, as provided by the Constitution; providing for the election of and the term of office of the present and future elected Senators; and repealing inconsistent laws in respect thereto.

Which was committed to the Committee on Elections.

Mr. MULLIN read in his place and presented to the Chair Senate Bill No. 40, entitled:

An Act amending the act of April 24, 1947 (P. L. 80), entitled "Interstate Act of 1947," changing descent and distribution provisions when intestate is not survived by grandparents.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 41, entitled:

An Act amending the act of March 2, 1956 (P. L. 1211) entitled "Practical Nurse Law," providing alternative qualifications for licensure.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 42, entitled:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia; . . ." providing exclusive jurisdiction over alimony pendente lite in divorce actions.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 43, entitled:

An Act abolishing capitol punishment and providing for the substitution of a life sentence in lieu thereof.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 44, entitled:

An Act relating to and providing for the promotion and development of a State-wide recreation program in the Commonwealth; conferring powers and duties upon the Department of Recreation.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 45, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" establishing a Department of Recreation and defining its powers and duties.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 46, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, . . ." fixing the salary of the Secretary of Recreation.

Which was committed to the Committee on State Government.

Messrs. STIEFEL and MALLERY read in place and presented to the Chair Senate Bill No. 47, entitled:

An Act to further amend section 1122 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949" by changing the age at which boards may terminate the services of professional employes.

Which was committed to the Committee on Education.

Messrs. STIEFEL and WEINER read in place and presented to the Chair Senate Bill No. 48, entitled:

An Act amending the act of May 6, 1929 (P. L. 1551) entitled "An act authorizing cities of the first class to adopt and enforce zoning ordinances regulating and restricting the height location size bulk and use of buildings and/or land the areas to be occupied by buildings in proportion to the size of the lots upon which they stand the size of court yards and other open spaces appurtenant thereto . . ." regulating appeals based on invalidity of zoning ordinances.

Which was committed to the Committee on Local Government.

Messrs. STIEFEL and CAMIEL read in place and presented to the Chair Senate Bill No. 49, entitled:

An Act providing for regulation by the Public Utility Commission of charges made by owners and operators of parking lots and similar facilities imposing duties on the owners and operators and prescribing penalties.

Which was committed to the Committee on Corporations.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 50, entitled:

An Act providing for appellate review of sentences in criminal cases.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 51, entitled:

An Act amending the act of June 8, 1893 (P. L. 344), entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and testify against each other in certain cases" authorizing conveyances of separately owned real estate by married woman without joinder of her husband.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 52, entitled:

An Act providing for the creation of a commission to study and to report to the General Assembly upon the subject of the revision and amendment of the Constitution of this Commonwealth; prescribing its powers and duties; and making an appropriation.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also read in his place and presented to the Chair Senate Bill No. 53, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," changing provisions with respect to operating privileges of persons between sixteen and eighteen years of age.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 54, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing penalties for unlawful possession or importing of alcohol and liquor.

Which was committed to the Committee on Law and Order.

He also read in his place and presented to the Chair Senate Bill No. 55, entitled:

A Joint Resolution proposing an amendment to article one of the Constitution of the Commonwealth of Pennsylvania authorizing the Legislature to enact legislation providing for verdicts in civil cases to be found by vote of not less than five-sixths of number of jurors.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also read in his place and presented to the Chair Senate Bill No. 56, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 57, entitled:

An Act amending the act of May 11, 1911 (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures; . . ." to include instruments used in weighing serviced commodities.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 58, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to partially exempt veterans' real property from taxation.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also read in his place and presented to the Chair Senate Bill No. 59, entitled:

An Act authorizing the inspectors of weights and measures in cities of the first class to test all instruments and devices used in weighing or measuring of serviced commodities.

Which was committed to the Committee on Local Government.

Messrs. SCHMIDT and PECHAN read in place and presented to the Chair Senate Bill No. 60, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code" providing for the issuance of special registration plates to operators of amateur radio stations holding technician licenses.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. SCHMIDT asked and obtained unanimous consent to address the Senate.

Mr. SCHMIDT. Mr. President and Members of the Senate, I am about to introduce a perennial bill dealing with the incompatibility of office. This bill, which I am about to introduce, would make the elective offices of county and city and Membership in the Legislature incompatible. I have always felt that anyone holding an elective city or county office should not be eligible to sit in the Legislative Halls of this Commonwealth.

BILLS INTRODUCED AND REFERRED

Mr. SCHMIDT read in his place and presented to the Chair Senate Bill No. 61, entitled:

An Act amending the act of May 15, 1874 (P. L. 186), entitled "An act declaring what offices are incompatible," making elective county and city offices and membership in the legislature incompatible.

Which was committed to the Committee on State Government.

Messrs. SEYLER and RUTH read in place and presented to the Chair Senate Bill No. 62, entitled:

An Act granting ambulances, fire apparatus and certain other emergency vehicles free passage over all turnpikes and extensions thereof, under the supervision and control of the Pennsylvania Turnpike Commission.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, this bill which I am about to introduce is a rather controversial measure and one which has been introduced almost every year in the Legislature. It deals with the problem of the doctrine

that we have in Pennsylvania today whereby a person, himself, must first be free of any kind of negligence before he can recover in an injury which has been done to him.

Some of the other States have had the same type of problem and have decided that a more humane way and probably the moral way to handle this type of problem is to compare the amount of negligence the injured person has engaged in as opposed to the person who has done the injury, and arriving at some sort of a settlement based on the amount of negligence each party has committed during this controversial accident.

Mr. President, under the present doctrine in Pennsylvania, if you are not free of contributory negligence, regardless of how seriously you have been injured, regardless of how negligent the other person has been, you cannot possibly recover. As a matter of fact, most judges will not even let a jury consider the matter once they have determined that that situation exists.

In order to make our law a little more humane and to comply with the advanced thinking which has been taken up by the Bar Associations in Philadelphia, Pittsburgh and other counties across this State, and in behalf of the Pennsylvania and American Bar Associations, I am presenting this bill.

BILLS INTRODUCED AND REFERRED

Messrs. WEINER, DONOLOW, SCHMIDT, SILVERT, STIEFEL and KELMAN read in place and presented to the Chair Senate Bill No. 63, entitled:

An Act providing for the determination and effect of comparative negligence in actions of tort and providing that contributary negligence shall not bar recovery.

Which was committed to the Committee on Judiciary General.

Mr. YOSKO (By request of the School Directors in his District) read in his place and presented to the Chair, Senate Bill No. 64, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled, as amended, "Selective Sales and Use Tax Act," excluding certain school building contracts from the tax.

Which was committed to the Committee on Finance.

Messrs. KESSLER, STEVENSON and FLEMING read in place and presented to the Chair Senate Bill No. 65, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "State Employes' Retirement Law," extending the time within which State employes may become "original members."

Which was committed to the Committee on State Government.

Messrs. LANE and KALMAN read in place and presented to the Chair Senate Bill No. 66, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire land on which is located the Old Bradford House in the City of Washington, Washington County; providing for its repair; authorizing the conveyance thereof to the Washington County Historical Society; and making an appropriation.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, the bill I am about to present we feel will comply with the Supreme Court's decision when it held unconstitutional our Movie Censorship Law. We have been working on this for quite some time and the bureau feels that this bill will comply with the Supreme Court's decision. We hope to have movie censorship here in Pennsylvania again.

BILL INTRODUCED AND REFERRED

Messrs. LANE, MURRAY, McMENAMIN, DENT and DERK read in place and presented to the Chair Senate Bill No. 67, entitled:

An Act amending the act of May 15, 1915 (P. L. 534), entitled "Motion Picture Censorship Law," authorizing the disapproval of any reel, film or view which is obscene or incites to crimes of violence, prohibiting viewing by or exhibiting disapproved films, reels or views to certain minors, imposing penalties and repealing certain sections of the act.

Which was committed to the Committee on Law and Order.

RECESS

Mr. PECHAN. Mr. President, I request a five minute recess for the purpose of holding a meeting of the Committee on Local Government and the Committee on State Government.

The PRESIDENT, Is there objection? The Chair hears none, and declares a five-minute recess.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

PETITIONS AND REMONSTRANCES

Mr. DENT. Mr. President and Members of the Senate, at this time, I would appreciate an opportunity and the privilege to read a resolution which I intend to present on behalf of the Democratic Members of the Senate. It deals with a problem that appears to be in the public press at the moment.

"In the Senate, January 22, 1957.

"Whereas, there has been a great deal of newspaper space devoted to the administration of the special administration fund of the Bureau of Employment Security in the Department of Labor and Industry; and

"Whereas, there appears to be a great deal of misunderstanding concerning the functions of this Bureau and the relationship of the Bureau to the Unemployment Compensation Fund; and

"Whereas, this is a very important function of state government and one that is concerned with the public welfare; therefore be it

"Resolved that the President Pro Tempore of the Senate of Pennsylvania name a committee of four members to conduct an immediate investigation into all matters pertaining to this fund since its inception during the Session of 1945.

"The Committee shall have the power to issue Sub-

poenas under its hand and seal requiring and commanding any person or persons to appear before them and answer questions touching matters properly being inquired into and to produce such books, papers, records and documents as the Committee may deem necessary. Such Subpoenas shall have the force and effect of Subpoenas issued out of the Courts of this Commonwealth. The Committee shall have the power to administer oaths and affirmations to witnesses appearing before them. Any person who shall willfully neglect or refuse to testify before the Committee or to produce books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further resolved that the Committee make a report of its findings, together with its recommendations for appropriate legislation at the earliest possible date before the adjournment of this session of the General Assembly."

SENATE RESOLUTION REFERRED TO COMMITTEE

SENATE COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF THE SPECIAL ADMINISTRATION FUND OF THE BUREAU OF EMPLOYMENT SECURITY IN THE DEPARTMENT OF LABOR AND INDUSTRY SINCE ITS INCEPTION

Mr. DENT. Mr. President, I present to the Chair and ask for the immediate consideration of the resolution which I just read.

The PRESIDENT. Are there any objections? The Chair hears none.

The Senator from Westmoreland, Mr. Dent, requests unanimous consent for the immediate consideration of this resolution.

Mr. PECHAN. Mr. President, I object to the immediate consideration of the resolution.

The PRESIDENT. The Chair hears objection to the immediate consideration of the resolution.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. DENT. Will the Senate remain in Session in order that this resolution may be considered by the committee?

Mr. PECHAN. We had decided in the Republican Caucus —we may change our thinking because we did not know anything about this. Since this is a Democratic inspired and sponsored resolution, we knew nothing about it. We had decided that we would adjourn today until next Monday. I do not know whether this matter is world-shaking or whether it should be considered today. It might mean a great deal to your Party to have it considered today, but I do not see why we should stay here for the purpose of that resolution being considered today. However, I am just speaking for myself. I will be very happy to call a Caucus of the Republican Membership.

Mr. DENT. Thank you, Senator.

Mr. President and Members of the Senate, I think that I speak for the Democratic Caucus when I say that I resent the implication that this is only important to the Democratic Party. I think it is important to all of the people in the Commonwealth. It is important because of the many insinuations which have appeared in the newspapers. The people only receive the information that they get from the daily newspaper. I might state that I noted in one of the newspapers where they carefully went into the so-called character and the occupations of some of the persons on this payroll. I asked for a list of the employees on the payroll and I asked for a list of the preceding Administrations' employees on the payroll, and I found that although the newspaper said there was a Catholic Priest on the payroll, I find that under the Republicans there was a Protestant Minister. I do not know whether that is of importance or not; I only know that I do not know whether this is true. That is why we want to investigate.

I noted, too, that certain parties were castigated because it said that a man by the name of Anthony Martino, from 821 Camden Street, Philadelphia, was arrested thirteen times and he was on this payroll. I think it is important for the people to know that this man was put on the payroll under the Republican Administration and that he was a holdover during this Administration. I think that perhaps some innocent parties may be hurt in this matter. It is the kind of a question which demands immediate attention.

I do not know these citizens, but there are citizens here who deserve the consideration of this Senate, whose names have been blackened, whose characters have been questioned by insinuating articles that put them all in a situation whereby they are all drones or hypocrites, or men taking money without doing any work for it. I do not know that this is true. Neither does Senator Pechan or any other Senator on the floor know.

I think it is only fair that we go back through the records and open this matter up and study it. Let us see whether it is true that there was $700,000 in this fund when the immediate past Secretary of Labor and Industry took over. Let us find out whether there is over $1,117,000 in the fund now. If there is and that is the truth, then evidently these men must of done some work. I understand from the newspapers that this is a fund that the taxpayers participate in. I understand from this article that I have before me that that is not true. I understand that the moneys which are in this fund are made up from collections by these very persons from fraud, penalties and fines against those who would defraud the State Government, out of unemployment compensation moneys, by putting persons on unemployment compensation who do not deserve to be on there. I understand that the manner, the nature of the kind of work that is performed by these people is in sort of a confidential matter; that they go into places and do not expose who they are, do not identify themselves. By so doing, they act as sort of undercover agents, because you cannot catch fraud by parading the fact that you are a police officer or an investigator.

These things are important to the people, Mr. President. We should know the answers to them because we are Members of the Senate. Above everything else, this Senate must stand up for the rights of the citizens of this Commonwealth and find out whether they are being condemned rightfully or wrongfully. I do not know the answers to these question, and that is why I want to ask them. I want to ask them and the Members of the Democratic Caucus want to ask them. If the Republican Party wants to assume the responsibility of not going along with the resolution simply because we intended to delve into the matter, back to the inception of the fund and not only of its recent history of the last two years—we expect to go into the fund, back to its inception. We

expect to go over its payrolls, go over its collections and go over the entire matter of spending. Is it true that $911,000 was taken out of this fund under the previous Administration to pay for the fees and the ground upon which the Department of Labor and Industry Building was built? Is it true? I do not know. That appears in the report. Let us find out. The only way we can find out whether these funds were used rightfully or wrongfully is for this Body to institute an immediate investigation.

I would appreciate it if there would be an immediate Caucus of the Republican Members to take a responsible position in the matter. I informed the Acting Floor Leader on the other side of my intentions. I told him what was in the resolution and I told him then that I expected to ask for immediate consideration. He did not at that time tell me there would be anything but consideration for it.

Mr. PECHAN. Mr. President, I want to apologize for one thing. Perhaps my language was a little bit vague. However, I did not mean to infer that it was a Democratic problem or that we were not interested. It was probably the way I worded it that caused the distinguished gentleman from Westmoreland to misunderstand me.

Under no circumstances do I want to stifle any investigation. We are just as interested as the Members on the Democratic side. I feel that perhaps Republican Members should have co-sponsored that resolution. The President pro tempore is not present today and, therefore, he could not fulfill the intent of that resolution.

Mr. President, I will be very happy to call a Caucus of the Republican Members this evening and see what they want to do about giving that resolution immediate consideration. However, I do not see anything wrong with postponing it until next Monday. The Senator from Westmoreland mentioned a lot of things that I do not know to be true. We have received all sorts of rumors. We have not brought this thing out. We thought it was your Administration; it was one of your members. However, I am willing to call a Caucus of our group if you will allow us to have a five-minute recess.

Mr. DENT. Mr. President, I might say to the gentleman from Armstrong that if, when I told him we were going to introduce this resolution, he had intimated to me that they wanted to co-sponsor it, and even now, if you desire or if anybody on your side desires to co-sponsor it, we will be glad to have you as co-sponsors. I want to state to you that I do not know that these things are true any more than you know. That is the reason for the resolution.

RECESS

The PRESIDENT. The Senator from Armstrong, Doctor Pechan, asks for a recess of five minutes for the purpose of calling a Caucus of the Republican Members. Are there any objections? The Chair hears no objection, and declares a five-minute recess.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

The Senator from Westmoreland, Mr. Dent, offered a resolution and requested unanimous consent for its immediate consideration. Are there any objections?

Mr. PECHAN. Mr. President and Members of the Senate, after calling a Caucus, it was brought to our attention that a resolution was introduced in the House that called for a Joint Committee of the House and Senate to make that investigation. We feel that if it is going to be done on a bipartisan basis, then that is sufficient.

Therefore, Mr. President, I continue to object to the immediate consideration of Senator Dent's resolution.

Mr. DENT. Mr. President, it seems like we are destined eternally to be in the position where we do not have sufficient votes to give the people of Pennsylvania some good government here. However, if the resolution about which Senator Pechan is talking is coming over from the House, I might remind the gentleman that that resolution will be here if we wait long enough and we can pass it today.

I insist that we wait until the resolution comes over from the House. Did they pass it? The House did not pass the resolution and, of course, that does not stop us from working on this particular resolution.

As far as it being bipartisan, I do not think anything could be more bipartisan than a membership of four, two from each Party. The House resolution, as I understand it, only intends to delve into the manipulations or the handling, or whatever you may call it, of this fund during this Administration. We feel that that is not fair to the people of the Commonwealth and that it should go back into the operation of the fund, because the events that occurred before are related to the incidents that have now taken place. Therefore, the resolution ought to be here before us. If it is not here, I insist that we act upon this resolution if we can today.

Mr. PECHAN. Mr. President, I would like to correct the gentleman from Westmoreland. The resolution in the House calls for an investigation of the fund from its inception, from its very beginning. I do not known when that date occurred. I think it was in 1945. However, it does not only concern this present Administration.

As I understand it, no resolution is considered immediately in the House. It goes to the Rules Committee. Somebody just whispered to me that the House has adjourned.

Mr. President, I still insist on objecting to this resolution

MOTION FOR IMMEDIATE CONSIDERATION OF RESOLUTION

Mr. DENT. Mr. President, I move that the resolution be given immediate consideration.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. I ask for a roll call, Mr. President.

The PRESIDENT. The Senator from Westmoreland, Mr. Dent, asks for a roll call. The Clerk will call the roll.

Mr. FLEMING. Mr. President—

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Mr. Fleming.

Mr. FLEMING. Mr. President, I would request, may we be at ease for just a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

POINT OF ORDER

Mr. FLEMING. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman will state it.

Mr. FLEMING. Mr. President, I feel that the Minority Leader is out of order in making his motion. In my opinion, and by following the Rules of the Senate, when Senator Pechan objected to immediate consideration of the resolution, the Chair should have immediately referred the resolution to the proper committee.

Therefore, Senator Dent's motion is completely out of order.

The PRESIDENT. The Chair partially agrees with the gentleman from Allegheny, Mr. Fleming, that the gentleman's motion is out of order. However, the motion did have the intent of suspending Rule 39 which would have been the proper motion to have been made for immediate consideration of this resolution.

The Chair, therefore, rules that the motion made by the gentleman from Westmoreland, Mr. Dent, is out of order.

MOTION FOR ADJOURNMENT

Mr. DENT. Mr. President, I now move that the Senate do adjourn until 10:00 a. m., tomorrow morning, in order that we can wait for the resolution to come from the House since I am assured by the Republican leadership that it will be passed tomorrow. If it will be, then we should be here to receive it.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. FLEMING. Mr. President, I oppose the passage of this motion.

The PRESIDENT. The gentleman is out of order.

Mr. FLEMING. I would ask for a roll call, Mr. President.

Mr. DENT. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. FLEMING and Mr. DENT, and were as follows, viz:

YEAS—19

Camiel,	Kalman,	Murray,	Silvert,
Dent,	Lane,	Ruth,	Stiefel,
Derk,	McGinnis,	Sarraf,	Weiner,
Donolow,	McMenamin,	Schmidt,	Yosko,
Hays,	Mullin,	Seyler,	

NAYS—20

Ehrgood,	Kromer,	Scott,	Walker,
Elliott,	Madigan,	Stevenson,	Watkins,
Flack,	Mallery,	Van Sant,	Watson,
Fleming,	Pechan,	Wade,	Whalley,
Kessler,	Propert,	Wagner,	Wolfe,

So the question was determined in the negative.

Mr. DENT. Mr. President, I do not want the Senate to think that this was just an idle gesture to waste time. I want it clearly on the record that the Democraic Members are not fearful of any investigation and, therefore, voted to have an investigation of this particular fund. I do not know why the Republicans voted "no."

Mr. PECHAN. Mr. President, I have been in this Senate for eight years and I cannot recall anything, to my mind, any sillier than to have three investigations at one time. The Governor is having an investigation of this fund, the House wants to have a joint investigation and now the Democratic Members of the Senate want to have one. It just does not make sense. We are for it; we want to investigate this fund. We are just as interested as you are. We have nothing to hide. However, I cannot understand why everybody wants to get into the act. The Governor says he is having an investigation; the House introduced a resolution today to make it a joint investigation; now the gentleman from Westmoreland would like to introduce a resolution in order for the Democrats to have an investigation. It just does not make sense.

Mr. DENT. Mr. President, am I to assume that any matters that the Governor decides to investigate will not be investigated by the Senate.

Incidentally, I have no knowledge of the House Resolution other than what the gentleman told me. It is awful nice for him to wave it at me. I can wave papers, too. This is a resolution from the Lions Club of West Philadelphia, but you do not know that it is.

Mr. President, this is not an idle gesture nor is it silly, as the gentleman would call it. It is not silly when some twenty men have been publicly denounced in the public print. I do not think it is silly to ask for an immediate investigation. I will go along with you and say that we do not investigate in the Senate. Then why do you not stay over until tomorrow and get the House Resolution if you are favorable to it?

You say you are for it. You are for it, but not today, not tomorrow but when it suits your fancy. Are you sure the House is going to pass the resolution? What assurance do you have? I do not say that the House will or will not pass it. I am responsible to the people of Pennsylvania for my actions in this Senate and not for what the House does nor for what the Governor does. It is my duty here, as a Senator, to bring to the public the problems that I think are pertinent to the public welfare. I think it is pertinent to the public welfare to investigate this matter. It has been bandying about in the newspapers all over Pennsylvania for more than a week. If we would have been in Session last week. I would have introduced a resolution last week on behalf of the Democrats. I now ask your cooperation and ask you to co-sponsor it with me, if you so desire.

It is not a Democratic investigation because we do not feel that it is a Democratic crime, if that is where you want to place it. We believe that this department has been handled all along in the same manner that it is now being handled. We believe that from the records we have obtained, there is no difference in the handling of that fund today than there was two years ago, three years ago, five years ago or back to 1945. If there is any difference in it, there is one difference that you should take into consideration and that is that more money has been accumulated in this two-year period than any other two-year period, except at the early beginning of the fund. I think that these are pertinent facts that he people should know.

I am not opposed to the House Resolution. However, how can you act on it if you refuse to be here tomorrow?

We tell the people we are going to work diligently, we are going to work hard during this Session; that it is not going to be one of those lackadaisical things where no one works and just passes the time away. What are we

doing here today? We have not taken any action which is beneficial to the people whatsoever. This is the only concrete thing that has come before this Session. We may as well have stayed home or gone to Florida for that matter. There is no crime against staying overnight until tomorrow morning. It is absolutely right that we should stay until tomorrow morning to see what is in this resolution.

Yes, you have a confidential copy. That must be a Republican resolution. We did not even get to see it or know about it until you read it to us. Since when has the House started sending messages to the Republican Floor Leader and not to the Chair? If it is a matter of concern to the Senate, then it should be sent to the Chair so we would know of it.

If you are in possession of confidential matters, then you should come over, as we always have done, and discuss the matter before you break it on the floor.

I did not know that a resolution was introduced in the House. I do not know at this moment that it was introduced in the House. I do not know that the House is going to pass that resolution. However, I know that if they do pass it tomorrow, I would like to be here to take advantage of the position that I find myself in to vote for that resolution coming from the House. I am not particular about which resolution passes. All I say to you is that a great number of citizens of this State have been maligned, maybe rightfully so, I do not know, but perhaps they have been maligned wrongfully. If so, then it is worth my day or your day, my night or your night, to prove innocent those who are innocent, and to find guilty those who are guilty.

Mr. PECHAN. Mr. President, I have a copy of the resolution which was introduced in the House and it certainly is no secret. I did not know it was introduced. Had I known that such a resolution had been introduced, I would not have called a Caucus of my Membership.

On my way to the Caucus, I was told that a similar resolution was introduced in the House, and on my way to the telephone I happened to see the gentleman who introduced it and he gave me a copy. It was introduced by a Republican.

I am not waving a Lions Club pamphlet, and I want to read for the gentleman's edification just one section of this resolution and that, I think, satisfies us and it should satisfy Senator Dent and his colleagues.

"Resolved, (the Senate concurring), That a committee of seven members of the General Assembly be created."

Now, Mr. President, we are not the House of Lords. The gentleman suggested that we should have an investigation and he said he does not care what they do in the House, but I do because we usually have to concur in what they do. I quote further:

"That a committee of seven members of the General Assembly be created; four from the House of Representatives to be appointed by the Speaker and three from the Senate to be appointed by the President Pro Tempore whose duty it would be to thoroughly investigate all present and prior"—and prior—"activities of the Bureau of Employment Security of the Pennsylvania Department of Labor and Industry;" and so forth, and so forth.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. LANE. Senator Pechan, you said there would be three appointed from the Senate, is that correct?

Mr. PECHAN. I believe that is what the resolution, which the Minority Leader has in his hand, says.

Mr. LANE. Then it would be strictly nonpartisan; two Republicans and one Democrat, is that right?

Mr. PECHAN. I do not know. I am not the President pro tempore.

Mr. LANE. However, you know how he generally appoints them, do you not; and you agree to that, do you not?

Senator Pechan, the other question I would like to ask you is this. What is wrong with our resolution? If you want to make it concurrent, if you want to include the House, it is all right with us, and so why not take the resolution as it is and amend it and include the House?

How do you know the House is going to pass their resolution? Do you know whether the House is going to pass their resolution?

Mr. PECHAN. Are you asking me a question?

Mr. LANE. I am asking you a question; two of them as a matter of fact.

Mr. PECHAN. Well, I did not pay much attention to the first one because I am not the President pro tempore and I do not know what the appointments are going to be.

Mr. LANE. But you have a good idea—go ahead.

Mr. PECHAN. I would not know whether the House is going to pass their resolution any more than I would know whether the House is going to concur in the resolution that the gentleman from Westmoreland introduced.

Mr. LANE. Well, what is wrong with amending our resolution and making it concurrent?

Mr. PECHAN. The thing that I do not understand is why should there be three investigations? The Governor—do you not trust your Governor?

Mr. LANE. That is beside the point. The Senate of Pennsylvania does not have to cape for anyone.

Doctor, do you trust him?

Mr. PECHAN. Do I trust Governor Leader? Are you going to hold it against me if I give you a truthful answer?

Mr. LANE. We never hold anything against you; go right ahead. We are waiting.

Mr. PECHAN. Let us be sensible.

Mr. LANE. I am glad to hear you make that statement. I have been trying all afternoon to be sensible with you. I want to find out from you just why you oppose this resolution, because you tell me that you are not sure that the House is going to pass theirs and yet you, and we on the Democratic side, are in agreement on this resolution, so why not pass it and amend it?

Mr. PECHAN. I do not like to be repetitious. I did tell you, if you were listening.

Mr. LANE. I was listening but it was not very clear.

Mr. PECHAN. I do not think we should have three investigations. The Governor—

Mr. LANE. How do you know we are going to have three? You told me that the House may not pass theirs.

Mr. PECHAN. I do not know what the House is going to do with their resolution. They have to send their resolution to the Rules Committee and whatever the Rules

Committee does with that resolution will be considered here when it is sent over to the Senate. Let me assure you that the Republican Membership will go along with the House Resolution and we have twenty-seven votes over here for that.

Mr. LANE. What if it does not pass? Will you go along with our resolution?

Mr. PECHAN. Oh, definitely.

Mr. LANE. Is that a promise now? You will go along with ours if the House does not pass their resolution. Is that a promise?

Mr. PECHAN. That we will have an investigation?

Mr. LANE. That you will go along with our resolution?

Mr. PECHAN. The boys are telling me, "You speak for yourself, Pechan." Well, for myself I am speaking and I say, "Yes, I will go along."

Mr. LANE. Oh, you will?

Mr. PECHAN. Yes; I will even co-sponsor it with John Dent.

Mr. LANE. Do you think you ought to call Florida to check up and find out whether you should agree or not?

Mr. PECHAN. I do not know Governor Collins.

Mr. LANE. I thank the gentleman, Mr. President, I can see I am getting nowhere fast.

Mr. President, seriously speaking, I feel this is a responsibility of every elected official. Where there are any charges of misuse of public funds, I think it is our responsibility. We have taken an oath of office to do the right thing and to protect the Commonwealth of Pennsylvania. Politics should not be in this thing and we should make an impartial, thorough investigation and the chips should fall where they may. All this subterfuge is holding us up to ridicule because, in my humble opinion, I do not believe that the Republican leaders want this investigation.

Mr. DENT. Mr. President, I understand that the gentleman has commmitted the Republican Senators to vote on the House Resolution. I wonder how many Republican Senators know what it says. Do you men on the other side agree that a preliminary investigation held by the Pittsburgh Post-Gazette and the Philadelphia Inquirer has revealed that the Bureau of Employment Security in the Department of Labor and Industry is staffed by persons whose records and conduct make them manifestly unfit for public service; and

"WHEREAS this investigation has also revealed the extravagant and ill-advised use of a $1,700,000 Special Administrative Fund for paying and maintaining these personnel."

Do you mean to tell me that you go along with these whereas clauses, and that these whereas clauses are your thinking in the matter? Do you go along with charges made in this resolution as being fact? You condemn these people without a trial? How can you vote for this resolution when it says in a positive sense that, whereas an investigation was held by the Pittsburgh Post-Gazette and the Philadelphia Inquirer revealing that these men are unfit for their jobs; that a man here had thirteen arrests and is also in business as a fuel oil dealer and on the payroll; that an investigator holds two jobs in private industry and receives a salary? Do you know that to be a fact? You go along with these whereas clauses?

We did not condemn anybody, Mr. President. We did not point a finger of guilt at any person. We still believe that we have not reached that stage that has hit Russia for so many years where men are condemned without trial.

You state in these whereas clauses, and you say to this Senate, that you are going to go along with this resolution when you specifically state that these men are unfit for office, unfit for public service; that there has been a misuse of the funds. How do we know there has been a misuse? You cannot pass a resolution stating this to be a fact and then say you are going to have an investigation. When you have an investigation, sir, you take the position that all persons in this Country are innocent until proven guilty.

I hate to see the day come when you will ask me to vote for a resolution based upon newspaper articles.

Mr. President, maybe I am an unfit Member of this Senate, but I have never received a solitary editorial or a comment of good will in the twenty-two years that I have been in this Senate of Pennsylvania, and maybe that ought to condemn me to not being a Member of this place because they do not like me. Of course, the fact that they are Republican newspapers may have something to do with the fact that they do not write nice things about me. Nevertheless, sir, you cannot condemn these people without a hearing and I will not support this resolution in its present writing or in the positive statements it makes. Maybe everything they say is true, and maybe an investigation will prove that it is true, Mr. President, but I cannot subscribe to the new philosophy of government that these men are guilty without a trial.

You lawyers on the other side, you educators on the other side that pride yourselves in teaching the youth of this State of ours, do you believe that you can vote for this in the American tradition and under the American rights?

Let us wait until tomorrow, Mr. President, and let us see what comes over from the House and then let us either amend it or reject it.

Mr. President, all we are asking for is an impartial investigation, because it applies to both political parties and their administration and not to one political party.

I am ashamed that any Member would blindly say that he vould vote for this resolution with these condemnations in it without a trial either by jury or his peers.

POINT OF INFORMATION

Mr. LANE. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Washington, Mr. Lane, will state it.

Mr. LANE. Mr. President, are we on the order of business of resolutions?

The PRESIDENT. No sir, we are on the order of business of Petitions and Remonstrances.

Mr. LANE. Thank you.

The PRESIDENT. There are objections to the immediate consideration of the resolution offered by the Senator from Westmoreland, Mr. Dent. The Chair refers the resolution to the Committee on State Government.

Mr. DENT. Mr. President, I have here correspondence dealing with a very serious situation, and I think it should be made a part of the record. I do not know what we can do about it. It is a very important issue; it is an issue which the Lions Clubs of the Commonwealth of

Pennsylvania are very disturbed about. It deals with the moneys made available under Public Law No. 565 with matching funds from the Commonwealth.

This petition states that:

"The Pennsylvania Legislature, in its last Session, approved and appropriated the money for the balance of the one-quarter to one-third of the total cost of such projects"; these projects being the "rehabilitation services or expanding sheltered workshop buildings to make it possible to employ more blind people."

The petition reads further as follows:

"Despite this, the Department of Welfare, State Council for the Blind, has notified all agencies in Pennsylvania that they are unable to consider financial support of these projects so important to the blind."

The thing that worries me is that in this petition it states—I cannot say that it is so; I am just stating what the petition says—that:

"The State funds will revert to the General Fund if they are not allocated by next May 31."

It states further that:

"For all practical purposes the deadline for their allocation is February 1957."

I am just wondering whether we should not take some appropriate action to at least look into this matter since the Legislature felt that it was important enough to pass the necessary appropriation two years ago.

Therefore, Mr. President, I present this petition to the Chair and ask that it be included in the Journal and the original copy returned to me for my files.

Mr. PECHAN. Mr. President, did the gentleman from Westmoreland request any immediate action on this?

The PRESIDENT. No action was requested.

Mr. DENT. Appropriate action; that calls for an investigation, I will let you make the motion this time because I do not have the votes to pass it.

Mr. PECHAN. Mr. President, I have similar requests from Lions Clubs in my area. It poses a problem, and I am like the gentleman from Westmoreland in thinking that something should be done. Perhaps he and I can get together, when we return next Monday, and take appropriate action.

Mr. DENT. We are going to have a busy day Monday.

REPORTS FROM COMMITTEE

Mr. WOLFE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOLFE, from the Committee on State Government, reported as committed, Senate Bill No. 1, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1987) and making an appropriation," and for the repair, improvements or additions of certain sewage treatment plants.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 11, entitled:

An Act relating to and regulating atomic development activities within the Commonwealth; providing for the appointment of a Coordinator of Atomic Development Activities and fixing his duties and salary; and requiring certain departments and agencies to make continuing studies and recommendations relative to atomic industrial development.

SENATE CONCURRENT RESOLUTION
REFERRED TO COMMITTEE

JOINT COMMITTEE TO INVESTIGATE ALL ACTIONS OF THE BOARD OF PARDONS SINCE JANUARY 1, 1953

Messrs. RUTH, YOSKO, SILVERT and DENT, offered the following resolution which was twice read and referred to the Committee on State Government:

In the Senate, January 22, 1957.

Public interest has arisen concerning the activities of the Board of Pardons. In order to promote a more effective understanding of the work of the Board of Pardons and the functions entrusted to it, therefore be it

Resolved (the House of Representatives concurring), That the President pro tempore of the Senate appoint three mmbers of the Senate and the Speaker of the House of Representatives appoint three members of the House who together shall constitute a joint committee and be authorized and directed to make an immediate investigation of all actions since January 1, 1953, of the Board of Pardons in connection with the pardon, parole or commutation of sentence of persons convicted of crimes. The committee shall have the power to issue subpoenas under its hand and seal requesting and commanding any person or persons to appear before it and answer questions touching matters properly being inquired into and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of courts of this Commonwealth. The committee shall have power to administer oaths and affirmations to witnesses appearing before it. Any person who shall wilfully neglect or refuse to testify before the committee or to purchase any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases, and be it further

Resolved, That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed sixty days.

REQUEST THAT PETITION BE PRINTED IN JOURNAL WITHDRAWN

Mr. DENT. Mr. President, a suggestion has been made that I withdraw my request at this time for the petition which I just submitted to appear in the Journal. I would suggest that it appear in the Appendix to the Journal, however, as a matter of record of the Senate.

I would ask the Chair to refer that letter for suitable action to the Committee on Public Health and Welfare in order that that Committee may, if it so desires, design the necessary steps that have to be taken to correct what appears to be an injustice.

The PRESIDENT. There being no objection, at the request of the gentleman from Westmoreland, Senator Dent, the letter will be printed in the Appendix to the Journal, and will be referred to the Committee on Public Health and Welfare.

SENATE CONCURRENT RESOLUTION
TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, January 22, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, January 28, 1957, at three o'clock p. m., E. S. T. and when the House of Representatives adjourns this week, it reconvene on Monday, January 28, 1957, at four-thirty o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

REFERRED TO COMMITTEE

SUGGESTING THAT ANY STATE-AIDED COLLEGE OR UNIVERSITY IN THE COMMONWEALTH OF PENNSYLVANIA SHOULD NOT PARTICIPATE IN ANY ATHLETIC PROGRAM WITH ANY OTHER COLLEGE OR UNIVERSITY IN THE UNITED STATES WHICH PRACTICES SEGREGATION

Messrs. DONOLOW, KALMAN, SILVERT and WEINER, offered the following resolution which was twice read and referred to the Committee on Education:

In the Senate, January 22, 1957.

It is reported that certain universities and colleges in the south are practicing segregation in their athletic programs.

These southern colleges and universities have ruled that their athletic teams should not participate with any university or college having Negro players. Many of Pennsylvania-supported colleges and universities participate in sports with such colleges and universities operating under these restrictions; therefore be it

Resolved, That the Senate go on record as strongly suggesting that any college or university in the Commonwealth of Pennsylvania which receives State aid should not participate in any athletic program with any other college or university in the United States which practices segregation or prohibits their teams from participating with colleges or universities which have Negro members; and be it further

Resolved, That copies of this resolution be transmitted to all the State-aided colleges and universities in the Commonwealth of Pennsylvania.

SENATE CONCURRENT RESOLUTION

REFERRED TO COMMITTEE

JOINT COMMISSION TO MAKE A THOROUGH STUDY AND EXAMINATION OF THE JUDICIAL SYSTEM IN THIS COMMONWEALTH

Mr. DONOLOW offered the following resolution which was twice read and referred to the Committee on Judiciary General:

In the Senate, January 22, 1957.

The courts in our Commonwealth are being faced with a tremendous backlog of untried civil and criminal cases. One explanation may be that there has been very little change in our judicial system in the Commonwealth since Colonial days.

The increase in population through the years, the improvement of economic and financial conditions and the large expansion of commercial and industrial activity, has brought a great increase in legal action in both the civil and criminal divisions. Thus a tremendous backlog is developing year after year with the result that cases are not being disposed of with the rapidity they should be. This condition is due to the great modern demands that have arisen as a result of our progress. It becomes necessary to reorganize the judicial system so that it can meet modern demands and also be put on an efficient and business like basis.

In some instances, the backlog of criminal cases has developed into approximately five thousand and the civil approximately six thousand. Our judges have so many duties sitting on both criminal and civil cases that it becomes almost impossible to keep up to date. In many nonbail criminal cases, in some jurisdictions, the defendants are not tried as promptly as they should be and some are held in prison untried for as long as eight to nine months.

If this problem is not met and solved as quickly as possible, we may find in the not too distant future that the entire judicial system of this Commonwealth may break down; therefore be it

Resolved (the House of Representatives concurring), That the President pro tempore of the Senate appoint five members of the Senate, the Speaker of the House appoint five members of the House and the Governor appoint five members from the judiciary who, together, shall constitute a joint commission to make a thorough study and examination of the judicial system in this Commonwealth; and be it further

Resolved, That the commission shall hold public hearings, undertake such study, inquiries and surveys or analyses as it may deem relevant either through its own personnel and employes or in cooperation with other public or private agencies; and be it further

Resolved, That the commission shall from time to time but not later than one year subsequent to the date of its appointment, report to the Governor and the General Assembly, its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

SENATE RESOLUTION REFERRED TO COMMITTEE

DIRECTING THE LOCAL GOVERNMENT COMMISSION TO MAKE AN INVESTIGATION ON THE PROBLEM OF RISING COSTS OF RECORDING LEGAL DOCUMENTS

Messrs. LANE, McMENAMIN and DONOLOW offered the following resolution which was twice read and referred to the Committee on Local Government:

In the Senate, January 22, 1957.

It has come to the attention of the Senate that the cost of recording deeds, papers for estates, and all other legal documents has been steadily rising.

It is contended, that these costs in the Commonwealth are much higher than in most other states of the Union.

The matter of rising costs of recording legal documents constitute a great burden upon the ability of small estates and less affluent persons to pay; therefore be it

Resolved, That the Local Government Commission be directed to make a thorough study and investigation on the problem of rising costs of recording legal documents. The Commission should compare the costs of administering comparable recording services in other states and should consider the impact that these costs have upon smaller estates and persons in lower income brackets, and be it further

Resolved, That the Local Government Commission submit a report to His Excellency the Governor and to the Senate of its findings and recommendations, with drafts of legislation necessary to carry these recommendations into effect.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of he House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETNG

In the Senate, January 22, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, January 28, 1957, at three o'clock p. m., E.S.T.

and when the House of Representatives adjourns this week, it reconvene on Monday, January 28, 1957, at four-thirty o'clock p. m., E.S.T.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asken and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MAJOR GENERAL, PENNSYLVANIA NATIONAL GUARD

Henry K. Fluck, Camp Hill, from May 23, 1956, until terminated.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE WASHINGTON CROSSING PARK COMMISSION

(Mrs.) Elinore R. Ridge, Morrisville, from August 20, 1956, until the third Tuesday of January 1959, and until her successor shall have been appointed and qualified.

Isadore A. Shrager, Philadelphia, from August 20, 1956, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

Thomas E. Priory, Bristol, from August 20, 1956, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

Emil J. Lever, Solebury, from August 20, 1956, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

Irving G. Schorsch, Feasterville, from August 20, 1956, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

J. Carroll Molloy, Jr., Doylestown, from August 20, 1956, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

Donald E. DeLacey, New Hope, from August 20, 1956, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. WATKINS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MURRAY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) and making an appropriation," and for the repair, improvements or additions of certain sewage treatment plants.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 4, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 11, entitled:

An Act relating to and regulating atomic development activities within the Commonwealth; providing for the appointment of a Coordinator of Atomic Development Activities and fixing his duties and salary; and requiring certain departments and agencies to make continuing studies and recommendations relative to atomic industrial development.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SUPPLEMENT

In the Senate, January 15, 1957.

Pursuant to notification, Hon. Anthony J. DiSilvestro, of the First Senatorial District, elected at the General Election held on November 6, 1956, presented himself in the Hall of the Senate on January 15, 1957, when the oath of office was administered to him, the President of the Senate, Lieutenant-Governor Roy E. Furman, presiding.

The PRESIDENT (Roy E. Furman) in the Chair.

The PRESIDENT. This meeting has been called today to enable Senator-elect Anthony J. DiSilvestro to take the oath of office in the Senate Chamber in accordance with the Constitution of Pennsylvania.

The returns certifying the election of Senator-elect DiSilvestro were read on the opening day of the Session and are part of the record for that day.

Senator-elect DiSilvestro will please stand in front of the rostrum in order that the oath of office may be administered.

(Senator-elect Anthony J. DiSilvestro approached the rostrum.)

The PRESIDENT. We are privileged to have with us today the Honorable William H. Neely, President Judge of the Court of Common Please of Dauphin County, who will now administer the oath.

The Chair now presents Judge Neely.

(The oath of office was administered.)

The PRESIDENT. The Chair wishes to extend the sincere thanks of the Senate to Judge Neely for taking time out from his busy schedule to come to the Capitol today and render this special service.

The Chair would also like to congratulate Senator DiSilvestro and sincerely wish him a speedy recovery from his illness so that we may once again enjoy his presence here in the Senate of Pennsylvania.

Are there any further remarks? There being no further remarks, the Chair directs the Chief Clerk to have the proceedings of this meeting entered in the Legislative Journal when the Senate shall next convene in Session.

The purposes for which this meeting was called having been accomplished, the Chair now declares the meeting adjourned.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Monady, January 28, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:16 o'clock, p. m., Eastern Standard Time, until Monday, January 28, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, January 22, 1957

The House met at 4:30 p. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend E. C. Irwin, Pastor of the Ford City Presbyterian Church, Armstrong County, guest Chaplain, offered the following prayer:

Eternal God, under whose providence we claim the right of self-government as children of God, bless this legislative body here assembled. By the voice of a free electorate they have been chosen as a House of Representatives in this Commonwealth. Since by them the peoples of this State shall be guided and governed give to them that guidance of Thy Spirit which shall make this session of the Legislature a worthy one; worthy of the trust and power committed to them, and worthy in Thy sight to enact those laws and establish those policies that shall be just and right, honorable and enduring. May it please Thee so to direct and prosper all their deliberations that the safety, honor, education, health and welfare of the peoples of this Commonwealth may be advanced to Thy glory. We humbly ask in the name of Jesus Christ, our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Tuesday, January 1, Monday, January 7 and Tuesday, January 8, 1957? If not, and without objection, the Journals are approved.

ELIZABETHTOWN AREA HIGH SCHOOL STUDENTS WELCOMED

The Chair welcomes to the Hall of the House the Senior Class of the Elizabethtown Area High School under the direction of their teacher, Mr. Daniel Hoopert.

BILLS INTRODUCED AND REFERRED

By Messrs. BELL and DAVIS HOUSE BILL No. 17

An Act amending the act of July 12, 1935 (P. L. 677) entitled "An act to fix the status of officers and employes of the Commonwealth and political subdivisions thereof while in training with the armed forces of the United States," including members of the United States Coast Guard Reserve.

Referred to the Committee on State Government.

By Mr. LIPPINCOTT HOUSE BILL No. 18

An Act requiring bills introduced in the General Assembly to be printed with punctuation.

Referred to the Committee on State Government.

By Messrs. STRAUSSER and MAGEE
HOUSE BILL No. 19

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," directing the issuance of special registration plates for suburban motor vehicles, and prescribing the fee thereof.

Referred to the Committee on Motor Vehicles.

By Mr. THOMAS H. W. JONES and Mrs. HENZEL
HOUSE BILL No. 20

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," imposing alternative penalties for illegally passing school buses.

Referred to the Committee on Motor Vehicles.

By Mr. THOMAS H. W. JONES HOUSE BILL No. 21

An Act amending the act of June 26, 1895 (P. L. 333) entitled "An act to authorize occupants of real estate in cities and boroughs of the Commonwealth to employ night watchmen, with the approval of the court of quarter sessions of the proper county or of the Director of the Department of Public Safety in any city having such a department and conferring upon the night watchmen thus employed, all rights, privileges and powers of constables and policemen duly elected or appointed in such cities or boroughs," authorizing the appointment of day watchmen.

Referred to the Committee on Judiciary Special.

By Mr. BRENNAN HOUSE BILL No. 22

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," prohibiting the imposition of wage, income or occupation taxes on nonresidents, and abolishing such taxes heretofore imposed.

Referred to the Committee on Municipal Corporations.

By Mr. LIPPINCOTT HOUSE BILL No. 23

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," authorizing courts to determine and make orders with respect to visitation rights of parents.

Referred to the Committee on Judiciary Special.

By Mr. DUNN HOUSE BILL No. 24

An Act for the establishment of uniform standards of time throughout the Commonwealth, and repealing certain laws inconsistent therewith.

Referred to the Committee on State Government.

By Mr. CURWOOD HOUSE BILL No. 25

An Act amending the act of June 21, 1939 (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," increasing time from last employment in an occupation or industry in which compensable injury or death may occur.

Referred to the Committee on Labor Relations.

By Messrs. MULDOWNEY and BRUCKER HOUSE BILL No 26

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the suspension of operating privileges of persons committed for court on charges of operating motor vehicles while under the influence of intoxicating liquor and imposing duties on magistrates.

Referred to the Committee on Motor Vehicles.

By Messrs. IDE, RAGOT and MOYER HOUSE BILL No. 27

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," permitting courts to grant club licenses to desirable applicants despite the limitations of the quota provisions of the law.

Referred to the Committee on Liquor Control.

By Mr. THOMAS H. W. JONES and Mrs. HENZEL HOUSE BILL No. 28

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," prescribing powers of magistrates and committing magistrates in traffic courts in summary proceedings involving certain juveniles, providing in certain cases for reports by magistrates and committing magistrates in traffic courts to juvenile courts and for appeals to juvenile courts.

Referred to the Committee on Judiciary.

By Messrs. STONE and LIPPINCOTT HOUSE BILL No. 29

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and muncipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Referred to the Committee on Municipal Corporations.

By Mr. AGNEW HOUSE BILL No. 30

An Act amending the act of May 5, 1911 (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," providing for action of the court sitting in banc in cases of desertion and nonsupport.

Referred to the Committee on Judiciary.

By Mr. AGNEW HOUSE BILL No. 31

An Act amending the act of May 5, 1911 (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its power and duties; regulating the procedure therein, and providing for the expenses thereof," requiring hearings in cases of desertion and nonsupport to be open to the public, except at the discretion of the judge when the parties agree the public shall be excluded.

Referred to the Committee on Judiciary.

By Messrs. RAGOT, MOYER and IDE HOUSE BILL No. 32

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing unnaturalized foreign-born residents to own or possess dogs.

Referred to the Committee on Game and Conservation.

By Mrs. MARKLEY and Messrs. ASHTON and GOODLING HOUSE BILL No. 33

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

Referred to the Committee on Ways and Means.

By Mr. GOODLING HOUSE BILL No. 34

An Act relating to the distribution, sale or transportation of deficient or misbranded insecticides, fungicides, rodenticides and other pesticides regulating traffic therein; providing for registration and examination of such materials and imposing penalties.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. THOMAS H. W. JONES and BRENNINGER HOUSE BILL No. 35

An Act authorizing the licensing of bona fide veterans, charitable, educational, religious or fraternal organizations, civic and service clubs, and volunteer fire companies to hold, operate and conduct games of chance for prizes of and restricted to the selling of shares or tickets or rights to participate in and the awarding, drawing or allotment of prizes in the specific kinds of games of chance commonly known as raffles, conducted by the drawing for prizes or the allotment of prizes by chance, or any one or more of such games of chance, and making lawful the holding, operating and conducting of such games of chance under such licenses when the net proceeds thereof are devoted entirely to educational, charitable, patriotic, religious or public-spirited uses; providing for the issuance and amendment of such licenses and the suspension or revocation thereof, and for the regulation, control and supervision of the conduct of such games of chance and for the administration of this act, and providing for the submission of this act to the legal voters of each city, borough, town or township of this State for their approval or rejection before the same shall become operative within such political subdivision, and the playing of raffles authorized in the political subdivision.

Referred to the Committee on Law and Order.

By Messrs. THOMAS H. W. JONES and BRENNINGER HOUSE BILL No. 36

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenat Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating the Legalized Games of Chance Control Commission and prescribing its powers and duties.

Referred to the Committee on Law and Order.

By Messrs. THOMAS H. W. JONES, BRENINGER and WARGO HOUSE BILL No. 37

An Act authorizing the licensing of bona fide veterans, charitable, educational, religious, or fraternal organizations, civic and service clubs, and volunteer fire companies, to hold, operate and conduct games of chance commonly known as bingo or lotto for prizes and making lawful the holding, operating and conducting of such games of chance, under such licenses when the net proceeds thereof are devoted entirely to educational, charitable, patriotic, religious or public-spirited uses; providing for the issuance and amendment of such licenses and the suspension or revocation thereof, and for the regulation, control and supervision of the conduct of such games of chance and for the administration of this act and providing for the submission of this act to the electors of municipalities and townships of this Commonwealth for their approval or rejection before the same shall become operative within the municipalities or townships and the playing of bingo authorized in the municipalities and townships.

Referred to the Committee on Law and Order.

RESOLUTION

ANCIENT ORDER OF HIBERNIANS

The SPEAKER laid before the House a resolution adopted by the Pennsylvania State Board, Ancient Order of Hibernians, favoring the passage of legislation providing for a Pennsylvania Board of Censors.

Referred to the Committee on State Government.

NEW JERSEY SENATE CONCURRENT RESOLUTION No. 17

The SPEAKER laid before the House Senate Concurrent Resolution No. 17 of the State of New Jersey memorializing the Commonwealth of Pennsylvania to enact

a law similar to that enacted in New Jersey exempting certain vehicles from toll charges over the bridges crossing the Delaware River.

Referred to the Committee on Highways.

NORTH CAROLINA JOINT RESOLUTION No. 4

The SPEAKER laid before the House a Joint Resolution of the State of North Carolina concerning the powers of the Supreme Court of the United States.

Referred to the Committee on Judiciary Special.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 22, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, January 28, 1957, at three o'clock p.m., EST. and when the House of Representatives adjourns this week, it reconvene on Monday, January 28, 1957, at four-thirty o'clock p.m., EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Moody for Mr. OGILVIE for today's session because of urgent business.

RESOLUTION

REPORT OF THE SLATE COMMITTEE

Mr. BOWER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, January 22, 1957.

Resolved, That the following named persons shall be and are hereby elected employes of this House, under the provisions of the Act of January 21, 1947, P. L. 3, as amended, for the positions as designated, effective January 22, 1957.

Respectfully submitted:

ADAM T. BOWER, Chairman
JOHN R. HAUDENSHIELD
DANIEL H. ERB
JAMES J. JUMP
HARRY W. PRICE, JR.
WILLIAM E. BROWN
EDWIN E. LIPPINCOTT, II

JOURNAL CLERK

Howard Yale, Lehigh County

ASSISTANT JOURNAL CLERK

William Roberts, Schuylkill County

READING CLERKS

F. Howard Hosmer, Delaware County
Warren Tesauro, Allegheny County

MESSAGE CLERK

Frank Lillie, Erie County

ASSISTANT MESSAGE CLERK

Thomas Conroy, Allegheny County

CHIEF POSTMASTER

Bayard Maust, Somerset County

POSTMASTERS

Samuel Ludlow, Cumberland County
Eugene Rodgers, Lehigh County

SERGEANTS-AT-ARMS

Shad Goss, Luzerne County
John Mikula, Luzerne County
Chester Burket, Blair County
John Dentzel, Armstrong County
Charles Shadley, Crawford County
Joseph Conway, Philadelphia County
James Fischer, Philadelphia County
Allen Hess, Cumberland County
William Jardie, Erie County
Carl Brown, Luzerne County

DOCUMENT CLERKS

Frank Yocum, Mifflin County
Paul Ziegler, Berks County
Mark Beham, Clarion County
George Mellinger, Butler County
Thomas McGinley, Columbia County

BILL NUMBERING CLERK

Roscoe R. Simons, Mercer County

MAILING CLERKS

John Giglio, Philadelphia County
Joseph Cassalia, Philadelphia County
Harry Jamison, Luzerne County
Joseph McGivern, Armstrong County
Francis Putnam, Northumberland County
Arthur Davis, Luzerne County

STENOGRAPHERS

Grace Gill, Centre County
Marie Moser, Huntingdon County
Kay Brown, Blair County
Mary Hendricks, Blair County
Betty Dick, Blair County

TELEPHONE ATTENDANTS

William Shields, Adams County

CHIEF PAGE

Benjamin Foltz, Dauphin County

PAGES

John Landrum, Bucks County
Carl Sheaffer, Lebanon County
Thomas Heiler, Schuylkill County
Joseph Eidson, Lancaster County
Martin Bowman, Cumberland County
C. Alviah Huffnagle, Blair County
Eugene K. Willis, Dauphin County
Philip Levin, Dauphin County
Joseph Hirschman, Berks County
David O'Brien, Dauphin County
Larry Collins, Dauphin County
George Boytim, Blair County

OATH OF OFFICE ADMINISTERED TO EMPLOYES

The SPEAKER then administered the oath to the employes named in the resolution of the Slate Committee.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to adddress the House.

Mr. Speaker, I am about to burn some of the political bridges over which, perhaps, it would have been possible for me now and then to cross over into the inner councils of my party, a party which I have served in my small corner for more than 60 years.

The matter I desire to discuss may be in the judgment of this House purely a matter of concern only to the Democratic party. It may be a matter, on the other hand, of concern to the people of this Commonwalth. I might add parenthetically that when any man is the victim of an injustice there should be somewhere a tribunal before which he can plead. I repeat, perhaps that tribunal is not a tribunal which can be authorized by this House, but might be something that concerns only the inner councils of the minority party.

As all of you have noted in the Press, His Excellency, the Governor, has felt moved to remove one of his cabinet officers and he does so for a specific reason, the alleged misuse of a particular fund, a fund administered by and through the Department of Labor and Industry. Not only has His Excellency, the Governor, removed the Secretary of the Department, but he has also elected to destroy a bureau which performs an important function.

I note by the public Press that not only has former Secretary Torquato been dismissed, but 23 employees of the fund that has been the subject of controversy have been fired.

Let me illustrate what the employees of that fund do. Recently at a club there was a waitress and a bartender regularly employed. An investigation showed that coincident with their employment in that particular place they were drawing unemployment compensation. I submit to you that the detection of that kind of dereliction is not one that an "intellectual egghead" could have spotted by making a visit to the club at 10:00 o'clock in the morning.

As to whether or not the fund has been abused, as I have said, is a matter which this House must say, or should say, is a matter purely of party concern or of public concern. But mind you, in a statement by His Excellency, the Governor, he points to the maladministration of this particular fund by reason of the fact that there are upon its payroll men who, on report and without an investigation, were not supposed to be working. I might add parenthetically that I have spent sometime here on the Hill and I have never known a House organization in which one or two "sleepers" did not manage to occupy an official berth.

I suggest, in all seriousness, that if one department or bureau is under fire because all of its people are not working all of the time, perhaps the range of inquiry should be greatly extended.

I am interested in this case because I believe former Secretary Torquato could properly say, "An enemy has done this." I believe there is reason by inference to conclude that that enemy has been a responsible member of His Excellency, the Governor's, personal staff—none other than his Secretary Randall. There is ground to believe that the cause of ill-will, of friction, between the Secretary of Labor and Industry and the Secretary to His Excellency, the Governor, was due to the fact that a relative of the Secretary owes the Unemployment Compensation Fund of this Commonwealth in penalties and capital sum slightly more than $200,000, and the Secretary of Labor and Industry was indiscreet enough to file liens. Now, I say that if the Secretary of Labor and Industry is to be pilloried, all of those who were party to the action should be pilloried with him. I think an investigation will show that the Secretary to His Excellency, the Governor, has had one conspicuous "sleeper" upon this very payroll, a man who is so busy making steel an honorable profession that he found no time to serve the state in another capacity.

I believe that if an investigation made by and through any impartial agency were to be consummated the fact would be shown that the Secretary of Labor and Industry made no appointments to the fund in question except at the suggestion of party leaders who were either his superiors or his equal.

As I have pointed out, this may not be a matter of concern to the Members of this House, it may be a matter of concern only to the Democratic party. But I point out that His Excellency, the Governor, says that a certain type of government cannot be tolerated. I would agree with him, but an investigation might show that in times past this very fund was one of the slight pillars upon which measures essential to his program were enabled to weather the storm in this House.

The question is, has there been such a dereliction as warrants investigation? Should the entire situation be looked into in the public interest, or should the majority party say to the minority party, "It's your dirty linen, wash it after your own fashion." I want to point out that this linen, be it dirty or not, came to the notice of the public through releases authorized by the Governor's office and it would not otherwise have been known, but could have been settled in routine fashion.

I know not what other sins the former Secretary may have committed, if any. I am only contending that in the present instance, in so far as this fund is concerned, there is no reason why he should be pilloried.

There might be a reason, however, to inquire into the use of this fund because it has a distinct use as to what kind of an organization is needed in order to perform the functions for which the fund and the personnel was created. Then, if we are to be wholly pure, perhaps there are evangels of purity on both sides of this House who might want to know what adjustments can be made in existing payrolls without impairing the essential services of the Commonwealth.

I have risen because I believe that the manner in which this case has been handled is outrageously unjust. The Governor has not intimated that there were other reasons why his former Secretary of Labor and Industry should go. I am not saying that there were not other reasons. I am not endeavoring to make out a case clear across the board for the former Secretary of the Department of Labor and Industry, but I say he has been outrageously penalized by those in the Governor's office who were parties to the very iniquities of which he was accused.

REPORT OF COMMITTEE ON RULES

Mr. JOHNSON offered a report of the Committee on Rules on the revised Rules of the House.

The SPEAKER. The report will lie over under the Rules of the House.

ANNOUNCEMENTS

The SPEAKER. The Members are requested to come to the Speaker's Office for their Identification Cards. The cards have been prepared and are now available.

The Chair requests the Members to sign their bills legibly. It was necessary last week to reprint a bill because the Member's signature could not be determined. It is expensive and costs money to have the bill reprinted. Please sign your names legibly so the Clerks can read them.

REPORT OF JOINT STATE GOVERNMENT COMMISSION

BIENNIAL REPORT

Mr. ROYER presented the following communication and report from the Joint State Government Commission.

The communication was read by the Clerk as follows:

January 22, 1957.

To the Honorable, the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith the Biennial Report of the Joint State Government Commission, 1955-1957.

Copies of this report for members of the House of Representatives have been delivered to the House post office.

Respectfully submitted,

BAKER ROYER, Chairman

(For Report, see Appendix)

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. DAVIS asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

Mr. ROYER asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

The SPEAKER. The House will be at ease awaiting the return of the Committees.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. KELLER asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. BREISCH asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

The SPEAKER. The House will be at ease awaiting the return of the Committees.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. METZ asked and obtained permission for the Committee on Game and Conservation to meet during the session of the House.

Mr. TOMPKINS asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

REPORTS FORM COMMITTEES

Mr. GOLDSTEIN from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania enabling the Legislature to enact legislation providing for absentee voting.

Mr. AUKER from the Committee on State Government, reported as committed, House Bill No. 2, entitled:

An Act proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Mr. DUNN from the Committee on Military Affairs, reported as committed, House Bill No. 3, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

Mr. HOCKER from the Committee on Appropriations, reported as committed, House Bill No. 8, entitled:

A Joint Resolution making an appropriation to the House of Representatives for payment of expenses of members.

Mr. DALRYMPLE from the Committee on Game and Conservation, reported as committed, House Bill No. 12, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, making special provision for the taxation of private forest reserves.

Mr. LIPPINCOTT from the Committee on Judiciary, reported as amended, House Bill No. 14, entitled:

An Act requiring filing the reasons in writing for recommending pardons and making the reasons matters of public record.

Mr. SNIDER from the Committee on Ways and Means, reported as committeed, House Bill No. 33, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149) making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

RESOLUTION

Mr. ERB offered a resolution which was filed with the Clerk under the Rules.

ADJOURNMENT

Mr. BOWMAN. Mr. Speaker, I move that this House do now adjourn until Wednesday, January 23, 1957 at 10:00 a. m.

The motion was agreed to, and (at 6:04 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., WEDNESDAY, JANUARY 23, 1957. No. 5.

HOUSE OF REPRESENTATIVES

WEDNESDAY, January 23, 1957.

The House met at 10:00 a. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend E. C. Irwin, Pastor of the Ford City Presbyterian Church, Armstrong County, guest Chaplain, offered the following prayer:

Most high and mighty Ruler of the Universe, by Whom our nation has been established in freedom and preserved in union, we thank Thee for Thy favor shown unto our fathers, and Thy faithfulness continued unto their children; for the rich land given unto us for an inheritance, and the great power entrusted to the people; for the fidelity of men set in authority, and the peace maintained by righteous laws; for protection from outward danger, and deliverance from inward strife; for an honorable place among the nations, and the opportunity of increasing service to the world. Keep Thou this Commonwealth beneath Thy care, and guide this House of Representatives according to Thy will; and Thine shall be the glory and the praise and the thanksgiving, from generation to generation. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, January 22, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. FOSTER. HOUSE BILL No. 38.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," authorizing erection of stop signs at all entrances to intersections.

Referred to the Committee on Motor Vehicles.

By Messrs. FOSTER, BELL, ISAACS and Mrs. KERNAGHAN. HOUSE BILL No. 39.

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," prohibiting the imposition of wage income or occupation taxes on non-residents, and abolishing such taxes heretofore imposed.

Referred to the Committee on Municipal Corporations.

By Messrs. HOLT and TOLL. HOUSE BILL No. 40.

An Act amending the act of August 26, 1953 (P. L. 1476), entitled "An act to carry out the intent and purpose of Article XV, Section 1 and Article XIV, Section 8 of the Constitution of Pennsylvania, and to supplement the First Class City Home Rule Act, approved April twenty-one, one thousand nine hundred forty-nine (P. L. 665), by vesting in the Council of the City of Philadelphia full powers to legislate with respect to the election, appointment, compensation, organization, abolition, merger, consolidation, powers, functions and duties of certain officers, offices, boards and commissions of the City of Philadelphia; providing that such officers may be made appointive or abolished; altering the term of the District Attorney of Philadelphia; and establishing the status of the Sheriff, City Commissioners, Board of Revision of Taxes and Registration Commission, the members of such board and commission, and the subordinate and employes of such officers, board and commission," removing the exlusion of the Sheriff, City Commissioners, Board of Revision of Taxes and Registration Commission from the provisions of section 2, and providing that such officers be included within the provisions of the said section so that the Council of the City of Philadelphia shall have full powers to legislate with respect to the election, appointment, compensation, organization, abolition, merger, consolidation, powers, functions and duties of the Sheriff, City Commissioners, Board of Revision of Taxes, Registration Commission of the City of Philadelphia and all former county officers, offices, boards and commissions.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. STONER. HOUSE BILL No. 41.

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," requiring the Flag of the United States be displayed at all polling places.

Referred to the Committee on Elections and Apportionment.

By Mr. WORLEY. House Bill No. 42.

An Act abolishing capital punishment and providing for the substitution of a life sentence in lieu thereof.

Referred to the Committee on Judiciary.

By Messrs. GOLDSTEIN and AGNEW.
HOUSE BILL No. 43.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," increasing the age to eighteen years for the issuance of an operator's license or learner's permit.

Referred to the Committee on Motor Vehicles.

By Mr. BOWMAN. HOUSE BILL No. 44.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing special registration provisions for motor buses of certain common carriers of passengers for hire.

Referred to the Committee on Motor Vehicles.

By Mr. DOWN. HOUSE BILL No. 45.

An Act prohibiting the sale or furnishing of air guns to persons under eighteen years of age, except under restrictions enumerated herein; regulating the use and possession of air guns; and providing penalties.

Referred to the Committee on Law and Order.

By Mr. FOSTER. HOUSE BILL No. 46.

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships or the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," making the real estate of public utilities subject to taxation.

Referred to the Committee on Municipal Corporations.

By Mr. WORLEY (By Request). HOUSE BILL No. 47.

An Act amending the act of May 11, 1921 (P. L. 522), entitled, as amended, "An act relating to dogs, and the protection of live stock, poultry and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry and game birds by dogs, and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and providing penalties," appropriating certain moneys to the Pennsylvania Game Commission for stocking small game.

Referred to the Committee on Appropriations.

By Mr. FOSTER HOUSE BILL No. 48

An Act amending the act of May 22, 1933 (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating

thereto; and repealing existing laws" making the real estate of public utilities subject to taxation.

Referred to the Committee on Municipal Corporations.

By Messrs. STROUP, MAGEE and MERRY

HOUSE BILL No. 49

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and labilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicles; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulations of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children for school purposes from the definition of common carrier by motor vehicle and contract carrier by motor vehicle.

Referred to the Committee on Education.

By Messrs. STROUP, MAGEE and MERRY

HOUSE BILL No. 50

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehiclues, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," authorizing the transportation of school children for school purposes in commercial motor vehicles.

Referred to the Committee on Education.

By Mr. WORLEY HOUSE BILL No. 51

A Joint Resolution making application to the Congress of the United States to call a Convention for proposing an Amendment to the Constitution of the United States, providing for the nomination of candidates for President and Vice President of the United States by a national primary election.

Referred to the Committee on Elections and Apportionment.

By Mr. MOODY HOUSE BILL No. 52

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment, and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits; imposing duties on taxables making improvements on land and grantees of land; prescribing penalties; and eliminating the triennial assessment," increasing the compensation of assessors.

Referred to the Committee on Municipal Corporations.

By Messrs. MOODY and BOWMAN

HOUSE BILL No. 53

An Act amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," transferring the

law library and law library employes to the Department of Justice and transferring certain funds to the Department of Justice to be used in connection with the law library.

Referred to the Committee on State Government.

By Mr. MOODY HOUSE BILL No. 54

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further regulating pupil transportation and providing additional reimbursement for transportation.

Referred to the Committee on Education.

By Mr. TOMPKINS HOUSE BILL No. 55

An Act amending the act of June 24, 1937 (P. L. 2045), entitled, as amended, "An act relating to the support of indigent persons; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of certain persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," requiring reimbursement of the Department of Public Assistance from delinquent support payments made by husbands for support of wives during time public assistance payments were made to the wives.

Referred to the Committee on Welfare.

By Mr. TOMPKINS HOUSE BILL No. 56

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend, and revise the penal laws of the Commonwealth," prohibiting the sale or other disposal of morphine, or facilitating or conspiring to sell or otherwise dispose of morphine, to minors under eighteen years of age.

Referred to the Committee on Public Health and Sanitation.

By Mr. TOMPKINS HOUSE BILL No. 57

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting sales by publishers or distributors of magazines, newspapers, periodicals or other publications which require purchase of other such publications.

Referred to the Committee on Judiciary.

By Mr. TOMPKINS HOUSE BILL No. 58

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting the sale, offer for sale, or placing for sale, of wrapped or packaged baked goods, unless the date of baking is clearly marked or stamped upon the package or wrapper.

Referred to the Committee on Judiciary.

By Mr. ANDREWS HOUSE BILL No. 59

An Act amending the act of January 21, 1947 (P. L. 3), entitled "An act relating to officers and employes of the General Assembly; fixing the number, qualifiactions, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, terms of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," requiring the Department of Property and Supplies to purchase and maintain automobiles for the Speaker, Majority Leader and Minority Leader of the House of Representatives, and to purchase liability insurance coverage for such automobiles; providing for chauffeurs and their salaries.

Referred to the Committee on State Government.

By Messrs. STRAUSSER and PIPER.
HOUSE BILL No. 60.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owner of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the speed of certain commercial vehicles.

Referred to the Committeeon Motor Vehicles.

By Messrs. GUTHRIE and LAFORE.
HOUSE BILL No. 61.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing existing maximum gross weights and annual registration fees and establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

Referred to the Committee on Motor Vehicles.

By Mr. GUTHRIE. HOUSE BILL No. 62.

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the

powers and duties of county commissioners; county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," authorizing the granting of financial assistance, by deferred loan or otherwise, to political subdivision or municipality authorities for construction of water supply system with service available to an institution of the district.

Referred to the Committee on Counties.

By Mr. TOMPKINS. HOUSE BILL No. 63.

An Act amending the act of April 15, 1834 (P. L. 537), entitled "An act relating to counties and townships, and county and township officers," removing a minimum fee for fish, hunters and dog licenses.

Referred to the Committee on Townships.

By Messrs. MERRY and MAGEE. HOUSE BILL No. 64.

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use, and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational and park purposes," designating the lake area on which motor boats may be operated, limiting the horse power of the motor boats operated thereon and fixing penalties.

Referred to the Committee on State Government.

By Mr. DOWN. HOUSE BILL No. 65.

An Act authorizing cities of the third class to adopt the city manager plan of government; providing for referendums; providing for the conduct of city government thereunder and conferring powers and imposing duties on city and county officials.

Referred to the Committee on Cities—Third Class.

By Mr. WORLEY (by request). HOUSE BILL No. 66.

An Act amending the act of April 28, 1937 (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," requiring the commission to check dealers' tests.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. WORLEY (by request). HOUSE BILL No. 67.

An Act amending the act of June 22, 1931 (P. L. 682) entitled, as amended "An act relating to domestic animals, and providing for their appraisement when condemned to prevent the spread of disease; and regulating payments by the Commonwealth in such cases, and the payment of salvage by butchers," permitting an increase in payment upon the condemnation of certain domestic animals.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. SHERMAN and AGNEW. HOUSE BILL No. 68.

An Act providing for the determination of the date of injury, damage or death in tort actions and requiring the prothonotary to add interest to awards and verdicts.

Referred to the Committee on Judiciary.

By Messrs. HOLT and EILBERG. HOUSE BILL No. 69.

An Act amending the act of August 21, 1953 (P. L. 1237), entitled "An act regulating bondsmen and sureties; defining and providing for the registration and licensure of professional bondsmen; imposing powers and duties on courts of quarter sessions, district attorneys and the Insurance Commissioner; and providing penalties," requiring the licensure of professional bondsmen's agents; authorizing attendance at courts of professional bondsmen and their agents; and providing penalties.

Referred to the Committee on Judiciary.

By Messrs. HOLT and GRANVILLE E. JONES. HOUSE BILL No. 70.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

Referred to the Committee on Liquor Control.

By Messrs. EILBERG and McKEEVER.
HOUSE BILL No. 71.

An Act establishing certain building regulations for the control of termites.

Referred to the Committee on Judiciary Special.

By Messrs. HOLT and GRANVILLE E. JONES.
HOUSE BILL No. 72.

An Act amending the act of May 3, 1933 (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," authorizing beauty shop owners to rent booths to registered beauty culture operators.

Referred to the Committee on Professional Licensure.

By Messrs. EILBERG and HOLT.
HOUSE BILL No. 73.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the installation of wiping equipment on the rear window of motor vehicles.

Referred to the Committee on Motor Vehicles.

By Messrs. EILBERG and HOLT.
HOUSE BILL No. 74.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing certain motor vehicles be equipped with outside mirrors.

Referred to the Committee on Motor Vehicles.

By Mr. GOLDSTEIN. HOUSE BILL No. 75.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," relating to the discretion of the Liquor Control Board to grant liquor licenses.

Referred to the Committee on Liquor Control.

By Messrs. READINGER and JOHNSON.
HOUSE BILL No. 76.

An Act reenacting and amending the act of July 7, 1955 (P. L. 256), entitled "An act creating a temporary advisory commission to examine, report upon and recommend reorganizations of agencies and functions of the State government; prescribing its powers and duties; directing cooperation of governmental agencies; and authorizing the issuance of subpoenas," reactivating and extending the life of the commission.

Referred to the Committee on State Government.

By Mr. DUNN. HOUSE BILL No. 77.

An Act requiring casualty insurance companies to investigate, appraise damages, deny liability or offer settlement for damages within twenty days after occurrence of accidents involving their assureds and prescribing penalties.

Referred to the Committee on Insurance.

By Messrs. TOMPKINS, DAVIS and GOODRICH.
HOUSE BILL No. 78.

An Act amending the act of June 3, 1937 (P. L. 1225) entitled, "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," requiring that summary offenses under the act be commenced before certain specified magistrates, aldermen or justices of the peace.

Referred to the Committee on Judiciary.

By Messrs. HEAVEY and SCHWARTZ.
HOUSE BILL No. 79.

An Act making an appropriation to the Department of Commerce for the rendering of financial assistance to housing projects and redevelopment authorities.

Referred to the Committee on Appropriations.

By Messrs. TOMPKINS, DAVIS and GOODRICH.
HOUSE BILL No. 80.

An Act amending the act of May 2, 1925 (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the

inland waters and the boundary lakes and boundary rivers of the Commonwealth," requiring that violations of the act or rules and regulations promulgated thereunder be prosecuted before certain specified magistrates, aldermen or justices of the peace.

Referred to the Committee on Judiciary.

By Messrs. MULDOWNEY, FRASCELLA, COMER and LIMPER. HOUSE BILL No. 81.

An Act providing for the conducting of and legalizing daily lotteries and pools for profit by the State; creating a State Lottery Commission; providing for the use of the proceeds for veterans' compensation and making appropriations.

Referred to the Committee on Law and Order.

By Mr. FRASCELLA. HOUSE BILL No. 82.

A Joint Resolution proposing an amendment to article five, section twelve of the Constitution of the Commonwealth of Pennsylvania, increasing the jurisdictional amount of magistrates' courts in Philadelphia.

Referred to the Committee on Judiciary.

By Mr. FRASCELLA. HOUSE BILL No. 83.

An Act amending the act of June 15, 1937 (P. L. 1743), entitled, as amended "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon, and prohibiting certain practices by, magistrates, and fixing their compensation; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in and defining magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts; and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia, the Attorney General, and the District Attorney; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing the salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," establishing an Alcoholic Court of Philadelphia and prescribing its powers and duties and jurisdiction and the magistrates assigned thereto; providing for a seal for the court and the costs taxable therein.

Referred to the Committee on Judiciary.

By Mr. POMEROY. HOUSE BILL No. 84.

An Act amending the act of August 26, 1953 (P. L. 1476) entitled "An act to carry out the intent and purpose of Article XV Section 1 and Article XIV Section 8 of the Constitution of Pennsylvania and to supplement the First Class City Home Rule Act approved April twenty-one one thousand nine hundred forty-nine (Pamphlet Laws 665) by vesting in the Council of the City of Philadelphia full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of certain officers offices boards and commissions of the City of Philadelphia providing that such officers may be made appointive or abolished altering the term of the District Attorney of Philadelphia and establishing the status of the Sheriff City Commissioners Board of Revision of Taxes and Registration Commission the members of such board and commission and the subordinates and employes of such officers board and commission" removing the exclusion of the Sheriff City Commissioners Board of Revision of Taxes and Registration Commission from the provisions of section 2 and providing that such officers be included within the provisions of the said section so that the Council of the City of Philadelphia shall have full powers to legislate with respect to the election appointment compensation organization abolition merger consolidation powers functions and duties of the Sheriff City Commissioners Board of Revision of Taxes Registration Commission of the City of Philadelphia and all former county officers offices boards and commissions.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mrs. DONAHUE and Mr. ISAACS. HOUSE BILL No. 85.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners; counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," increasing jurisdiction of aldermen and justices of the peace in civil actions arising from use of vehicles.

Referred to the Committee on Judiciary.

By Messrs. BROWN, ASHTON and UJOBAI. HOUSE BILL No. 86.

An Act amending the act of April 29, 1937 (P. L. 487), entitled, as amended, "An act to provide for the permanent personal registration of electors in cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," making it optional for the commission to prepare for each election district a street list of the names and addresses of registered electors.

Referred to the Committee on Elections and Apportionment.

By Messrs. BROWN, ASHTON and UJOBAI. HOUSE BILL No. 87.

An Act amending the act of April 29, 1937 (P. L. 487), entitled, as amended, "An act to provide for the permanent personal registration of electors in cities of the

second class, cities of the second class A, cities of the third class, boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged by streets and house numbers or by rural free delivery numbers.

Referred to the Committe on Elections and Apportionment.

By Messrs. SHERMAN, DONALDSON, AGNEW and EILBERG. HOUSE BILL No. 88.

An Act providing for the determination and effect of comparative negligence in actions of tort and providing that contributory negligence shall not bar recovery.

Referred to the Committee on Judiciary.

By Messrs. TAYLOR, GELFAND and SCHWARTZ. HOUSE BILL No. 89.

An Act amending the act of July 12, 1913 (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," increasing the number of judges of the Municipal Court of Philadelphia.

Referred to the Committee on Judiciary.

By Messrs. WORLEY (by request) and DOWN (by request). HOUSE BILL No. 90.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schiols; amending, revising, consolidating and changing the laws relating thereto," requiring publication of a complete financial statement by certain school districts.

Referred to the Committee on Education.

By Mr. HEFFNER. HOUSE BILL No. 91.

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary; reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplies and superseded by or inconsistent with this act," redefining the conveying or transmission of messages or communications to include the transmission of television signals by cables to homes and business places for compensation.

Referred to the Committee on Public Utilities.

By Mr. AGNEW (by request). HOUSE BILL No. 92.

An Act requiring the State Board of Law Examiners to show examination papers to examinees or their attorneys.

Referred to the Committee on Judiciary.

By Mrs. DONAHUE and Mr. LIGHT. HOUSE BILL No. 93.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," authorizing the exposure of poison to rodents and other pests under certain conditions and conferring powers and imposing duties upon the Secretary of Agriculture.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. HORST, HARVEY P. MURRAY and PURSLEY. HOUSE BILL No. 94.

An Act amending the act of May 1, 1939 (P. L. 1005), entitled as amended "An act relating to and regulating tractors and their operation; providing for their registration by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof,

owners of tractors; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," providing for the classification of tractors used as portable saw mill rigs.

Referred to the Committee on Motor Vehicles.

By Messrs. HORST, PURSLEY and HARVEY P. MURRAY. HOUSE BILL No. 95.

An Act amending the act of June 29, 1953 (P. L. 304), entitled "An act providing for the administration of a statewide system of vital statistics; prescribing the functions of the State Department of Health, the State Advisory Health Board, and local registrars; imposing duties upon coroners, prothonotaries, clerks of orphan's courts, physicians, midwives and other persons; requiring reports and certificates for the registration of vital statistics; regulating the disposition of dead bodies; limiting the disclosure of records; prescribing the sufficiency of vital statistics records as evidence; prescribing fees and penalties; and revising and consolidating the laws relating thereto" authorizing the birth registration of children born in foreign countries to certain Pennsylvania residents and imposing duties on the Department of Health.

Referred to the Committee on Public Health and Sanitation.

By Mr. AGNEW. HOUSE BILL No. 96.

An Act making uniform with other states the requirements for admission to the Supreme or Superior Court of Pennsylvania of attorneys and counsellors of the highest court of other states.

Referred to the Committee on Judiciary.

By Messrs. VAUGHAN, AGNEW and RIGBY. HOUSE BILL No. 97.

An Act amending the act of July 28, 1953 (P. L. 723) entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," permitting certain county offices to be closed on Saturday.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. VAUGHAN, AGNEW and RIGBY. HOUSE BILL No. 98.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," permitting the prothonotary to appoint a solicitor, and prescribing a means for paying the cost of prothonotary's litigation.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. COMER, FINEMAN and BRUCKER. HOUSE BILL No. 99.

An Act increasing the number of courts of common pleas in the county of Philadelphia; establishing therein a distinct and separate court of common pleas designated court of common pleas number eight; and providing for the appointment and election of judges for the court.

Referred to the Committee on Judiciary.

By Messrs. ESHLEMAN and McGEE HOUSE BILL No. 100

An Act relating to plumbing, providing for certification, registration and regulation of persons engaged in plumbing, creating a State Public Health Plumbing Board in the Department of Health, prescribing its powers and duties and those of local governments with respect thereto and making an appropriation.

Referred to the Committee on Professional Licensure.

By Messrs. SCHWARTZ and LIMPER HOUSE BILL No. 101

An Act amending the act of March 31, 1949 (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," authorizing housing projects; increasing the borrowing capacity of the Authority; providing for approval of plans and specifications for housing projects by the State Planning Board; authorizing the Department of Property and Supplies to appoint housing authorities as its agent to operate and manage housing projects on certain terms and conditions; prescribing certain terms and conditions to be included in leases of housing projects; providing for leases and subleases of one family dwellings constituting housing projects containing options to purchase; prescribing terms and conditions thereof and eligibility requirements of sublessees; authorizing the Authority to appoint housing authorities as its agent to construct, improve, equip and furnish housing projects; and allocating the increased borrowing capacity.

Referred to the Committee on State Government.

By Mr. GOLDSTEIN HOUSE BILL No. 102

An Act to regulate nominations and elections for offices of councilmen in cities of the second class; providing for nonpartisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to such offices; imposing certain duties upon county boards of elections and election officers and clerks and prescribing penalties.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. POMEROY (Concurrent) RESOLUTION No. 2

In the House of Representatives, January 22, 1957.

Whereas a preliminary investigation which has been conducted in the Commonwealth has revealed that the Bureau of Employment Security of the Pennsylvania Department of Labor and Industry is staffed by many persons whose records and conduct make them manifestly unfit for their jobs and

Whereas this investigation has also revealed the extravagant and ill advised use of a $1,700,000 Special Administrative Fund for paying and maintaining these personnel and

Whereas this fund is under the personal control of the

Secretary of Labor and Industry as are these personnel and the conduct of the Bureau of Employment Security itself and

Whereas the fund is made up of fines and penalties collected from Pennsylvania employers who fail to make prompt payment for unemployment compensation benefits and

Whereas the personnel of the Bureau are charged with the duties, inter alia, of investigating charges of fraud in jobless benefit surveys, labor surveys and allied activities and

Whereas the funds are actually remitted to the Department by the U. S. Government out of the fines and penalties collected, as heretofore referred to and

Whereas the fund is not subject to the budgetary controls of other state funds and

Whereas a sampling of the investigations conducted under the auspices of Pittsburgh Post Gazette and the Philadelphia Inquirer, among other leading periodicals, has revealed the following examples of personnel existing practices

(1) An investigator from Philadelphia who has a criminal record of three convictions out of thirteen arrests, who is also in business as a fuel oil dealer, is receiving a bi-weekly state salary of $166.

(2) An investigator who holds two jobs in private industry is receiving a bi-weekly salary of $143.50.

(3) A full time real estate and insurance broker in Philadelphia is also on the Bureau payroll.

(4) A taproom operator who is employed by the Bureau has an establishment which has been singled out by the Commissioner of Police of Philadelphia, Thos. P. Gibbons, as a meeting place for known racketeers, and

Whereas, The District Supervisor of the Bureau in Philadelphia, John A. O'Brien, a Civil Service employe, has admitted he has no control or power over their salaries or dismissal if their work is unsatisfactory and that he cannot compel the Bureau of Employees to do their jobs, and

Whereas The Secretary of the Department of Labor has refused to acknowledge the existence of a situation which he intends to remedy, and

Whereas, An investigation announced by the Governor's Office has not resulted in any remedial measures, and

Whereas, These practices not only have staffed the Bureau with persons unfit for their tasks, but also have resulted in a waste of funds; now therefore be it

Resolved (the Senate concurring), That a committee of seven members of the General Assembly be created; four from the House of Representatives to be appointed by the Speaker, and three from the Senate to be appointed by the President Pro Tempore whose duty it would be to thoroughly investigate all present and prior activities of the Bureau of Employment Security of the Pennsylvania Department of Labor and Industry; and be it further

Resolved, That the committee may meet, hold hearings and take testimony. It may issue subjoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the commission; and be it further

Resolved, That the committee make reports of its findings together with its recommendations for appropriate legislation to this session of the Legislature from time to time as their work progresses.

Referred to the Committee on Rules.

By Mr. ERB RESOLUTION No. 3

In the House of Representatives, January 7, 1957.

Complaint has been made that the domestic water supply of Bellwood Borough in Blair County has been polluted and rendered inimical and injurious to the public health and objectionable for public water supply purposes through the discharge of acid mine drainage into streams feeding the water supply; therefore, be it

Resolved, That the House of Representatives call upon the Sanitary Water Board of the Department of Health to investigate these charges and to enforce the laws of the Commonwealth in reference thereto; and be it further

Resolved, That a certified copy of these resolutions be transmitted to the Secretary of Health as Chairman of the Sanitary Water Board.

Referred to the Committee on Rules.

By Mr. WORLEY. RESOLUTION No. 4.

In the House of Representatives, January 22, 1957.

Whereas, There are many obsolete laws upon the statute books of this Commonwealth, and

Whereas, These obsolete laws should not be repealed without a careful study first being made thereof; therefore be it

Resolved, That the Joint State Government Commission is hereby directed to make a study of the laws of this Commonwealth for the purpose of ascertaining which laws are obsolete; and be it further

Resolved, That the Joint State Government Commission shall make a full report of such obsolete laws with their recommendations to the next General Assembly.

Referred to the Committee on Rules.

HANNA PENN JUNIOR HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair is happy to welcome to the Hall of the House the Civics Class of the Hanna Penn Junior High School of York County under the sponsorship of their teacher Mr. Harry A. Seyler.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania enabling the Legislature to enact legislation providing for absentee voting.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2, entitled:

An Act proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 3, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 8, entitled:

A Joint Resolution making an appropriation to the House of Representatives for payment of expenses of members.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 12, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 14, entitled:

An Act requiring filing the reasons in writing for recommending pardons and making the reasons matters of public record.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 33, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. RENWICK asked and obtained unaimous consent to address the House.

Mr. Speaker, may I impose on the members of this body to discuss a very serious situation that has developed in Elk County.

As Members of the General Assembly, you no doubt have had similar problems, but circumstances, perhaps, have not brought the danger to your attention as yet.

In this Commonwealth there are many mountainous areas. This being an industrial state, there are a great many trucks that travel our highways, with a great percentage coming from out of state, and consequently not subject to the strict inspection standards of this Commonwealth.

In the county seat of the county that I am privileged to represent, namely, Ridgway, the citizens of that community have been cursed with a traffic hazard that has for years, threatened the lives and limbs of all the citizens of that borough.

My fellow Members, the highway in question is Route No. 219, commonly known in our county as Boot Jack Hill, that enters the borough on the northeast side. For years there have been accidents, all resulting from heavy trucks which run out of control, down this dangerous hill. The Highway Department and Service Clubs have installed various types of warnings, but apparently the lack of enforcement of safety regulations have made the trucks monsters that run wild endangering everyone in their path.

State officials and representatives of Motor Truck industry, in cooperation with the Interstate Commerce Commission, conducted for a two (2) week period beginning November 10, 1955, a Safety and Compliance Road Check of commercial vehicles at various places throughout Pennsylvania.

These checks disclosed that trucks being operated in interstate commerce under the jurisdiction of the Interstate Commerce Commission, were not complying with the safety rules and regulations of the Interstate Commerce Commission.

As members of the Legislature, representing all the people in Pennsylvania, it would appear to be our duty to see that these regulations are enforced, and if not, that we enact proper legislation to curtail this danger.

In the 1955 session, House Bill No. 1848, P 1463 was introduced and passed unanimously by this body. This bill pertained to safety devices that could be used on big trucks when and if they ran out of control because of brake failure.

For some unexplainable reason, the bill died before it could become a law. It is my understanding that a similar bill will be introduced this year, and at this time I would like to personally ask each Member to study the facts involved so that he or she will be in a position to act favorable on this measure when it reaches our attention.

As stated, one never realizes the seriousness of this truck hazard until it occurs in your own county.

If I may, I would like to outline just a few of the accidents that occurred on Boot Jack Hill in the last ten (10) years.

In November, 1947, a tractor trailer carrying three thousand (3000) gallons of gas, dashed madly down the grade and came to a stop within feet of the Samuel Murphy residence in the heart of the business section of the borough of Ridgway. Fortunately no one was injured, and the gas for some unexplainable reason did not burn.

On June 11, 1949, twelve (12) tons of potatoes came to rest on the front lawn of the Murphy residence.

June 23, 1950, fourteen (14) tons of steel roared down Boot Jack and upset on the lawn of a property owned by the late Mrs. Harry Alvan Hall, also in the business section of Ridgway.

Each year thereafter it was the same story; truck after truck containing all kinds of cargo winding up on the lawn of the Murphy or Hall residence.

The climax of this series of catastrophes occurred on December 15, 1956, when a troctor trailer loaded with copper wire went out of control on Boot Jack roared down the hill, missing by minutes, a group of school children who were on their way home from catechism instruction, crashed into the historic Samuel Murphy residence, upset, and for some unexplainable reason exploded, throwing flames throughout the Murphy residence, and in a matter of minutes burning the driver

to death and setting the sixty-three (63) year old brownstone mansion afire.

Four (4) hours later when the flames were brought under control, to the shock of the entire county, the mansion and it's contents had suffered a total loss with an estimated damage of $350,000.00.

Fellow Members of this House, the Murphy residence was a historical landmark of Ridgway. It had been built sixty-three (63) years ago with stone imported from Italy. It was furnished with priceless Oriental rugs and antiques, many of them valued at many thousands of dollars. The twenty-five (25) room mansion was built at a cost of $50,000.00, way back in 1891. As one drove by this beautiful structure it reminded you of the historic castles that were so numerous in the old world. Many times, I myself, on campaign trips in that area, would admire the beautiful structure as it set so proudly on the Main Street of our County Seat.

Last Friday on a trip to Ridgway to discuss this situation with the Editor of the Ridgway Record, Mr. Glenn C. Abel, I was horrified to observe that on the spot that, just about one month ago stood a beautiful landmark, only a hole in the ground remains as a living monument to the loosely enforced regulations of safety that should be observed to protect the lives and property of our citizens.

I dare say that as this story is unfolded to you, it would appear to be just another incident.

May I point out the fact that each Member in this House may have the same situation occur tomorrow as the trucks that inflicted all this damage also travel through your county and are equipped with the same type of safety devices as the one which passed through our county on December 15, killed the driver and inflicted over $350,000.00 worth of property damage on a constituent of mine.

I have here the January 10th issue of the Ridgway Record. On the front page of this issue, the Editor, Mr. Abel began a crusade which he has called "Crusade From Fear." He pleads for action by the officials of this Commonwealth and I, therefore, as Representative from his district, plead with you to cooperate and support legislation that may be introduced during this session to help protect the limbs and property of the citizens of this Commonwealth.

The Administration in Harrisburg has indicated their interest in this problem and the Governor appeared before the Interstate Commerce Commission in Washington, calling to their attention, the failure to enforce proper safety precautions.

It is my hope that the Safety Section of the Department of Revenue will make a personal inspection of the danger in Elk County and report the steps that can be taken to curtail further loss of limb and property damage in the Borough of Ridgway.

Members from both sides of this House, I realize there are many problems that perhaps are more important than safety devices for trucks, but the primary reason for bringing this matter to your attention early in the session is to give all of you an opportunity to personally survey any similar danger in your own county so that you may be more receptive to any legislation that may be introduced to curtail this danger throughout the Commonwealth.

I beg and plead with the Chairman of the committee who will have charge of bills relating to truck safety, to please release them as soon as possible.

LEWISBURG JOINT HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House the ninth grade students of the Lewisburg Joint High School of Lewisburg under the direction of their teacher Mr. William Bastian. They are the guests of the gentleman from Union, Mr. Pursley.

ADJOURNMENT

Mrs. MARKLEY. Mr. Speaker, I move that this House do now adjourn until Monday, January 28, 1957 at 4:30 p. m.

The motion was agreed to, and (at 10:31 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, JANUARY 28, 1957. No. 6.

SENATE

MONDAY, January 28, 1957

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. ROBERT H. STEPHENS, D.D., Pastor of Market Square Presbyterian Church, Harrisburg, offered the following prayer:

Let us pray.

O God our help in ages past, our hope for years to come, in the hushed reverence of this moment we pause to praise Thee, to acknowledge our dependence upon Thee and to seek Thy guidance in the affairs of government.

We thank Thee that we live in a land where Thou art honored, where men can walk upright and unafraid as Thy children, where no one dare be persecuted for his faith nor ought to be discriminated against because of his color.

Keep us, O Lord, from ever letting this moment of prayer become a perfunctory performance. Make this a sacred moment in the secret presence of the most High. Help us to set our sights on the highest and best, to take our bearings from the pole star of Thy purpose.

Lift us always above petty partisanship into a great-minded statesmanship. In all our ways, in all our days, may we walk as those who walk with Thee. Thus may we find strength and vision for every task, in the spirit and after the example of Jesus Christ our Lord. Amen.

ADMINISTRATION OF OATH OF OFFICE TO SENATOR-ELECT JOHN CARL MILLER

The PRESIDENT. At this time, the oath of office will be administered to Senator-elect John Carl Miller, of the Forty-seventh Senatorial District, in accordance with the Constitution of Pennsylvania. Senator-elect John Carl Miller will stand in front of the rostrum so that the oath may be administered.

We are privileged to have with us today, the Honorable Walter S. Sohn, Judge of the Court of Common Pleas of Dauphin County. The Chair now has the honor of presenting Judge Sohn, who will administer the oath.

(The oath of office was administered.)

The PRESIDENT. The Chair wishes to extend the sincere thanks of the Senate to Judge Sohn for taking time out from his busy schedule to come to the Capitol today and render this special service.

The Chair would also like to congratulate Senator Miller and welcome him back to the Senate.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. MAHANY asked and obtained leave of absence for Mr. WADE, due to pressing business.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES, EAST STROUDSBURG STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard A. Briody, Sr., 524 Broadhead Avenue, Bethlehem, Northampton County, for appointment as a member of the Board of Trustees of East Stroudsburg State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified vice Robert A. Harrier, Penn Argyl, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate

Mrs. Mary Piroch (Democrat), Kerr Avenue, Emlenton, Venango County, for appointment as a member of the Venango County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Lorine Shaffer, Oil City, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE PERRY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate G. Ross Titzell (Democrat), R. D. Ickesburg, Perry County, for appointment as a member of the Perry County Board of Assistance, until December 31, 1958, and until his successor is duly appointed and qualified, vice Mrs. Laura H. Stees, Landisburg, resigned.

GEORGE M. LEADER.

MEMBER OF THE INDIANA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Reverend Richard H. Bartley (nonpartisan), Blairsville, Indiana County, for appointment as a member of the Indiana County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice, John T. Peace, Sr., Blairsville, whose term expired.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Garufi, 902 Warren Avenue, Apollo, Armstrong County, for appointment as Justice of the Peace in and for the Borough of Apollo, Armstrong County, to serve until the first Monday of January 1958, vice O. M. Cunningham, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter Gibson, P. O. Box 5, Harrison Valley, Potter County, for appointment as Justice of the Peace in and for the Township of Harrison, Potter County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Merritt A. Williamson, 705 West Nittany Avenue, State College, Centre County, for appointment as a member of the Pennsylvania Turnpike Commission, until June 4, 1961, and until his successor is appointed and qualified, vice Hon. David E. Watson, Philadelphia, deceased.

GEORGE M. LEADER.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS LAID ON THE TABLE

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Adolph Schoenbrun (Democrat), 2789 Beechwood Boulevard, Pittsburgh 17, Allegheny County, for appointment as a Member of the Allegheny County Board of Assistance, to serve until December 31, 1959, and until his successor is duly appointed and qualified, vice Thomas M. Watt, McKeesport, resigned.

GEORGE M. LEADER.

MEMBER OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel F. Hinkle (Republican), 112 Para Avenue, Hershey, Dauphin County, for appointment as a member of the Advistory Board on Problems of Older Workers, for a term of four years or until his successor is appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Edinboro State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

William P. Rose, Cambridge Springs, Crawford County. (Reappointment)

Mrs. Helen D. Rye, 15 Maple Drive, Edinboro, Erie County, vice Alfred L. Cochran, Edinboro, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John F. Marshall, 350 East Water Street, Lock Haven, Clinton County, for reappointment as a member of the Board of Trustees of Lock Haven State Teacher's College, until the third Tuesday of January 1963, and unitl his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Marion Walker, 10 Brown Avenue, Clarendon, Warren County, for appointment as a member of the Board of Trustees of the Pennsylvania Soldiers' and Sailors' Home, for the term of four years, and until his successor is appointed and qualified, vice J. Frank Graff, Kittanning, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of California State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

William V. Campbell, 315 East Eleventh Avenue, Homestead, Allegheny County.

Daniel B. Swaney, 712 Morgantown Road, Uniontown, Fayette County.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with the law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE GREAT LAKES COMMISSION

John H. Dent, Jeannette, from October 8, 1956, for a term of four years, and until his successor is appointed and qualified.

Francis A. Pitkin, Harrisburg, from October 8, 1956, for a term of six years, and until his successor is appointed and qualified.

Joseph S. St. John, Erie, from October 8, 1956, for a term of two years, and until his successor is appointed and qualified.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with the law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

H. Stanley Witwer, Elverson, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

David A. Bloomer, Phoenixville, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Clarence A. Kulp, Pottstown, from December 13, 1956, for a term of four years, and until his successor is appionted and qualified.

(Mrs.) Agnes Speakman, Glenmoore, from December 13, 1956, for a term of four years, and until her successor is appointed and qualified.

Samuel Himmelstein, Philadelphia, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

William F. Hohl, Pottstown, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Harvey Haldeman, Chester Springs, from December 27, 1956, for a term of four years, and until his successor is appointed and qualified.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with the law, I have the honor to nominate for the advice and consent of the Senate the following:

COMMISSIONERS OF DEEDS

Le Roy H. Hanson, Baldwin, New York, from July 2, 1956, for the term of five years.

(Miss) Elenor A. Rose, Trenton, New Jersey, from July 2, 1956, for the term of five years.

Walter M. Lindsay, Rochester, New York, from September 24, 1956, for the term of five years.

(Miss) Catharine F. Hosbach, Camden, New Jersey, from October 3, 1956, for the term of five years.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Nellie V. Curran, Galeton, Potter County, for appointment as a member of the Board of Trustees of Mansfield State Teachers' College, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Paul H. Conner, Coudersport, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF CHEYNEY STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Cheyney State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Dr. Walter H. Mohr, George School Newtown, Bucks County, vice Mrs. Mary F. Comfort, Haverford, whose term expired.

Mrs. Anne Walton Pennell, Moylan, Delaware County. (Reappointment)

Lancelot Tynes, 638 North Peach Street, Philadelphia 31, Philadelphia County, vice James G. Vail, Media, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry M. Ludwick, Box 33, Delmont, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of New Salem, Westmoreland County, to serve until the first Monday of January 1958, vice M. F. Gosser, deceased.

GEORGE M. LEADER.

MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank C. Forderer (Democrat), 2729 North Front Street, Philadelphia, Philadelphia County, for reappointment as a member of the Philadelphia County Board of Assistance, until December 31, 1959,and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE WASHINGTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Marie G. Kelly (Democrat), 988 Thompson Avenue, Donora, Washington County, for appointment as a member of the Washington County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Delia Kelly, Donora, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE FAYETTE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate (Reverend) William E. McClellan (Democrat), R. D. 1, Lemont Furnace, Fayette County, for appointment as a member of the Fayette County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Reverend Frederick D. Wilkes, Brownsville, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Millersville State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Ivan E. Newpher, Terre Hill, Lancaster County.
Nevin H. Hillegass, Leola, Lancaster County.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with the law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE DELAWARE RIVER PORT AUTHORITY

James V. Baney, Upper Darby, from July 5, 1956, for a term of five years and until his successor is appointed and qualified.

Ted Schlanger, Philadelphia, from July 5, 1956, for a term of five years and until his successor is appointed and qualified.

Frank M. Steinberg, Merion, from July 5, 1956, for a term of five years until his successor is appointed and qualified

GEORGE M. LEADER.

MEMBERS OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Registration Commission in and for the City of Philadelphia, until January 6, 1961, or until their successors qualify:

Charles W. Sweeney, Esq. (Republican), 2015 Spring Garden Street, Philadelphia, Philadelphia County.

Leon Sacks, Esq., (Democrat), 2428 North Fifty-fourth Street, Philadelphia, Philadelphia County.

James C. Crumlish Jr., (Democrat), 7105 McCallum Street, Philadelphia, Philadelphia County.
Robert S. Hamilton (Republican), 6321 Ridge Avenue, Roxborough, Philadelphia, Philadelphia County.
Harold H. Salkind (Democrat), 2101 Walnut Street, Philadelphia, Philadelphia County.

GEORGE M. LEADER.

SECOND PRELIMINARY REPORT OF SENATE COMMITTEE INVESTIGATING THE TURNPIKE, CREATED UNDER SENATE RESOLUTION No. 26-A

Mr. FLEMING. Mr. President, the committee appointed by the President pro tempore to investigate the Turnpike Commission at the last Session has this following additional report to hand in to the President pro tempore at this time.

The PRESIDENT. The Clerk will read the report.

The Clerk read the report as follows:

January 28, 1957.

Due to the present unsettled conditions surrounding the Pennsylvania Turnpike operations, this Committee feels that a more thorough examination of the Turnpike Commission and its operations is imperative.

The Committee has had a copy of the 1956 audit of the Turnpike submitted to its members as of the late date (January 22,1957).

After a study of this important document, the subcommittee of the Turnpike Investigating Committee made the following findings and recommendations:

(1) That the Turnpike is in a financially sound position.

(2) That by all means the credit of the Turnpike must be maintained.

(3) That the prerogatives and the welfare of the Commonwealth and of the Turnpike users must be given full consideration.

(4) That the rights of the bond holders pursuant to the bond prospectus must be fully protected and maintained.

(5) Any legislation aimed at changing the structure of the Turnpike Commission must be the subject of further study by this Committee.

(6) Consideration for such a change (if and when advised) must give full consideration to the management and operation of the Turnpike within the structure of existing governmental agencies and departments.

(7) In view of the above mentioned findings and recommendations, this Committee must continue to sit, in order that the legislative branch of this Government may be more fully informed on this vital and necessary function of a legislative created government operation.

The PRESIDENT. This report will be printed in the Legislative Journal.

BILLS INTRODUCED AND REFERRED

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 68, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," fixing an annual registration fee for school buses.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 69, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," further regulating the use of commercial motor vehicles.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 70, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," prohibiting payments for certain types of transportation from school district funds procured by the assessment, levy or collection of taxes.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 71, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," excluding buses owned by or under contract with, school districts, private or parochial schools for the transportation of school children to and from extra-curricular school activities from the definition of "common carrier by motor vehicle" and "contract carrier by motor vehicle."

Which was committed to the Committee on Corporations.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 72, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt persons receiving pension or retirement payments, or social security payments and persons over the age of sixty-five years, from the payment of personal taxes.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also read in his place and presented to the Chair Senate Bill No. 73, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled, "The Administrative Code of 1929," transferring the Board of Trustees of Pennsylvania Training School at Morganza within the Department of Welfare to the Department of Justice.

Which was committed to the Committee on State Government.

Messrs. PECHAN, MAHANY and DENT read in place and presented to the Chair Senate Bill No. 74, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," further regulating the issuance of registration plates to news photographers.

Which was committed to the Committee on Highways.

Messrs. PECHAN, WOLFE, DENT and McMENAMIN read in place and presented to the Chair Senate Bill No. 75, entitled:

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during the Korean Conflict; providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation and providing penalties.

Which was committed to the Committee on Military Affairs and Aeronautics.

Messrs. FLEMING and DENT read in place and presented to the Chair Senate Bill No. 76, entitled:

An Act amending the act of June 4, 1943 (P. L. 883) entitled, "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny

River between a point in or near the Borough of Tarentum, Allegheny County ,and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; . . .," making the bridge a free bridge; providing for the payment of certain obligations out of the Motor License Fund, and making an appropriation therefor.

Which was committed to the Committee on Highways.

Messrs. FLEMING, WHALLEY, HARNEY and DENT read in place and presented to the Chair Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

Which was committed to the Committee on State Government.

Mr. EHRGOOD read in his place and presented to the Chair Senate Bill No. 78, entitled:

An Act amending the act of June 2, 1915 (P. L. 736). entitled as amended, "The Pennsylvania Workmen's Compensation Act," removing limitation on amount of surgical and medical services to be furnished employes.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 79, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," changing the minimum age of persons entitled to operator's licenses and learner's permits.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 80, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," relating to the measure of damages in survival actions involving personal injuries.

Which was committed to the Committee on Judiciary General.

Messrs. EHRGOOD and DENT read in place and presented to the Chair Senate Bill No. 81, entitled:

An Act concerning gifts of securities to minors; providing for custodians of such gifts and their powers and duties; defining the effect of the gifts on guardians of minors or their estates; conferring jurisdiction on oprhans' courts and absolving agents dealing with securities from certain responsibilities.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. TAYLOR asked and obtained unanimous consent to address the Senate.

Mr. TAYLOR. Mr. President, since Senator Dent is not available, I would like to present this bill to the Chair with one name on it.

BILLS INTRODUCED AND REFERRED

Mr. TAYLOR read in his place and presented to the Chair Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

Which was committed to the Committee on Judiciary General.

Messrs. KOPRIVER, JR. and FLEMING read in place and presented to the Chair Senate Bill No. 83, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," transferring the powers and duties relating to certain lands and buildings in the City of Pittsburgh from the Department of Health to the Department of Welfare; establishing the Leech Farm State School as an institution for mental defectives of all ages; providing for its management and operation; and clarifying provisions relating to the terms of members of certain boards of trustees.

Which was committed to the Committee on State Government.

Messrs. ELLIOTT and EHRGOOD read in place and presented to the Chair Senate Bill No. 84, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the county commissioners to pay the expenses for certain courses of studies for public prosecutors.

Which was Committed to the Committee on Local Government.

Mr. PROPERT read in his place and presented to the Chair Senate Bill No. 85, entitled:

An Act repealing the act of June 4, 1915 (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, . . .," its amendments and supplements and saving the rights of the Commonwealth and taxpayers as to certain taxes, interest and penalties.

Which was committed to the Committee on Finance.

Messrs. KESSLER, KROMER, WATSON, WATKINS and BLASS read in place and presented to the Chair Senate Bill No. 86, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," authorizing unnaturalized foreign-born residents to own or possess dogs.

Which was committed to the Committee on Forests and Waters. Game and Fish.

Mr. KESSLER read in place and presented to the Chair Senate Bill No. 87, entitled:

An Act reenacting certain parts of the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," clarifying provisions relating to magistrates sending notices by registered or certified mail.

Which was committed to the Committee on Highways.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 88, entitled:

An Act amending the act of August 5, 1932 (P. L. 45) entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; . . .," limiting the rate of wage, income or occupation taxes; reducing such taxes heretofore imposed and providing for certain credits and deductions for nonresident taxpayers.

Which was committed to the Committee on Local Government.

Messrs. MADIGAN and BERGER read in place and presented to the Chair Senate Bill No. 89, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled, "State Highways Law" authorizing the Department of Highways to construct and maintain cattle passes under State highways and rural State highways.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, of the four bills which I am about to present to the Chair, two deal with historical matters. It has been an unwritten tradition here in the Senate that bills dealing with the history of Pennsylvania be referred to the Committee on Forest and Waters, Game and Fish, which is headed by that great historian from Erie, Senator Blass. It is not that all of these bills have been passed, because a good many of them were killed but, nevertheless, they do get all the proper attention.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and CHAPMAN read in place and presented to the Chair Senate Bill No. 90, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia, Pennsylvania.

Which was committed to the Committee on Public Health and Welfare.

They also read in place and presented to the Chair Senate Bill No. 91, entitled:

An Act to further amend the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372), entitled "The General State Authority Act of 1949," by authorizing the purchase or condemnation of land for the site of a memorial building to be constructed and maintained to honor the memory of Willian Penn, for the protection of State archives, and as a State museum, and also by authorizing the development and restoration of historic buildings and sites.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 92, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to cooperate in historical projects with the National Park Service or other agencies of the United States government and empowering the Commission to enter into formal compacts, contracts or agreement for carrying out such projects.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 93, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia, Pennsylvania.

Which was committed to the Committee on State Government.

Messrs. HAYS and PECHAN read in place and presented to the Chair Senate Bill No. 94, entitled:

An Act amending the act of June 6, 1907 (P. L. 417), entitled "An act to authorize all State hospitals for injured persons, and all hospitals for the care and treatment of the insane, in whole or in part maintained by State aid, to acquire lands for hospital purposes; . . ." extending the act to all hospitals in whole or in part maintained by State aid.

Which was committed to the Committee on Public Health and Welfare.

Mr. DONOLOW read in his place and presented to the Chair Senate Bill No. 95, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making it unlawful to strike, beat or wilfully injure the person or apparatus of any news reporter or photographer in the performance of his duties.

Which was committed to the Committee on Judiciary General.

Messrs. SCHMIDT and KOPRIVER, JR., read in place and presented to the Chair Senate Bill No. 96, entitled:

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, changing residence requirements of voters.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, the bill that I am presenting deals with the subject of wire tapping. It would forbid the practice of wire tapping within the Commonwealth I think this is an important bill and one which is worth the attention of the Senate.

Last Session, Mr. President, an identical bill was presented in the Senate and in the House of Representatives. The one in the House emerged from committee and, after some discussion, was passed by the House. Due to press of other business or for some other reason, it did not receive passage in the Senate.

The practice of wire tapping is a relatively new one. It is a part of our heritage as Americans I think that we should have privacy and security in our homes and on our own properties. I think this is a traditional American expectation and right. At the time the Constitutional provisions regarding these rights were made, wire tapping, of course, had not even been invented. It was many years later that wire tapping became a practice, after much scientific discovery and invention.

By means of this new method of invading the privacy of the individual, some serious inroads have been made, I believe, on the rights of Americans. The communications between an American citizen and his physician, his lawyer, his priest or minister or rabbi, between members of his own family in discussing the most intimate matters, are all subject to being overheard surreptitiously by strangers. Furthermore, what is said by means of the tape recorder can be so distorted and so mangled as to entirely distort the meaning and intent of what was said, resulting in an unfair picture of the conversation.

Mr. President, the practice of wire tapping, in many circles, has become a racket. For all these reasons, there

has been increasing interest in prohibiting this practice. In the Federal Government, this practice has been forbidden by law. Unfortunately, the provisions of that law do not clearly extend to the various States. Therefore, Mr. President, we introduce again, at this Session, this bill calling for the total abolition of this practice.

Formerly, this bill received the commendation and approval of the Bar Association of Pennsylvania, Philadelphia and many of the individual counties of the Commonwealth. The American Civil Liberties Union, in its National, State and its local branches, has been very much interested. Many other groups have had their attention called to the evils in this practice. Particularly is this true in the State of New York where trials of various types of control of this practice have been attempted and have failed. It seems that total abolition, total prohibition is the only solution.

For that reason, Mr. President, I hope that at this Session this Senate will take the lead in passing this bill and in starting on its progress the passage of this important legislation.

BILL INTRODUCED AND REFERRED

Messrs. SEYLER, DONOLOW, CAMIEL, SCHMIDT, SILVERT, and WEINER read in place and presented to the Chair, Senate Bill No. 97, entitled:

An Act to define and prohibit unauthorized interception, divulgence or use of telephone and telegraph communications; providing criminal penalties and civil damages, including attorneys' fees, for the violation thereof and limiting the admissibility of evidence.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I noted with interest what my good friend, Senator Seyler, said relative to his bill. I regret that we did not have the opportunity to pass this piece of legislation last Session.

However, the fact that we did not pass it should not have encouraged his fellow countian, Herbert Cohen, the former Attorney General, in purchasing thousands of dollars of wire tapping equipment, as I understand it, even without going to the trouble of having competitive bidding to obtain this equipment. I am sorry that Senator Seyler could not have convinced Mr. Cohen and his other fellow countian, Governor Leader, that that was probably a waste of the taxpayers' money.

If we pass this bill, I do not know now what we are going to do with all this expensive equipment which was purchased by the Administration for the purpose of tapping wires.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, I appreciate the well intentioned comments made by Senator Mahany. I would point out to him that at the present time there is no prohibition against the use of such equipment. It is entirely legitimate. It is being used by authorities of most States and by many of the local community law enforcement officers and of course, I have no criticism of them as, I am sure Senator Mahany has no criticism of the Attorney General or any other person who purchases or uses this equipment under the present law.

However, Mr. President, I am sure that Senator Mahany will join with me in saying that this is a bad practice, and I hope he will join with me and with other interested persons in seeing to it that this practice is prohibited for all persons, including the law enforcement officers of our own Commonwealth.

PERMISSION TO ADDRESS SENATE

Mr. DONOLOW asked and obtained unanimous consent to address the Senate.

Mr. DONOLOW. Mr. President, I agree with the Majority Floor Leader that to purchase wire tapping equipment by the Attorney General was certainly not a move in the right direction as far as I am concerned. However, I feel that I can say that our new Attorney General, who is very much interested and has shown his interest in the past and I am sure has taken that interest into his present office, is against any sort of wire tapping and was one of the leaders in putting House Bill No. 726 across last Session.

Mr. President, I may say that near the conclusion of the last Session of the Legislature, I took the Senate floor—I think the Journal will bear me out—and asked the Senate to pass the wire tapping bill which came from the House. Since the Supreme Court of Pennsylvania passed the Commonwealth vs. Chaitt case, in which it said that any evidence secured by means of wire tapping was evidence that could be used in the criminal courts of our jurisdiction, we have had every police department in this Commonwealth running to the wires and peeping and listening in as to what is going on.

If I may bring out a personal experience I had not so long ago, I tried a case in a county here in Pennsylvania which dealt solely with wire tapping. During the cross-examination of the police officer who testified, he admitted on the stand that he had listened into eight different telephone conversations before he had secured the correct lines that he wanted to listen into and secure the evidence.

I must bring out the language which, by necessity, was used by Justice Musmanno in the Commonwealth vs. Chaitt case. He said that it was more important that the democratic right of privacy he preserved than some bookmaker being apprehended for calling in or securing five or six number bets.

Mr. President, in my own county of Philadelphia we have people tapping each other. The police brass have their own tapping crews. The Commissioner, the Deputies, every Inspector has a tapping crew. There is not a political leader or a citizen in the city of Philadelphia today who is free from having his telephones tapped. A judge told me a few weeks ago, quite humorously—however, I do not think in our present democracy it is humorous—that when he says "Goodnight" on his telephone, he says "Goodnight" to everyone who is listening in. That is typical of what is happening in Philadelphia today, when every police official has his own wire tapping crew assigned for him so that he can obtain information as to what is going on, not among criminals but among civic

leaders who have the audacity to disagree or get information on political leaders of either party so that some day it may be used in some way or other.

Mr. President, this dirty practice, according to the words used by Justice Holmes, must be brought to an end. J. Edgar Hoover has said many times that this is an archaic method of securing evidence. It is neither scientific nor logical. The sooner we, here in the Senate of Pennsylvania, show the people of this State that we will protect the right of privacy and protect the fundamental constitutional rights, the sooner we will have served the people of this great Commonwealth properly.

BILLS INTRODUCED AND REFERRED

Messrs. MALLERY, LANE, HARNEY, WATSON, STEVENSON and RUTH read in place and presented to the Chair Senate Bill No. 98, entitled:

An Act amending the act of April 25, 1929 (P. L. 694), entitled "An act providing for the payment monthly by the counties to the Department of Revenue of the expenses of keeping convicts in State penitentiaries," changing the counties which are responsible for the upkeep of convicts in State penitentiaries.

Which was committed to the Committee on Local Government.

Messrs. STEVENSON, MALLERY, KOPRIVER, JR. and LANE read in place and presented to the Chair Senate Bill No. 99, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," changing the over-all limit of tax revenues for certain taxing districts.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908), entitled "An Act relating to public records of political subdivisions other than cities and counties of the first class; . . ." authorizing county commissioners to destroy or dispose of certain records and papers.

Which was committed to the Committee on Local Government.

Messrs. WEINER and McGINNIS read in place and presented to the Chair Senate Bill No. 101, entitled:

An Act amending the act of May 13, 1915 (P. L. 286), entitled "Child Labor Law" regulating the employment of minors on farms.

Which was committed to the Committee on Labor and Industry.

Messrs. DENT and PECHAN read in place and presented to the Chair Senate Bill No. 102, entitled:

A Joint Resolution proposing an amendment to article eight, section six of the Constitution of the Commonwealth of Pennsylvania, providing for absentee voting of certain categories of persons.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. DENT and FLEMING read in place and presented to the Chair Senate Bill No. 103, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," increasing the number of permits for special dog training areas throughout the Commonwealth.

Which was committed to the Committee on Forests and Waters, Game and Fish.

They also read in place and presented to the Chair Senate Bill No. 104, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," further regulating the open season for hunting deer with bows and arrows.

Which was committed to the Committee on Forests and Waters, Game and Fish.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY AND INVESTIGATE THE PENNSYLVANIA MORTGAGE SYSTEM

Messrs. KESSLER, BLASS and BERGER offered the following resolution which was twice read and referred to the Committee on State Government.

In the Senate, January 28, 1957.

Due to economic changes, the raising of the standards of living and the facility of financing the purchase of property for business and dwelling purposes, each year untold thousands of deeds and mortgages are left for recording with the Recorder of Deeds of the several counties of this Commonwealth.

As a result of the recording of this vast number of deeds and mortgages, the various offices of the Recorder of Deeds are being filled to capacity.

Our Legislature saw fit years ago to enact legislation providing for a "short form" deed which was designed to conserve space in the office of the Recorder of Deeds.

Many states have appropriate legislation, which provide a title abstract system and the incorporation of descriptions in conveyances which result in shorter deeds and mortgages.

Attorneys at law, financing institutions, public officials and the general public would be greatly benefited by legislation that would simplify the conveyancing and mortgaging of property; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to study and investigate:

1. The various types of "short form mortgages" and the integration thereof into the Pennsylvania system of mortgaging property;

2. The establishment of abstract of title systems with respect to the ownership and conveyancing of property together with methods whereby descriptions of property may be incorporated into deeds and mortgages by reference to prior deeds; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, January 28, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, February 4, 1957, at three o'clock p.m., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Monday, February 4, 1957, at four-thirty o'clock p.m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, a few moments ago I was reminded of the nomination that the Governor sent over to the Senate naming one Frank Garufi, of 902 Warren Avenue, Apollo, Armstrong County, asking the Senate to confirm him as a Justice of the Peace in the Borough of Apollo, which is in my county. The papers, for the last week, have been full of the Labor and Industry Fund that was under former Labor Secretary John Torquato.

I find that Frank Garufi, of 902 Warren Avenue, Apollo, was one of the last employees. In fact, his employment was terminated just last week. The Governor has found him unfit to serve and has fired him, yet he sends his name over and asks the Senate to confirm him as a Justice of the Peace in my county. I would like to know whether the Governor knows what is going on.

Actually, I am confused. I was just over to the House and they are having a picnic over there. It is not the Republicans that are giving him hell; I think it is the people in his own party. Perhaps someone on the other side could straighten me out on this. It just does not make sense. You fire a man one week, at fifteen dollars and five cents a day, plus expenses, and now you are going to make him a judge. Does that add up?

I would like to have someone enlighten me. Maybe the Governor can; I do not know but it is certainly confusing to Al Pechan.

INTERROGATION

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. DENT. I do not remember—maybe you can clear it up for me—that anyone said that the men who were suspended by the Governor from employment in the Commonwealth under the Special Fund were unfit for public office or unfit for the jobs that they held. I do not remember seeing that in any newspaper.

Mr. PECHAN. Senator Dent, I am just taking the picture as a whole. He has fired or is trying to fire Frank McSorley and Jim Torrance from their jobs, and they have not been proved guilty but he is dismissing them. Here the very next week he is bringing in Frank Garufi.

Mr. DENT. This man, as I understand it, is from your District.

Mr. PECHAN. Yes.

Mr. DENT. Do you know him to be unfit for the office of Justice of the Peace?

Mr. PECHAN. I do not even know him, but I am just wondering what is going on. Why fire him last week and make him a Justice of the Peace this week?

I am not saying that he is unfit. I do not know the man.

Mr. DENT. Mr. President, I think the Senate has before it a question as to the fitness of this individual to occupy the exalted position of Justice of the Peace in his District. As most of us know, the position of Justice of the Peace has always been considered the people's court, and the question that we have to resolve today, with your permission since you come from that District and with your guidance since you come from that District, is whether or not the man would be a proper man for the position that he is presented to us to hold. What went on before is a matter that none of us know anything about.

I asked the Senate last week to investigate that very situation. I thought that this might be one of the things that might come out of the wholesale dismissal or suspension of a group of citizens; that perhaps in this group there might be some who are at fault and some who are not proper persons for employment in public life. I also felt that a wholesale indictment was not the American way of doing things.

This man, for all I know and from what I understand you to say since you are not acquainted with him, for all you know might be a very proper person for the position. I assume that an investigation has been made by the administrative offices through their regular channels of check-up and that he is a proper person. I would assume that his name would not be sent over here otherwise. The question that I would like is to vote on the man for the job that he comes before us for. What went on before, I do not know anything about.

I would again request that you put through the resolution that we introduced last week in order that we may clear these men. If we again, today, turn this man down, what are we doing to citizens of Pennsylvania? Are we putting them in jeopardy with their private lives? Are we saying to their employers, if they have any, that these men are not entitled to earn a living in the Commonwealth? Are we saying that we think that they can not only hold a job in the State, but they cannot even be appointed to the office of Justice of the Peace, or any other office because of an unproven or even uncharged liability?

I do not know whether the man is liable for any charges because of the conduct of his office. I know nothing about it and you do not because you so stated.

I can understand your astounded attitude in the matter. You cannot understand why a man was left go last week and he is being appointed this week. Does the one job have any relationship to the other? Do you then, as his Senator, disapprove of him taking this job as Justice of the Peace, and do you want us to follow you in the matter? I assure you that if any name comes before this group from Westmoreland County, I will take full responsibility for whoever is named by the Governor and I will come to the Senate and recommend, one way or the other, to the Members of this Senate as to how I would like them to act upon that man's nomination and I will follow whatever suggestion you make, Senator.

Mr. PECHAN. Senator Dent, I did not fire the man. I said that I am confused. I am wondering what is happening. All of a sudden, we have a change of attitude in the Governor's Office. The man was fired. It was Governor Leader that fired him. It was not Al Pechan. I do not know the man. He would probably make a very fine Justice of the Peace.

I am like you. I do not see why honest people like this man, who perhaps does not deserve it, should have their names bandied around in the Pennsylvania State Senate, but the fact is that every paper carried the story that

Governor Leader fired him because John Torquato had him working for him.

I do not know. Maybe the man worked every day; maybe he worked twenty-four hours a day and did sixteen hours more work than some of the fellows who supposedly did not show up at all. I do not know.

Certainly I will okay Frank Garufi. I checked with people in Apollo to see if he is a good citizen and if he would make a good Justice of the Peace. It is Governor Leader's prerogative to send over his nominations and it is my prerogative to examine them.

In view of what has happened, what am I to do?

Mr. DENT. I would suggest, Senator, that what I would do if he were from my District, I would make the inquiry as soon as I could and I would come before this Senate with a recommndation, and I am sure that the Senators on this floor will honor whatever recommendation you make in this case.

I would say, further, that you ought to get behind the resolution that was introduced last week so that we may clear the names of those who may be unjustly criticized for whatever part they had in a governmental function. The fact that they are part time jobs is not of itself a crime.

I understand that it has been the custom in State Government for many, many years to have a large number of attorneys who are employed on a part time basis. It is also the custom, I believe, for attorneys in State Government on a full time basis to maintain their law practice and to appear in court when their clients' services demand that they appear in court, regardless of whether it is a workday on the Hill or not. I understand that many persons in State Government hold their present positions or past positions in corporations and in many going concerns. I do not know where the line has to be drawn. I only know that people are now under a cloud and your statements here today definitely prove what I tried to point out last week; that these men are condemned without a trial, that it is against the American way of life to do so, and that here is a man being denied the right of holding public office in his community for no other reason except that he happened to be unfortunate enough, as it were, to be caught in a net that was thrown into the sea wildly. My father told me, when I was a little boy, that when you cast a net into the sea, you cannot predetermine the species of fish that you will catch.

I don't know whether this man is innocent or guilty. I only know that the action today in refusing him confirmation places another stamp of guilt upon this person. I do not know him from Adam, and you state that you do not know him from Adam. I do not like to prejudge the man.

I would like to have the resolution called up, I would like to have it passed and I would like to have these individuals come before us and state their position as to what they were doing on the payroll and whether they deserved the fate that was handed out to them. I would like to have the Secretary of Labor and Industry present his case. Maybe he, too, presented the man because of the same endorsements that he now has to be named Justice of the Peace. I do not know.

I will follow whatever you say in the matter. If you say he ought not be confirmed, it is your District, sir, and I will follow you.

Mr. PECHAN. I do want to say this to you, Senator Dent. As I promised you last week, there will be an investigation. As I told you last week, I felt the one in the House, which made it a joint investigation of both bodies, would be a fair way of determining the guilt or the innocence of everybody concerned.

I want to say to you further, Senator Dent and my colleagues, that I have not prejudged anyone and if anyone has done any prejudging, it is your Governor and not Al Pechan or the Members of this side or possibly most of the men on your side. He has made wholesale firings. Whether they are guilty or not, I do not know and I want to say in so far as I am concerned, until they have their day in court, they are innocent.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, throughout the remarks made by Senator Pechan, he used the word "fired." There is no sense in adding insult to injury. These men were not fired; they were suspended pending an investigation.

Governor Leader has stated that if the investigation proves that these men did a creditable job, they will be restored to office. There is a difference between firing and a suspension, pending an investigation.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, I listened to the speech made by the gentleman from Armstrong and it seems to me that he used a considerable amount of innuendo. If my memory serves me correctly, there were quite a number of prominent people on that payroll whom the Governor suspended. As the Senator from Philadelphia stated, those people were suspended pending an investigation. If Senator Pechan takes the position that this gentleman is not qualified to be a Justice of the Peace, he also takes the position that this priest who was supposed to be on the payroll would not be qualified to receive some appointment.

It seems to me that the trouble here is that the Republican side is trying to use this difficulty that we are in right now to their political advantage. Last week, we sponsored a resolution. We offered to amend the resolution and, as a matter of fact, we wanted to give the Republicans our shirt in order to get this resolution passed. However, it is still in committee and I do not believe there will be any action on the part of the Senate. The reason I do not believe there is going to be any action is because the resolution reads that we should investigate the fund from the time of its inception, which was in 1945. What the Republican Majority is afraid of is this; they are afraid that we might uncover a little of their dirty linen.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, evidently this particular

gentleman did not intend to come back on the payroll again or else he now would not be wanting the job of Justice of the Peace. I do not envision that this man is going to be Justice of the Peace and also be an employee of the State from this fund. Therefore, we do not have to worry about this suspension. The man would definitely be terminated from his position if we go along and confirm him as a Justice of the Peace.

I do not believe that Senator Pechan was so concerned over the qualifications of Mr. Garufi for holding office as much as he was concerned over the qualifications of Governor Leader who would fire the man one week—or I should say suspend him; at least, put him off the payroll—and then send his name over to us today to have the exalted position of Justice of the Peace conferred upon him.

Mr. President, I would suggest that Senator Pechan get over his confusion by going over and calling on Governor Leader to find out why he does one thing one day and another thing the next day.

COMMUNICATION FROM GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF FRANK GARUFI AS JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 28, 1957, for the appointment of Frank Garufi, 902 Warren Avenue, Apollo, Armstrong County, as Justice of the Peace in and for the Borough of Apollo, Armstrong County, to serve until the first Monday of January 1958, vice O. M. Cunningham, deceased.

I respectfully request the return to me of the official message of nomination in the premises.

GEORGE M. LEADER.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, it is going to take an awful hassle between Governor Leader and Al Pechan before he gets that Recall in his hands again.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I joined the gentleman from Armstrong in his state of confusion.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, I am delighted to see the influence wielded by the gentleman from Armstrong, inasmuch as a mere compliant from him and an indication—not even a complaint, but just an indication of a state of confusion—has the effect of getting such prompt action from the Governor's Office.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, January 28, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, February 4, 1957, at three o'clock p.m., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Monday, February 4, 1957, at four-thirty o'clock p.m., E.S.T.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, from the Committee on Executive Nominations, I report at this time a communication from His Excellency, the Governor of the Commonwealth, recalling the nomination of M. E. Patrick as a member of the State Board of Veterinary Medical Examiners.

The Clerk read the communication as follows:

RECALLING THE NOMINATION OF M. E. PATRICK AS A MEMBER OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the appointment of M. E. Patrick, Greensburg, as a member of the State Board of Veterinary Medical Examiners, from December 28, 1956, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATION BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. WATSON. Mr. President, I further report from the Committee on Executive Nominations the nomination of M. E. Patrick, and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with the law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

M. E. Patrick, Greensburg, from December 28, 1956, until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER

NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent for the immediate consideration of the Executive Nominations reported at today's Session, with one exception. I ask that the nominations of the Members of the Board of Trustees of Pennhurst State School remain on the table.

The PRESIDENT. Is there objection?

Mr. DENT. Mr. President, I ask that a vote be taken on all the nominations reported from committee at today's Session, except the nominations of those serving on the Registration Commission in and for the City of Philadelphia, and I would like to have those particular nominations lie on the table until we have a meeting tomorrow morning.

EXECUTIVE NOMINATIONS REPORTED AT TODAY'S SESSION TO REMAIN ON THE TABLE

Mr. WATSON. Mr. President, I now request that the Executive Nominations reported from commiittee today remain on the table.

The PRESIDENT. Without objection, it is so ordered.

CALENDAR

SECOND READING CALENDAR

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) and making an appropriation" and for the repair improvements or additions of certain sewage treatment plants.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 1, the bill just read, be re-referred to the Committee on Appropriations.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 4, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 11, Printer's No. 3, on second reading, go over in its order.

The PRESIDENT. Is there objection. The Chair hears none.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, January 29, 1957, at 1:00 o'clock, p.m., Eastern Standard Time.

Mr. MURRAY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:55 o'clock, p.m., Eastern Standard Time, until Tuesday, January 29, 1957, at 1:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, January 28, 1957

The House met at 4:30 p. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Father F. S. Lizik, pastor of the St. Francis DePaul Church, Ford City, Pa., guest Chaplain, offered the following prayer:

Almighty and Eternal God, whose Providence watches over us and every human event, we earnestly beseech Thy Blessings upon the Members of this Assembly of Thy faithful servants. Grant unto them, O Lord, the gift of wisdom and understanding, so that they may be enabled to solve prudently the many problems of our Commonwealth in a way that shall be both pleasing unto Thee, and of benefit to the people whom they serve. Assist them, O Lord, in all of their deliberations, and give unto them the courage never to flinch where truth and justice are assailed. Guide and strengthen our President, his Cabinet, the members of Congress, the Governor of our State, the officials of our community, and all others, in high position or low, who are entrusted with the task of protecting for all citizens those rights and privileges which come from Thee and from Thee alone.

Teach us all, O Lord, to be worthy instruments in extending to all men of all nations, Thy children and our brothers, the same peace, freedom and security with which Thou hast so abundantly blessed our land. Through Christ our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Tuesday, January 22 and Wednesday, January 23, 1957? If not, and without objection, the Journals are approved

BILLS INTRODUCED AND REFERRED

By Messrs. VARNER, AUKER and RENWICK HOUSE BILL No. 103

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), permitting Canadian subjects or citizens who are residents of this Commonwealth to be issued nonresident hunting licenses and to own or possess firearms and dogs.

Referred to the Committee on Game and Conservation.

By Mr. THOMAS H. W. JONES HOUSE BILL No. 104

An Act making an appropriation to the Department of Justice for the payment of certain moral claims against the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. THOMAS H. W. JONES HOUSE BILL No. 105

An Act amending the "World War II Veterans' compensation Act," approved June 11, 1947 (P. L. 565), extending the time during which applications may be filed for veterans' compensation.

Referred to the Committee on Military Affairs.

By Mr. VARNER HOUSE BILL No. 106

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), increasing the borrowing power of the Authority and allocating the proceeds thereof.

Referred to the Committee on State Government

By Mr. DUNN HOUSE BILL No. 107

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), imposing alternative penalties for illegally passing school buses.

Referred to the Committee on Motor Vehicles.

By Mr. DUNN HOUSE BILL No. 108

A Joint Resolution proposing an amendment to Article IV, section 3, of the Constitution of the Commonwealth of Pennsylvania, providing for the Governor to succeed himself.

Referred to the Committee on State Government.

By Messrs. DOWN, LIGHT, GIBSON and AGNEW HOUSE BILL No. 109

An Act relating to the recovery of damages for injuries to property in consequence of mob and riots, and imposing duties and liabilities on counties, county commissioners, sheriffs, aldermen, constables and justices of the peace.

Referred to the Committee on Counties.

By Messrs. PIPER and DUNN HOUSE BILL No. 110

An Act amending the act of July 7, 1897 (P. L. 194), entitled "An act to enlarge the jurisdiction of justices of peace, and regulating the fees of constables making sales under this act," extending the jurisdiction of aldermen, magistrates and justices of the peace to actions based on trespass on the case.

Referred to the Committee on Judiciary.

By Mr. AMARANDO, Mrs. PASHLEY and AUSTIN M. LEE HOUSE BILL No. 111

An Act amending the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304), extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class.

Referred to the Committee on Cities—Counties, First-Second and Second Class A.

By Messrs. AMARANDO and SCARCELLI HOUSE BILL No. 112

An Act amending the act of May 3, 1923 (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; * * *," including the Italian-American World War Veterans of the United Sta'es Incorporated, * * * among the veterans' organizations entitled to the printing of convention reports.

Referred to the Committe on Military Affairs.

By Messrs. AMARANDO and SCARCELLI HOUSE BILL No. 113

An Act providing for a referendum in Philadelphia to determine the will of the electorate in regard to permitting worldly employment business or the use or practice of any game, sport or other diversion otherwise prohibited by law on Sundays.

Referred to the Committee on Law and Order.

By Messrs. AMARANDO and SCARCELLI

HOUSE BILL No. 114

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), including the Italian-American World War Veterans of the United States Incorporated, the Polish Legion of American Veterans, U. S. A. and the Polish Army Veterans' Association of America among the veterans' organizations for which certain appropriations may be made.

Referred to the Committee on Military Affairs.

By Messrs. AMARANDO and SCARCELLI

HOUSE BILL No. 115

An Act amending the act of June 2, 1937 (P. L. 1184), entitled as amended, "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day * * *" including the Italian-American World War Veterans of the United States Incorporated, the Polish Legion of American Veterans, U. S. A. * * * among the veterans' organizations to which appropriations may be made.

Referred to the Committe on Military Affairs.

By Messrs. AMARANDO and SCARCELLI

HOUSE BILL No. 116

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), including the Italian-American World War Veterans of the United States, Incorporated, the Polish Legion of American Veterans, U. S. A., and the Polish Army Veterans' Associaiton of America among the veterans' organizations for which certain appropriations may be made and authorizing said organizations to collect certain data relative to location of burial places of deceased service persons.

Referred to the Committe on Military Affairs.

By Messrs. AMARANDO and SCARCELLI

HOUSE BILL No. 117

An Act relating to baseball, basketball, bowling, football and hockey on Sunday in Philadelphia; prohibiting these sports on Sunday before two o'clock post meridian and after that hour unless the electors of the city are in favor of the same and in certain cases a license has first been secured from the city; * * *.

Referred to the Committee on Law and Order.

By Messrs. AMARANDO and SCARCELLI

HOUSE BILL No. 118

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), regulating the sale and purchase of ammunition.

Referred to the Committee on Judiciary Special.

By Messrs. AMARANDO and SCARCELLI

HOUSE BILL No. 119

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), including the Italian World War Veterans of the United States, Incorporated, the Polish Legion of American Veterans, U. S. A. and the Polish Army Veterans' Association of America among the veterans' organizations for which certain appropriations may be made and authorizing said organizations to collect certain data relative to location of burial places of deceased service persons.

Referred to the Committee on Military Affairs.

By Messrs. AMARANDO and SCARCELLI

HOUSE BILL No. 120

An Act providing for a referendum in Philadelphia to determine the will of the electorate in regard to permitting licensed restaurants, hotels and bars to sell liquor and malt or brewed beverages after two o'clock, post meridian on Sundays.

Referred to the Committee on Law and Order.

By Messrs. MOSCRIP, McCANN and GOODLING

HOUSE BILL No. 121

A Joint Resolution proposing an amendment to Art. VIII, Sec. 12 of the Constitution of the Commonwealth of Pennsylvania, changing provisions relating to the election of county superintendents of public schools.

Referred to the Committee on Education.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 28, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, February 4, 1957, at three o'clock p.m., EST, and when the House of Representatives adjourns this week, it reconvene on Monday, February 4, 1957, at four-thirty o'clock p.m., EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Stimmel for Mr. DeLONG because of illness.

RESOLUTION

SUPPLEMENTAL REPORT OF THE COMMITTEE ON COMMITTEES

Mr. ROYER offered a supplemental Report of the Committee on Committees and asked and obtain unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 28, 1957.

Resolved, That in compliance with the provisions of Rule 27 of the House, it is recommended that the Members named herein be and are hereby elected Members of the Standing Committee of the House of Representatives as designated:

Municipal Corporations

BLAIR, Chairman vice WESCOTT, Chairman

Townships

WESCOTT, Chairman vice BLAIR, Chairman

Cities—Third Class

DELONG vice MOYER

Professional Licensure

MOYER vice DELONG

Banking and Building and Loan Associations

DALRYMPLE vice MURRAY, H. P.

Townships

MURRAY, H. P. vice DALRYMPLE

Railroads and Railways

ISAACS vice HEFFNER

Judiciary

HEFFNER vice ISAACS

Railroads and Railways

WALL vice SPRAY

State Government

SPRAY vice WALL

Labor Relations

ADAMS vice MILLER, WENDELL H.

Professional Licensure

MILLER, WENDELL H. vice ADAMS

Respectfully submitted by the Committee on Committees:

BAKER ROYER, Chairman
WAYNE M. BREISCH
GEORGE W. COOPER
JOHN A. LaFORE, JR.
MARVIN V. KELLER
LeROY A. WEIDNER
JAMES K. DAVIS
DAVID M. BOIES

The SPEAKER. The Chair will temporarily pass over the order of business of Reports from Committees and take up the next order of business on today's calendar, Bills on Second Reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania enabling the Legislature to enact legislation providing for absentee voting.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 3, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives for payment of expenses of members.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 12, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill 33, entitled:

An Act amending the act of May 21 1931 (P. L. 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

RESOLUTION

REPORT OF COMMITTEE ON RULES

Mr. JOHNSON. Mr. Speaker, I would like to call up for immediate consideration the report from the Committee on Rules having to do with the revision of the Rules of this House.

I might point out that since the Members received the copies of the proposed new Rules last week there has been one slight change made to Rule 15, the fourth to the

last line, which said "unless they are not privileged." That has to do with Resolutions. We are striking out the words "they are not," and it will now read "unless privileged."

Mr. Speaker, I cannot say enough about these Rules. I could tell the House the importance of them and the monumental task that our Parliamentarian and others have performed in the drafting of these Rules, but that story has been told, I am sure, at length to both caucuses, so we will not repeat it here.

I am calling up the report and asking for its immediate consideration.

The report of the Committee on Rules was read as follows:

In the House of Representatives, January 22, 1957.

Resolved, That the permanent Rules of the House of Representatives for the 1957 Session shall be the following:

RULES OF THE

HOUSE OF REPRESENTATIVES

COMMONWEALTH OF PENNSYLVANIA

SESSION—1957

CONTENTS

Duties of the Speaker

	Rule
Speaker to Preside Over Sessions—Speaker Pro Tempore	1
Taking the Chair—Journal	2
Order and Decorum	3
Questions of Order	4
Signature of Speaker	5
Oaths of Employes	6
Quorum	
What Constitutes a Quorum	7
When Less Than a Quorum Vote	8
Call of the House	9
Persons Admitted Under a Call of the House	10

Order of Business

Hour of Meeting	11
Daily Order of Business	12

Resolutions

House and Concurrent, Introduction and Printing	15
Adjournment Sine-Die and Last Day for Introducing Bills	16

Petitions

Petitions, Memorials and Letters	17

Committees

Kind of Rank of	18
Committee of the Whole	19
Rules of Proceedings in Committee of the Whole	20
Amendments Made in the Committee of the Whole	21
Standing Committees	22
Select Committees	23
Committee on Rules	24
Conference Committees—Membership	25
Conference Committee Reports	26
Powers	27
Meetings	28
Records	29
Reports to be in Writing	30
Negative Reports	31
Bills in the Possession of Members of Committees for Report	32
Lost Bills	33
Discharge of	34

Records

Committee	29
Journal	35
History of House Bills and House Resolutions	36

Calendar

House Calendar	37
Postponed Calendar	38

Bills

Introduction and Printing of Bills	13
Introduction of Hospital; Home Appropriation and Highway Route Bills	14
Referred to Committees	39
Confined to One Subject	40
Amending Existing Laws	41
Special and Local	42
Special and Local to be Advertised	43
Appropriations to Institutions not State-Owned	44
Reading	45
First Reading	46
Second Reading	47
Third Reading and Final Passage	48
Defeated	49
Reconsideration	50

Motions

Presentation and Withdrawal	51
Privileged	52
Adjourn	53
Lay on the Table	54
Take from the Table	55
Previous Question	56
Amendments to Bills or Resolutions	57
Form for Printing Amendments	58
Division of a Question	59
Decorum	60
Debate	61
Interruption of Member Who Has the Floor	62
Debate of Committee Proceedings not Permitted	63
Personal Privilege	64
Transgression of Rules	65

Voting

Members Required to be Present and Vote	66
Member Having Private Interest in Bill not to Vote	67
Member Must be Within in Hall of the House to Vote	68
Call for Yeas and Nays—Reason for Vote	69
Roll Call not to be Interrupted	70
Verification of the Roll and Challenging of Votes	71
Changing Vote	72
Members Prohibited at Clerk's Desk During Roll Call	73
Vote by Division	74

Messages

Senate and Governor	75
House Bills Amended by the Senate	76
Bills Vetoed by the Governor	77

Miscellaneous Rules

Journal, Transcribing and Documents Rooms	78
Newspaper Correspondents	79
Photographers, Radio and Television	80
Visitors	81
Sergeant-at-Arms	82
Soliciting Prohibited	83
Supervision of Hall of the House and Committee Rooms	84

Rules

Suspension and Amending Rules	85
Parliamentary Authority	86

RULES ABOLISHED

	Rule No.
Printing of Bills Introduced	19
Papers on the Table	26
Copies—Amendments	47
Amendment Laid on Table Shall Not Carry Bill With It	52
Postponement—Commitment—Amendment	54
Postponement for Substitute Motion	55
Appropriation Bills	57
DEBATE—Member—Must Speak from Own Desk	62
Number of Times Member May Speak	65
Form of Putting Question	73
Peddling Within the Hall of the House Prohibited	96

RULES OF THE HOUSE OF THE REPRESENTATIVES

Commonwealth of Pennsylvania

(Revised to January, 1957)

DUTIES OF THE SPEAKER

Speaker to Preside Over Sessions Speaker Pro Tempore

1. (1)* The Speaker shall preside over the sessions of the House. He may name a member to preside, but the substitution shall not extend beyond an adjournment. He may appoint a Member as Speaker Pro Tempore to act in his absence for a period not exceeding ten consecutive legislative days.

In case of failure to make an appointment, the House shall elect a Speaker Pro Tempore to act during the absence of the Speaker.

The Speaker Pro Tempore shall perform all the duties of the Chair during the absence of the Speaker, except, he shall sign bills only with the consent of the House.

Comment: 1. Ten consecutive Legislative days substituted for ten days.

2. Failure to appoint Speaker Pro Tempore provision added.

3. Consent of House required for signing of bills by Speaker Pro Tempore.

4. Phraseology of old Rule 1 clarified.

TAKING THE CHAIR

JOURNAL

2. (2) The Speaker shall take the Chair and call the Members to order on every legislative day at the hour to which the House adjourned at the last sitting. On the appearance of a quorum, the Speaker shall proceed to the regular order of business as prescribed by the rules of the House.

The Journal of the proceedings of the last day's session shall not be read unless so ordered by a majority vote of the House.

Comment: No change of substance. Phraseology clarified.

ORDER AND DECORUM

3 (3) The Speaker shall preserve order and decorum. He may clear the galleries and lobby in case of disturbance or disorderly conduct.

Comment: Last sentence of old Rule 3 eliminated.

Its provisions is incorporated in Rule 61.

QUESTIONS OF ORDER

4 (4) The Speaker shall decide all questions of order, subject to an appeal by two Members. The Speaker, may in the first instance, submit the question to the House. Questions involving the constitutionality of any matter shall be decided by the House. On questions of order, there shall be no debate except on an appeal from the decision of the Speaker or on reference of a question by him to the House. In either case, no Member shall speak more than once, unless by leave of the House.

Unless germane to the appeal, a second point of order is not in order while an appeal is pending, but when the appeal is disposed of, a second point of order is in order and is subject to appeal.

Comment: Last sentence of old Rule 4 is eliminated. Its provision is unnecessary since the Legislative Journal is the official Journal of the House, in which all decisions on points of order are printed.

The provisions with respect to a second point of order, while an appeal is pending on the first, is clarified.

SIGNATURE OF SPEAKER

5 (6) The Speaker shall sign all bills and joint resolutions in the presence of the House, after their titles have been publicly read. The fact of signing shall be entered upon the Journal. (Constitution, Article III, Section 9).

When necessary, resolutions adopted by the House shall be signed by the Speaker and attested by the Chief Clerk.

All addresses, orders, writs, warrants and subpoenas issued by order of the House shall be signed by the Speaker and attested by the Chief Clerk.

Comment: Line two in old Rule 6, after the word "bills", the words "orders and addresses" are stricken out. The Constitution, Article III, Section 9, requires the Speaker to sign only bills and joint resolutions in the presence of the House.

A new paragraph 2 is added providing for signing of resolutions by the Speaker.

Addresses and orders are included in Paragraph 3.

OATHS TO EMPLOYES

6. (7) The Speaker shall administer an oath or affirmation to the employes of the House that they will severally support the Constitution of Pennsylvania, and of the United States, and that they will discharge their respective duties with fidelity, that they will not knowingly demand or receive, directly or indirectly, any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to their office, other than the compensation allowed by law.

Comment: No change.

QUORUM

What Constitutes a Quorum.

7. (9) A majority of the Members shall constitute a quorum, but a smaller number may adjourn from day to day, and compel the attendance of absent Members. (Constitution, Article II, Section 10).

Comment: Language of this Rule conforms with language of the Constitution, Article II, Section 10.

When Less Than a Quorum Vote.

8 (10) When less than a quorum vote on any question, the Speaker shall forthwith order the doors of the House closed, and the roll of Members called by the Clerk. If it is ascertained that a quorum is present, either by answering to their names or by their presence in the House, the Speaker shall again order the yeas and nays. If any Member present refuses to vote, his refusal shall be deemed a contempt. Unless purged, the House may order the Sergeant-at-arms to remove the Member or Members without the bar of the House. All privileges of membership shall be refused the Member or Members so offending, until the contempt is purged.

Comment: 1. The words: "subject under the consideration" of the House, in lines 2 and 3 of the old Rule 10 are stricken out and the word "question" inserted in lieu thereof.

2. In line 17 of old Rule 10, the words, "Speaker shall" are stricken out and the words, "House may" substituted.

3. Language clarified.

Call of the House.

9. (11) If a question of the absence of a quorum is raised by a Member, the Speaker shall order the Sergeant-at-Arms to promptly close the doors of the House. No Member shall be permitted to leave the House, except by permission of the House. The roll of Members shall be called by the Clerk and absentees noted. Those for whom no leave of absence has been granted, or no sufficient excuse is made, may, by order of a majority of the Members present, be sent for and taken into custody by the Sergeant-at-Arms and his assistants appointed for that purpose, and brought before the bar of the House where, unless excused by a majority of the Members present. they shall be censured or punished for neglect of duty as the House may direct.

Further proceedings under a call of the House may be dispensed with at any time, after the completion of the roll call and the announcement of the result.

These proceedings shall be without debate and no motion, except to adjourn, shall be in order.

Comment: Old Rule 11 has been amended to make it conform with the established practice of the House in conducting proceedings under a call.

Paragraph two of old Rule 11 has been revised and included in Rule 10, where it more appropriately belongs.

Persons Admitted Under a Call of the House

10. (12) Members who voluntarily appear during a call of the House shall be admitted to the House. Upon recognition by the Speaker, they shall announce their presence and their names shall be recorded on the roll.

Officers of the House and employes designated by the Chief Clerk shall be admitted to the House during a call.

Visitors shall not be admitted to the House after the doors are closed and until the proceedings under the call are terminated. They shall be permitted to leave.

Comment: Paragraph one was transferred from old Rule 11 and phraseology of old Rule 12 clarified.

ORDER OF BUSINESS

Hour of Meeting

11. (13) The House shall convene on Mondays at 4:30 o'clock P. M., E.S.T., unless otherwise ordered by the House.

On other Legislative Days, the House shall convene at the hour to which the House adjourned at the last sitting.

Comment: "E.S.T." has been added to paragraph one; also the words, "by the House," after the word "ordered" in paragraph one.

Phraseology in paragraph two is clarified.

Daily Order of Business

12. (14) The daily order of business shall be:

1. Prayer by the Chaplain.
2. Correction and approval of the Journal.
3. Reference to appropriate committees of Bills, Resolutions, Petitions, Memorials, Remonstrances and other papers.
4. Leaves of Abesnce.
5. Reports of committees.
6. First reading bills.
7. Second reading bills.
8. Final passage bills recalled from the Governor.
9. Final passage bills. (Bills on the final passage postponed calendar may be called up under this order of business).
10. Third Reading Bills. (Bills on the third reading postponed calendar may be called up under this order of business).
11. Resolutions. (House and concurrent).
12. Messages from the Senate and communications from the Governor.
13. Unfinished business on the Speaker's table.
14. Announcements.
15. Adjournment.

Any question may, by a majority vote of the House, be made a special order of business. When the time arrives for its consideration, the Speaker shall lay the Special Order of Business before the House.

Comment: The last sentence of the last paragraph of old Rule 14 has been stricken from the rule as unnecessary. The House, by its vote, has the right to postpone any question in its possession or rescind any action.

Language of old Rule clarified.

INTRODUCTION AND PRINTING OF BILLS

13. (17) Bills shall be introduced in triplicate, signed and dated by the Member or each of the Members, who is a sponsor of the bill, and filed with the Chief Clerk. A House bill shall be limited to four sponsors. A sponsor may not be added or withdrawn after a bill has been printed.

Bills introduced when received at the Chief Clerk's desk shall be numbered consecutively, and delivered to the Speaker, who shall refer each bill to an appropriate committee. The Speaker shall report to the House the committees to which bills have been referred, either on the day introduced or received or on the next day the House is in session.

If the Speaker neglects or refuses to refer to committee any bill or bills (whether House or Senate) during two days when the House is in session, after introduction or

presentation by the Senate for concurrence, any Member may move for the reference of the bill to an appropriate committee. If the motion is carried, the bill shall be immediately delivered by the Speaker to the committee.

The first copy of each bill introduced is for the committee. The second is for the printer and the third is for the Newspaper Correspondents.

Every bill, after introduction and reference to committee, shall be printed.

Bills may not be withdrawn by sponsors after reference to committee.

Comment: Old Rule 17, as revised, conforms to the established practice of the House with respect to the introduction and reference of bills.

The number of sponsors allowed for each bill has been increased from two to four and a provision included that a sponsor may not be added or withdrawn after a bill has been printed. Bills may not be withdrawn by sponsors after introduction.

Language clarified.

Introduction of Hospital; Home Appropriation and Highway Route Bills

14. (28) No bills appropriating moneys to state-aided hospitals or state-aided homes shall be introduced in the House, except such as appropriate in single bills the total sum to be appropriated to all of the institutions within the same class or group. Requests for appropriations for particular state-aided hospitals or state-aided homes shall be filed with the Chairman of the Committee on Appropriations on forms to be furnished by the Legislative Reference Bureau, and shall be signed by the Members requesting the appropriation.

No bills for the establishment of new State highway routes or for changes in or abolition of existing routes shall be introduced in the House, except such as include in single bills the total mileage to be added, changed or abolished with respect to each type of State Highways, at a session of the General Assembly. Requests for the adoption, change or abolition of a particular highway or portion of a highway with the description thereof, shall be filed with the Chairman of the Committee on Highways on forms furnished by the Legislative Reference Bureau, and shall be signed by the Member making the request.

Comment: The words "of Representatives" are stricken from line 3 and 4 of old Rule 28.

RESOLUTIONS

HOUSE AND CONCURRENT

15. (84) Members introducing resolutions shall file with the Chief Clerk, eight typewritten copies thereof signed by their sponsors and dated. After being numbered, one copy shall be given to the Newspaper Correspondents, and the other copies delivered to the Speaker.

Each House resolution shall be limited to four sponsors. A sponsor who may not be added or withdrawn after a resolution has been printed. Resolutions may not be withdrawn after reference to committee.

Unless privileged under this rule for immediate consideration, the Speaker shall refer House resolutions and Senate resolutions presented to the House for concurrence to appropriate committees.

The Speaker shall report to the House the committees to which resolutions have been referred, either on the day introduced or received or the next day the House is in session.

When a resolution originating in the House (except resolutions of sympathy or congratulations), is reported from committee, it shall be printed, filed on each Member's desk and placed upon the calendar—after which it may be called up under the regular order of business for consideration by the House.

Senate resolutions presented to the House for concurrence, if not privileged for immediate consideration when reported from committee, shall be placed on the calendar before being acted on by the House.

Resolutions privileged for the immediate consideration of the House are those:

Recalling from or returning bills to the Governor.

Recalling from or returning bills to the Senate.

Originated by the Committee on Rules.

Providing for a Joint Session of the Senate and House and its procedure.

Discharging committees from consideration of bills and resolutions.

Placing bills negatived by committee on the calendar.

Of sympathy or congratulations, only when they relate to Members and officers of this House and their respective families.

Adjournment or recess.

Comment: The number of sponsors permitted for House resolutions under old Rule 84 has been increased from two to four.

Non-privileged resolutions will be printed separately and placed in the files of hte Members, when reported from committee. When introduced, they will be printed in the House History and Legislative Journal.

This Rule as revised more specifically fixes the responsibility of the Speaker with respect to reference to committees of resolutions.

The phraseology of old Rule 84 has been clarified.

Resolutions for Adjournment Sine-Die and Last Day for Introducing Bills

16. (85) Resolutions fixing the time for adjournment of the General Assembly sine-die and the last day for introduction of bills in the House shall be referred to the committee on Rules before consideration by the House.

Comment: It is unnecessary to specify, as has been done in old Rule 85, that the Committee on Rules may be discharged from consideration of resolutions for sine-die adjournment and last day for introduction of bills in the House. The discharge of committee rule is broad enough so that the House may discharge any of its committees from any matter in their possession.

The phraseology of old Rule 85 has been clarified.

PETITIONS

Petitions, Memorials and Letters

17. (21) Petitions remonstrances, memorials and other papers presented by a Member shall be signed, dated and

filed with the Chief Clerk to be by him handed to the Speaker for reference to appropriate committees.

The Speaker shall report to the House the committees to which petitions, remonstrances, memorials and other papers have been referred, not later than the next day the House is in session following the day of filing.

Comment: Old Rule 21 has been amended to conform with the procedure for introduction, filing and reference of petitions and other papers.

Phraseology of old Rule 21 has been clarified.

COMMITTEES

Kind and Rank of Committees

18. (22) The Committees of the House shall be of four kinds and rank in the order named:

Committee of the Whole House.
Standing Committees.
Select Committees.
Conference Committees.

Comment: In line one of old Rule 22, before the word "Committees" insert the word "the" and after the word "Committees" strike out the word "may" and insert the words "of the House shall".

Committee of the Whole

19. (23) The House may resolve itself into a Committee of the Whole at any time on the motion of a Member adopted by the House.

In forming the Committee of the Whole, the Speaker shall leave the chair, after appointing a Chairman to preside.

Comment: The procedure for forming the Committee of the Whole is not changed. The phraseology of old Rule 23 is clarified.

Rules of Proceedings in Committee of the Whole

20 (24) The rules of the House shall be observed in the Committee of the Whole as far as practicable, except that a Member may speak more than once on the same question.

A motion to adjourn, to lay on the table or for the previous question, cannot be put in the Committee of the Whole, but a motion to limit or close debate is permissible.

A motion that the Committee of the Whole "Do now rise and report back to the House", shall always be in order, and shall be decided without debate.

Comment: Motions which are privileged in the Committee of the Whole, have been more completely stated.

Paragraph three is sound parlimentary procedure.

Amendments Made in the Committee of the Whole

21. (25) Amendments made in the Committee of the Whole shall not be read when the Speaker resumes the chair, unless so ordered by the House.

Comment: The words, "unless required by one or more Members", in the last two lines of old Rule 25 are stricken out and the words, "so ordered by the House", inserted after the word, "unless".

Standing Committees

22. (27) Rule 27 as adopted by the House January 7th, 1957, is renumbered Rule 22.

The Committee on Mines and Mining shall be known as the Committee on Mines and Mineral Industries.

Select Committees

23. (5) The Speaker shall appoint the Members of select committees, unless otherwise ordered by the House.

Comment: In line one of old Rule 5, before the word, "shall", the word "he" is stricken out, and the words, "The Speaker" inserted.

In line two, strike out the words "and conference", since provision for the Speaker appointing Conference Committees is in new Rule No. 25.

Committee on Rules

24. (29) The Committee on Rules shall consist of the Speaker and five other Members appointed by the Speaker, one of whom shall be the Majority Leader, who shall be Chairman.

The Committee shall make recommendations designed to improve and expedite the business and procedure of the House and its Committees and to propose to the House any amendments to the Rules deemed necessary.

The Committee shall be privileged to report at any time.

Comment: The principal amendment to this Rule is designating the Majority Leader as Chairman of the Committee on Rules.

The provision in old Rule 29 that the Report of the Committee on Rules be adopted by a majority vote is in conflict with the Rule, which requires a majority vote of the Members Elected to the House, to amend the Rules.

Paragraph two more clearly defines the duties of the Rules Committee.

Conference Committees Membership

25. (33) All Committees of Conference shall be appointed by the Speaker and shall be composed of three Members, two of whom shall be selected from the majority party and one from the principal minority party.

The Conferees shall confine themselves to the differences which exist between the House and Senate.

Comment: Old Rule 33 provided that Conference Committees be composed of Members who vote in the majority on the points of difference.

If a roll call vote were taken on the question of the House insisting upon its non-concurrence in the amendments of the Senate, any Member voting in the negative would thereby be disqualified under old Rule 33 from serving on a Conference Committee. This could result in the minority having no representation at the conference table.

Conference Committee Reports

26. (34) The presentation of reports of Committees of Conference shall be in order, after having been signed by a majority of the Members of the Committee of each House.

Consideration of a report of a Committee of Conference by the House shall be in order when it has been printed, placed on the desks of the Members and listed on the calendar.

Comment: By direction of the Speaker, in the 1955-56 session, Conference Reports were placed upon the calendar before consideration by the

House. This is sound procedure which the amendment here proposed for old Rule 34 makes permanent.

Committee Powers

27. (30) Each committee shall have full power over the bill, resolution or other paper committed to it, except that the committee shall not change the subject, nor amendments adopted by the House.

Comment: Language of old Rule 30 clarified.

Committee Meetings

28. (32) No Committee shall meet during any session of the House without first obtaining permission of the House.

Comment: No change of substance in old Rule 32. Phraseology clarified.

Committee Records

29. (31) Each Standing Committee shall keep a record of all committee action, which record shall be open for examination to any Member of the Houes or to others upon permission granted by the Committee.

Records, bills and all other papers in the possession of Committees upon final adjournment of the House shall be filed with the Chief Clerk, to be kept by him for a period of two years.

Comment: The examination of Committee Records by the Senate, without the permission of the Committee, has been eliminated from old Rule 31.

Committee Reports to Be in Writing

30. (37) All reports of committees shall be in writing. Members of a committee may file a minority report in writing, setting forth the reasons for their dissent.

Comment: Language of Old Rule 37 clarified.

Negative Reports

31. (38) The recommendation by a committee that a bill be reported negatively shall not affect its consideration by the House. The words "negative recommendation' shall be printed conspicuously on a line above the title of the bill. The bill shall not be placed on the calendar except by a motion adopted by a majority vote of the Members elected to the House. If the motion is defeated, it shall not be renewed.

No bill reported negatively by a committee shall be placed on a calendar of the House unless a motion to place it on the calendar is made within five days in which the House is in session after the bill was reported from committee.

Comment: In line two of old Rule 38, strike out after the word "be," the word "negatived" and insert in lieu thereof the words "reported negatively."

In line nine after the word "by" insert "a motion adopted by."

In line eleven before the word "it," strike out the words "negatived once" and insert the word, "defeated."

In line six, paragraph two, strike out "such" and insert "the" and in line seven strike out "is" and insert "was."

Bills in the Possession of Members of Committees For Report

32. (39) When a committee has ordered that a bill, resolution or other paper be reported to the House, the Member to whom it is assigned shall make the report thereof to the Houe either on the same day or at the next meeting of the House.

Failure of a Member to comply with this Rule shall be reported to the House by the Committee, provided the official copy of the bill, resolution or other paper has been obtained. Upon a motion agreed to by the House, a duplicate certified copy of a House bill, House resolution or other House paper shall be furnished to the Committee by the Chief Clerk.

In case of a Senate Bill, Senate resolution or other paper received from the Senate, upon motion agreed to by the House, a request may be made to the Senate to furnish the House with a duplicate certified copy thereof.

Comment: In line one of old Rule 39, after the word "has," the word "directed" is stricken out the word "ordered" inserted. Paragraph one, line two, the words "or other paper" are inserted after the word "resolution." Also, in line 6, after the word "thereof," insert the words "to the House either on the same day or."

Paragraph two, the phraseology has been clarified.

Paragraph three has been added to cover Senate bills, resolutions and other papers.

Lost Bills

33. (18) A committee shall not consider a bill, resolution or other paper which is not in its possession.

When a committee reports to the House that a House bill, House resolution of other House paper referred to it is lost, upon a motion adopted by the House, a duplicate certified copy thereof shall be furnished by the Chief Clerk.

If a Senate bill, Senate resolution or other Senate paper received from the Senate is lost, upon a motion adopted by the House, a request shall be made to the Senate to furnish the House with a duplicate certified copy thereof.

If a bill, resolution or other paper is lost before it has been referred to a committee, the fact shall be reported to the House and the procedure provided by this Rule shall be followed.

Comment: Paragraph one of old Rule 18 has been incorporated in Rule 13.

This revised Rule with respect to procedure for lost bills has been broadened to include resolutions and other papers, both Senate and House. It covers bills, resolutions, etc., lost either before or after reference.

Discharge of Committees

34. (40) By resolution adopted by a vote of a majority of the Members elected to the House, a committee may be discharged from the consideration of a bill or resolution or other paper fifteen calendar days after the day on which it was referred.

Comment: The time has been extended from 10 to 15 calendar days after reference before a resolution to discharge a committee from con-

sideration of a bill or resolution or other paper may be considered. The present 10 day provision in old Rule 40 could result in a committee being discharged within six calendar days. For example, if a bill or resolution was referred on a Wednesday and the House adjourned for the week on a Wednesday, the bill or resolution would probably not be in the actual possession of the committee to which it was referred until the following Monday.

The phraseology of old Rule 40 has been clarified.

RECORDS

Journal

35. (86) The House shall keep a Journal of its proceedings, which shall be printed and placed on the desks of the Members. (Constitution, Article II, Section 12).

A motion to correct any day's Journal shall be in order prior to its approval.

Comment: Provision with respect to correction of the Journal has been added.

History of House Bills and House Resolutions

36. (87) A weekly History showing the titles and all action on House Bills and the text and action on non-privileged resolutions, shall be compiled and indexed under the direction of the Chief Clerk and shall be printed and placed on each Member's desk.

The House History shall include a cumulative index of laws enacted during the session and the text of vetoes by the Governor.

Comment: Old Rule 87 has been revised so as to specify more accurately the contents of the House History.

HOUSE CALENDAR

37. (41) Bills and resolutions reported by committees to the House with an affirmative recommendation shall be placed on the calendar in numerical order. House bills and House resolutions shall precede Senate bills and Senate resolutions.

Comment: Phraseology of this Rule clarified.

House Bills on Postponed Calendar

38. (50) A House bill on the postponed calendar, not called up by a Member within five days in which the House is in session, after being placed thereon, shall be dropped from the calendar, unless the time is extended on a motion adopted by the House.

Comment: Phraseology of this Rule clarified.

BILLS

Bills Referred to Committees

39. (35) No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the Members. (Constitution, Article III, Section 2).

Bills shall not be considered beyond first reading until the latest print thereof is on the desks of the Members.

Comment: A new provision is added to this Rule requiring bills to be on Members' desks before consideration by the House, beyond first reading.

Bill Confined to One Subject

40. (56) No bill, except General Appropriation bills, shall be passed containing more than one subject, which shall be clearly expressed in its title. (Constitution, Article III, Section 3).

Comment: No change in this Rule.

Bills Amending Existing Laws

41. (20) Bills amending existing laws shall indicate present language to be omitted by placing it within brackets and new language to be inserted by underscoring. (Constitution, Article III, Section 6).

Comment: The phraseology of old Rule 20 has been ambiguous.

The purpose of the Rule as revised should be better understood.

Special and Local Bills

42. (36) No committe shall report any special or local bill for the consideration of the House, the passage of which is prohibited by the Constitution (Article III, Section 7).

Comment: Phraseology of this Rule clarified.

Special and Local Bills to be Advertised

43. (59) No local or special bill shall be passed by the House unless notice of the intention to apply therefor has been published in the locality where the matter or the thing to be effected may be situated, which notice shall be at least thirty days prior to the introduction into the General Assembly of such bill and in the manner provided by law, the evidence of such notive having been published shall be exhibited in the General Assembly before the act shall be passed. (Constitution, Article III, Section 8).

Comment: The procedure with respect to local legislation fixed by the Constitution and law is such that a Member should, before introducing a local or special bill, confer with the Legislative Reference Bureau.

Appropriations to Institutions

Not State Owned

44. (58) No bill shall be passed appropriating money to any charitable or educational institution not under the absolute control of the Commonwealth, except by a vote of two-thirds of all Members elected. (Constitution, Article III, Section 17).

Comment: Normal Schools eliminated from Rule. There are none.

Reading Bills

45. (42) Every bill and every joint resolution shall be read at length on three different days. All amendments made thereto shall be printed for the use of the Members before the final vote is taken thereon. No bill shall become a law and no joint resolution adopted unless, on its final passage, the vote is taken by yeas and nays, the names of the persons voting for and against the same are entered on the Journal, and a majority of the Members elected to the House are recorded thereon as voting in its favor. (Constitution, Article III, Section 4).

Comment: The words "To the House" are inserted after the word "elected" in the fourth from the last line of old Rule 42.

First Reading Bills

46. (43) Bills shall be read the first time in their order on the calendar. They shall be considered without debate. Amendments shall not be proposed nor is any other motion in order on first reading.

Comment: Old Rule 43, as revised, conforms to the established practice of the House for first reading bills.)

Second Reading Bills

47. (44) Bills on second reading shall be considered in their calendar order by sections or articles, and be subject to amendment. The title of the bill shall be read last.

No House bill on second reading shall be considered until called up by a Member.

Comment: Old Rule 44, as revised, conforms to the established practice of the House for second reading bills, with the exception that "the fourteen calendar day limitations for calling up bills" has been eliminated.

It serves no practical purpose. The original intent of placing a time limit on second reading bills was adopted to prevent a backlog of bills on the second reading calendar by reason of Member not calling up their bills for long periods. Bills in large numbers do not now accumulate on House calendars.

Furthermore, the Rule in this respect does not and cannot apply to Senate bills on the second reading calendar for the reason they do not have a sponsor in the House. Therefore, old Rule 44 gives Senate bills an unfair advantage.

Third Reading and Final Passage Bills

48. (45) Bills on third reading and final passage shall be considered in their calendar order.

Amendments on third reading may not be considered except by a majority vote of the Members elected.

After a bill is agreed to on third reading, the Speaker shall state the question as follows:

"This bill has been read at length on three different days, considered and agreed to and is now on final passage.

Agreeable to the provisions of the Constitution the yeas and nays will now be taken. The question is, shall the bill pass finally?"

Comment: Adding to this Rule the provision "that amendments on third reading are in order by the unanimous consent of the House" is simply putting into the Rule what is the ethablished procedure of the House.

The House Rules provide that bills may be amended either in committee or on second reading.

The Phraseology of this Rule has been clarified.

Defeated Bills

49. (60) When a bill has been defeated by the House, it shall not be re-introduced, nor shall it be in order to consider a similar one, or to act on a Senate bill of like import, during the same session.

Comment: A provision has been added to old Rule 60 that a defeated bill shall "not be re-introduced."

The procedure for defeated bills is fixed by Rule 50 for reconsideration.

Reconsideration

50. (81) A motion to reconsider shall be made by two Members who voted on the prevailing side on the original question, or in case of voice vote by any Member. The motion shall be considered only under the order of business in which the vote proposed to be reconsidered occurred.

A motion to reconsider any vote must be made on the same day on which the vote proposed to be reconsidered was taken, or within the succeeding five days in which the House is in session.

A motion to reconsider the vote by which a bill was defeated shall be in writing.

A bill, resolution or other proposition on which a vote had been taken must be in the possession of the House to be reconsidered.

The vote on a bill or resolution recalled from the Governor may be reconsidered at any time after the bill or resolution has been returned to the House.

No question shall be twice reconsidered. If the motion to reconsider is lost, it may not be renewed.

When a motion to reconsider is decided in the affirmative, the question immediately recurs on the proposition reconsidered.

Comment: To old Rule 81 is added a provision, that any Member may make a motion to reconsider where there has been no record vote; also a new provision, fixing the order of business under which the motion to reconsider may be made.

Another amendment proposed is "That a motion to reconsider may be made on the same day on which the original vote was taken."

The last paragraph of this revised Rule recites what is Parliamentary Law and the established practice of the House. (i e)

"When a motion to reconsider is decided in the affirmative, the question immediately recurs on the proposition reconsidered."

MOTIONS

Presentation and Withdrawal

51. (48) When a motion, which is in order, has been made, the Speaker shall state it, or (if it is in writing), cause it to be read by the Clerk. It shall then be in the possession of the House, but may be withdrawn by the maker, at any time before decision or amendment.

The Speaker shall put the question in the following form: viz: "Those in favor of the motion say 'aye.'" After the affirmation is expressed, "Those who are opposed, will say 'no.'"

All motions, except for the previous question and reconsideration, may be made without a second.

No dilatory motion shall be entertained by the Speaker.

Comment: The phraseology of old Rule 48 has been clarified. Also old Rule 73 has been revised and incorporated in this Rule.

The only change in substance is the provision "requiring a second to the motion for the House to go into the Committee of the Whole," has been eliminated for the reason that it is a useless waste of time.

The seconding of motions, (except those for reconsideration and the previous question), have almost universally been dropped from the Parliamentary practice of Legislative Bodies, as meaningless formality.

Privileged Motions

52. (15) When a question is under debate, or before the House, no motion shall be received but the following, which shall take precedence in the order named:

First: To adjourn, or recess;
Second: To lay on the table;
Third: For the previous question;
Fourth: To postpone;
Fifth: To committ, or recommit;
Sixth: To amend.

Debate on the motion to postpone shall be confined to the question of the postponement and shall not include discussion of the main question.

The motion to commit or recommit is open to debate only as to the reasons for or against reference to committee and shall not include a discussion of the merits of the main question.

Debate on the motion to amend shall be limited to the amendment and shall not include the general merits of the main question.

Comment: Phraseology of old Rule 15 clarified.

Adjourn

53. (16) A motion to adjourn or recess is not debatable. It cannot be amended and is always in order, except:

(a) When another Member has the floor;

(b) When the House is voting.

When a motion to adjourn is made, it shall be in order for the Speaker, before putting the question, to permit the Majority and Minority Leaders or, in their absence, Members designated by them to state to the House any fact relating to the condition of the business of the House which would seem to render it inadvisable to adjourn. These statements shall be limited to two minutes and shall not be debatable.

Comment: A provision has been added to old Rule 16 permitting recognition of the Floor Leaders, in the event of an unexpected motion to adjourn.

Comment: Phraseology also clarified.

Motion to Lay on the Table

54. (51) A motion to lay on the table is not debatable, is not subject to amendment and carries with it the main question and all other pending questions which adhere to it, except when an appeal is laid on the table.

Comment: The words "is not subject to amendment" have been added to old Rule 51. This is sound Parliamentary Law. The motion to amend is debatable, therefore is not in order to a motion to table.

Motion To Take From The Table

55. (53) A motion to take from the table, a bill or other subject, is in order under the same order of business in which the matter was laid on the table. It shall be decided without debate or amendment.

Comment: Phraseology of old Rule 53 clarified.

Previous Question

56. (68) A motion for the previous question, seconded by twenty Members and substained by a majority of the Members present, shall put an end to all debate and bring the House to an immediate vote on the question then pending, or questions on which it has been ordered.

A motion for the previous question may be made to embrace any or all pending amendments or motions and to include the passage or rejection of the bill.

Comment: The effect of the previous question is to close debate and immediately bring to a vote the question or questions on which it has been ordered by the House.

The proposed amendment to old Rule 68 more accurately defines the purpose and effect of the motion for the previous question.

Amendments to Bills or Resolutions

57. (46) No bil shall be amended so as to change its original purpose. (Constitution, Article III, Section 1.)

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Any Member may move to amend a bill or resolution, provided the proposed amendment is germane to the subject.

Before consideration, eight typewritten copies of a proposed amendment, signed by its sponsor, shall be presented to the Speaker, one copy of which shall be delivered to the Newspaper Correspondents.

Comment: The language of the Constitution, Article III, Section 1, more clearly expresses the purpose and intent of old Rule 46 with respect to restriction in amending bills. It has therefore been incorporated in the Rule as paragraph one.

Paragraphs two and three clarify the language now a part of old Rule 46.

A new paragraph four provides that Newspaper Correspondents shall be given a copy of each amendment presented from the floor of the House. This change is in the public interest. Under House Rule, the Press receives a copy of each bill introduced, and it is equally important that they receive a copy of each amendment.

Form For Printing Amendments

58. (49) In printing amendments to bills and resolutions, all new matter added shall be in CAPITAL LETTERS, and matter to be eliminated shall be indicated by strike-out type.

In reprinting House bills previously amended by the House, and in reprinting Senate bills previously amended by the Senate, but not in Senate bills previously amended by the House, all matter appearing in strike-out type shall be dropped from the new print and all matter appearing in CAPITAL LETTERS shall be reset in lower case Roman type.

Comment: In line two of paragraph one of old Rule 49, the words "House or Senate" are stricken out and the words "and resolutions" inserted after the word "bill" in line two.

In line three of paragraph one, the words "to the bill" are stricken out, and in line five the words, "from the bill" have been stricken out.

Division of a Question

59. (69) Any Member may call for a division of a question by the House, if it comprehends propositions so distinct and separate that one being taken away, the other will stand as a complete proposition for the decision of the House.

A motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment nor a motion to strike out and insert.

Comment: In line two of old Rule 69, the words "by the House" have been inserted after the word "question."

Decorum

60. (70) While the Speaker is putting a question or addressing the House, and during debate, or voting, no Member shall disturb another by talking or walking up and down or crossing the floor of the House.

Comment: Purpose of old Rule 70 not changed.

Phraseology clarified.

Debate

61. (63) When a Member desires to address the House, he shall rise and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration and avoid personal reflections.

When two or more Members rise at the same time and ask for recognition, the Speaker shall designate the Member who is entitled to the floor.

No Member, except the Majority and Minority Leaders, may speak more than twice on any question, without the consent of the House.

Comment: Paragraph two of this Rule was formerly included as part of old Rule 3. It properly belongs under the Rules of Debate.

Old Rule 65 has been incorporated as paragraph three of this Rule with the added provision that the respective floor leaders are not limited as to the number of times they may speak.

Interruption of Member Who Has the Floor

62. (64) A Member who has the floor may not be interrupted, except for questions of order, or by a motion for the previous question.

With his consent, a Member may yield the floor for questions related to the subject before the House.

Comment: The provision under old Rule 64, "That a Member shall not be referred to by name in debate," has never been enforced—Its Parliamentary purpose was to more strictly enforce the Rule against personalities in debate. It has been eliminated from the new Rule for the reason that its enforcement is not practical.

The intent of paragraph two added to old Rule 64 is to confine interrogations to the question before the House, which is as it should be.

Debate of Committee Proceedings Not Permitted

63. (90) A Member shall not relate in debate what was done or said in committee, except such as is contained in the written report, or is authorized by the committee; nor shall a Member, in debate, discuss a bill, resolution or other matter not yet reported by a committee to the House.

Comment: To old Rule 90 has been added the provision that, "A Member shall not refer, in debate, to bills, resolutions or other matters not reported by a committee to the House." It is sound procedure that the House can consider and debate only bills, resolutions or other matters which are before them.

Personal Privilege

64. (67) Any Member may by leave of the Speaker, rise and explain a matter personal to himself, but he shall not discuss a pending question in his explanation. Questions of personal privilege shall be limited to questions affecting the rights, reputation and conduct of Members of the House in their representative capacity.

Comment: In line four of old Rule 67, strike out "any" and insert "a."

Transgression of House Rules

65. (66) If any Member, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or any Member may, through the Speaker, call him to order; in which case, he shall immediately sit down, unless permitted by the House to explain.

The House shall, if appealed to, decide the case without debate. If the decision is in favor of the Member, he may proceed. If the case requires it, he shall be liable to censure or other punishment as the House deems proper.

Comment: The words "or other punishment as the House deems proper," have been added to old Rule 66; otherwise, the phraseology has been clarified.

VOTING

Members Required to Be Present and Vote

66. (71) Every Member shall be present within the Hall of the House during its sittings, unless excused by the House, or unavoidably prevented, and shall vote for or against each question put, unless he has a direct personal or precuniary interest in determination of the question, or unless he is excused by the House.

Comment: No change in this Rule.

Members Having Private Interest In Bill Not To Vote

67. (72) A Member, who has a personal or private interest in any measure or bill proposed or pending before the House, shall disclose the fact to the House and shall not vote thereon. (Constitution, Article III, Section 33).

Comment: No change in this Rule.

Member Must Be Within the Hall of the House to Vote

68. (78) No Member shall be permitted to vote and have his vote recorded on the roll uless he is present in the Hall of the House during the first call of the yeas and nays.

The Hall of the House is defined as the floor space within its four walls and does not include the adjoining conference rooms, the lobbies or the upper gallery of the House. The Legislative Journal shall show the result of each roll call by yeas and nays and those absent and not voting.

In line two, after the word "vote" in the old Rule 78, the following words are added, "and have his vote recorded on the roll"

In line three of old Rule 78, srike out the word "on" and insert in lieu thereof the word "during".

Paragraph two of old Rule 78, insert in next to the last line after the word "and", the words "those absent and".

Call for Yeas and Nays—Reasons for Vote

69. (79) The yeas and nays of the Members on any question shall, at the desire of any two of them, be entered on the Journal. (Constitution, Article II, Section 12).

A Member may submit the reasons for his vote in writing immediately after the roll has been called and have them printed in the Journal.

Comment: Phraseology of old Rule 97 clarified.

Roll Call Not To Be Interrupted

70. (75) When the names of the Members are called, it shall be done in alphabetical order, except that "Mr. Speaker," shall be called last. When once begun, the call shall not be interrupted.

Comment: In line two of old Rule 75, strike out the words "shall be" and insert the word "are."

In line three strike out the word "who."

In the last line strike out the word "may" and insert the word "shall."

Verification of the Roll and Challenging of Votes

71. (80) Upon completion of a roll call and before the result is announced, if there appears to be need for verification, the Speaker may direct the Clerk to verify it, or three Members may demand a verification.

Any Member may challenge in writing the vote of other Members. The allegations made shall be investigated by a committee composed of the Speaker, a Majority Member and a Minority Member appointed by the Speaker, who shall submit a report to the House, not later than its next session. The House shall then decide whether the challenged vote shall be recorded or not.

If the challenged vote would change the result, the announcement of the vote shall be postponed until the House decides the case.

Comment: The words, "if there appears to be a need for verification," have been added to old Rule 80 for the purpose of giving the Speaker authority to order a verification, if, in his judgment, it is necessary.

Paragraphs two and three of this revised Rule establish a more definite procedure where Members' votes are challenged.

Changing Vote

72. (77) No Member may change his vote, or have his vote recorded after the vote has been announced, nor after an affirmative or negative roll has been declared verified.

Comment: The words "nor after an affirmative or negative roll has been declared verified," have been taken from old Rule 80 and made a part of this Rule, where they more properly should be.

Members Prohibited at Clerk's Desk During Roll Call

73. (76) No Member or other person shall be allowed at the Clerk's desk while the yeas and nays are being recorded, or the vote counted.

Comment: Phraseology of old Rule 76 clarified, so as to more accurately state its purpose.

Vote by Division

74. (74) The Speaker, or any Member may call for a division of the House, when the Speaker shall again put the question distinctly and in the following manner, viz:

"Those in favor (as the question may be) will rise and remain standing until counted."

After the affirmative, he shall put the negative side of the question: "Those opposed will rise and remain standing until counted."

Comment: Phraseology of old Rule 74 clarified.

MESSAGES

Senate and Governor

75. (82) Messages from the Senate and communications from the Governor shall be received and read when the House is in session.

Bills passed, concurrent resolutions adopted, and all other communications required to be sent to the Senate, shall be messaged forthwith, if the Senate is in session—otherwise not later than its next sitting.

Comment: A new paragraph has been added to old Rule 82 directing that bills, resolutions, etc., be transmitted to the Senate when passed, without delay.

House Bills Amended by The Senate

76. (83) When a House bill or Joint Resolution has been amended by the Senate and returned to the House for concurrence, it shall not be considered until placed on the calendar and copies thereof are on the desks of the Members.

When acting on bills or joint resolutions amended by the Senate, the amendment shall be read and the question put, on the concurrence in the amendments.

A majority vote of the Members elected to the House, taken by yeas and nays, shall be required to concur in amendments made by the Senate; except for appropriations to charitable and educational institutions not under the absolute control of the Commonwealth, where a vote of two-thirds of all the Members elected to the House shall be required to concur. (Constitution, Article III, Sections 5 and 17).

Comment: A provision has been added to old Rule 83, requiring House bills and joint resolutions returned from the Senate with amendments to be placed on the desks of the Members and listed on the daily calendar, before consideration by the House. This practice was inaugurated in the 1955 Session and should be made permanent procedure.

Paragraph three of this Rule, as revised, simply recites what is required under Article III, Sections 5 and 17 of the Contitution.

Bills Vetoed by the Governor

77. (61) When the Governor has returned a bill to the

House, with his objections, the veto message shall be read and the House shall proceed to reconsider it. (Constitution, Article IV, Section 15).

Comment: The phraseology of this Rule conform with the Constitution as to procedure for considering bills vetoed by the Governor.

MISCELLANEOUS RULES

Journal, Transcribing and Documents Rooms

78. (93) No person, except Members and employees of the House having official business, shall be permitted in the Transcribing, the Legislative Journal and the Bills and Documents Rooms of the House without the consent of the Chief Clerk.

Comment: Old Rule 93 is revised in order to spell out more clearly persons who are allowed in the respective record rooms of the House.

Newspaper Correspondents

79. (92) The privileges of a Newspaper Correspondent may be accorded by the Speaker to a telegraphic correspondent of a daily newspaper or recognized press association or to an official reporter for a Harrisburg daily newspaper, who is not engaged in any department of the State Government or in any other business. Not more than one representative of each newspaper or press association shall be admitted to the press gallery at one time.

Applications for admission to the press gallery shall be made to the Speaker. The application shall state the name of the newspaper or press association, its location, times of publication, and be signed by the applicant.

The Speaker shall verify the statements made in each application. If the application is approved by him, he shall issue a correspondent's card, signed by him and by the President of the Legislative Correspondents' Association.

The correspondents shall not interview Members at their desks during the sessions of the House, and shall abide by the rules and regulations adopted by the House.

The House, by majority vote, may suspend or revoke the privileges of any legislative correspondent upon the recommendation of the committee on Rules.

The card issued by the Speaker shall be presented when required by any Sergeant-at-Arms. It shall not be transferable. Any card transferred or loaned to any one shall be cancelled and all privileges withdrawn from the offending correspondent.

The gallery allotted to newspaper correspondents shall be for their exclusive use. Persons not holding correspondents' cards shall not be entitled to admission thereto.

Comment: Parapraph 5, which reads:

"The House by majority vote may suspend or revoke the press card of any Legislative correspondent upon recommendation of the Committee on Rules," has been added to old Rule 92.

Otherwise the phraseology of the Rule has been clarified.

Photographers, Radio and Television

80. (New Rule) Accredited photographers of newspapers, wire and newsreel services may be authorized by the Speaker, subject to the approval of the House, to take photographs during the sessions of the House.

Reporters of news, disseminated by radio or television, desiring to report debates and proceedings of the House, or public hearings of its committees, shall make application to the Committee on Rules, whose recommendations shall be submitted to the House for action.

Comment: This is a new rule; The purpose of which is obvious.

Visitors

81 (91) Persons admitted to the House floor, other than Members and attaches, shall not be permitted to stand while the House is in session, but shall be seated in chairs provided for them.

Visitors shall not sit at the desks of the Members, or confer with them while the House is in session.

Comment: Phraseology of old Rule 91 has been revised.

Sergeant-at-Arms

82. (94) The Sergeant-at-Arms, under the direction of the Speaker, shall, while the House is in session, maintain order on the floor and its adjoining rooms. He shall enforce the Rule with respect to the conduct of visitors.

He shall at all times prevent persons from peddling in the Hall of the House and its adjoining rooms.

Comment: The Legislative Employees Act of 1947 provides for House Custodians, under the direction of the Chief Clerk, who watch over the House when it is not in session. For this reason, the last six lines of old Rule 93 have been eliminated.

The phraseology of old Rule 94 has been clarified.

Soliciting Prohibited

83. (95) No officer or employee of the House shall solicit any Member, other officer or employee of the House for any purpose.

Comment: In lines two and three of old Rule 95, the word "subscriptions" appears to be unnecessary and therefore has been stricken out.

Supervision of Hall of the House and Committee Rooms

84. (8) Subject to the direction of the Speaker, the Chief Clerk shall have supervision and control over the Hall of the House, the caucus and committee rooms and all other rooms assigned to the House.

Except by consent of the House, the Hall of the House shall not be used for any public or private business, other than Legislative matters during the sessions of the Legislature.

Comment: Old Rule 8 has been amended to place the responsibility for the use of the House Chamber and its other rooms upon the Speaker and the Chief Clerk. During the session, the House Chamber may not be used by anyone but the Members, except with the consent of the House.

RULES

Suspension and Amending Rules

85. (88) Any Rule of the House, which is not required by the Constitution, may be temporarily suspended at any time for a specific purpose by a majority vote of the Members elected to the House.

A motion to suspend the Rules may not be laid on the table; postponed; committed; amended or debated.

No Rule of the House shall be amended except by a majority vote of the Members elected to the House, and no resolution proposing an amendment to the Rules shall be considered until it has been referred to the Committee on Rules, reported therefrom, printed, filed on the desk of each Member and placed on the calendar.

The Committee on Rules shall report to the House any resolution proposing an amendment to the Rules with an affirmative or negative recommendation within five Legislative Days from the date the resolution was referred.

Comment: The words "which is not required by the Constitution," have been inserted in paragraph one of old Rule 88.

In the last line of paragraph two of old Rule 88 is inserted the words "or debated."

Paragraph three of old Rule 88 has been stricken out and substituted therefor are paragraphs three and four of the new Rule, providing an improved procedure for permanently amending the Rules.

The Pennsylvania Manual is not now a publication of the Legislative Branch, it is edited and published by the Administrative Branch.

It is not proper under the Rules of the House to direct printing of House Rules in the Pennsylvania Manual.

The Rules of the House are printed for the use of the Members in the Legislative Directory, which is prepared under the direction of the Chief Clerk of the House.

Parliamentary Authority

86. (89) Jefferson's Manual supplemented by Mason's Manual of Legislative Procedure shall be the Parliamentary Authority of the House, if applicable and not inconsistent with the Constitution of Pennsylvania and Rules of the House.

Comment: Mason's Manual has been supplemented as a Parliamentary Authority for the reason that it is designed specifically to meet the needs of Legislative Bodies at the Sate Level. Whereas, Jefferson's Manual is based exclusively on the Rules and practices of the United States Congress and is not as well adapted to State Legislative Procedures.

Mason's Manual began as a project of the American Legislators Association of the Council of State Governments in 1935. It is a thoroughly written, reliable Parliamentary guide.

Note: Rule Number in brackets refers to old Rule Numbers.

HOUSE RULES ABOLISHED

It is recommended that the following House Rules be abolished:

Printing of Bills Introduced

(19) All bills and non-privileged resolutions (exception resolutions of condolence and congratulations) when introduced, shall be printed for the use of the Members and shall be numbered consecutively.

Comment: Printing of bills and resolutions has been provided for under new Rules 13 and 15.

For this reason, Rule 19 is abolished.

Papers on the Table

(26) When in the Committee of the Whole, any papers laid on the table of the House relating to the bill or resolution before the committee may be taken from the table by the Committee.

Comment: The House alone should have the power to take bills from its table. If the committee of the Whole requires any papers in the posession of the House, the proper Parliamentary procedure would be for the committee to rise and the chairman formally present present to the House the committee's request.

For these reasons, Rule 26 is abolished.

Copies—Amendments

(47) When amendments are proposed to a bill or resolution, there shall be presented to the Chair by the sponsor thereof six typewritten copies of each amendment.

Comment: The provisions of this Rule are incorporated under new Rule 57.

For this reason, Rule 47 is abolished.

Amendment Laid on Table Shall Not Carry Bill With It

(52) When an amendment proposed to any pending measure is laid on the table, it shall not carry with, or prejudice such measure.

Comment: When an amendment is pending to a bill or resolution and the bill or resolution is laid on the table, the amendment should go to the table with it. Then when a bill or resolution is taken from the table, the amendment comes back with it.

An awkward situation could result if an amendment, which alone had been laid on the table, were at a later date taken from the table and the bill was somewhere in its course of passage, beyond recall so that the amendment, together with the bill, could be considered.

For these reasons, it is recommended this Rule be abolished—The House can always postpone action on an amendment, if delay is necessary.

Postponement—Commitment—Amendment

(54) A motion for postponement shall preclude commitment. A motion for commitment shall preclude amendment or decision on the original subject.

Comment: This Rule is incorporated under new Rule 52.

For this reason, old Rule 54 is abolished.

Postponement for Substitute Motion

(55) No motion can be received to postpone for the purpose of introducing a substitute.

Comment: This is not a sound Parliamentary Rule and should be abolished.

A situation could arise where a pending bill was not in proper form, and the bill amended by substituting new matter or an entirely new bill.

If a motion were made to postpone for this purpose, it could be ruled out of order under old Rule 55.

A motion to substitute is a motion to amend. Obviously no motion to postpone for the purpose of preventing a proper substitute motion to amend should be permitted.

For these reasons, it is recommended that Rule 55 be abolished.

Appropriation Bills

(57) No bill appropriating money for charitable or benevolent purposes will be considered further than second reading until after the General Appropriation bill shall have been reported from committee.

Comment: This Rule serves no practical purpose; in order to comply with it, the Appropriations Committee reports to the House a meaningless Skeleton General Appropriation Bill.

For these reasons, it is recommended Rule 57 be abolished.

DEBATE

Member—Must Speak from Own Desk

(62) No member shall be permitted to make a motion, or address the Speaker, unless such Member be at his desk.

Comment: With the use in the House of a public address system, Members who desire recognition by the Speaker, now leave their seats and go to the nearest microphone to address the Chair.

Therefore this Rule has outlived its usefulness and should be abolished.

Number of Times Member May Speak

(65) No Member shall speak more than twice on the same subject, without the leave of the House.

Comment: This Rule has been incorporated with New Rule 61.

For this reason, old Rule 65 should be abolished.

Form of Putting Question

(73) All motions made shall be repeated by the Speaker, who shall put the question distinctly, in the following form, viz: "As many as favor the motion will say "Aye."

After the affirmative is expressed, "As many as are opposed, will say "No."

Comment: This Rule has been revised to conform to present procedure and incorporated with New Rule 51. For this reason, old Rule 73 should be abolished.

Peddling Within the Hall of the House Prohibited

(96) No person shall be permitted to hawk, peddle or offer for sale any article of traffic at any time within the hall of the House, and it shall be the duty of the Sergeant-at-Arms to strictly enforce this rule.

Comment: This Rule has been incorporated with new Rule 82. For this reason, old Rule 96 is abolished.

Signed by the Committee on Rules:

ALBERT W. JOHNSON, Chairman
ADAM T. BOWER,
ALLEN M. GIBSON,
LeROY A. WEIDNER,
JOHN A. LaFORE, Jr.,
W. STUART HELM, Ex-Officio

On the question,

Will the House adopt the resolution?

Mr. TOLL. Mr. Speaker, I have prepared amendments to three of the Rules in this new set. However, I have received a suggestion that I merely call the attention of the Members of the House to the amendments which I have in order to eliminate debate and, of couse, recognizing that the majority of the House will pass whatever Rules they wish. However, they have some merit and I would like to submit them to you.

Rule 28, which is old Rule 32, relates to meetings which are called, and I refer particularly to meetings which are called off the floor. As a matter of fact, it can also apply to meetings which are scheduled on a Tuesday morning.

We have found it is very difficult for a Member who is on two or three committees to attend two meetings if they are called simultaneously.

Last Monday we had an illustration of one meeting which was called for the Judiciary Committee and another meeting for the Ways and Means Committee. I belong to both Committees and I could only attend one. The result is that I was not registered as present in the Ways and Means Committee meeting. That occurred, as far as I know, to two other Members of the House on this side.

The amendment which I had to suggest was that the meetings should be called on an individual basis, and that while the House is in session only one Committee should be out at a time. I have been told that if I stated my position the Chair would take it into consideration in the interpretation of the Rules.

Now I refer to Rule 22, which is old Rule 27. That was debated at great length at the meeting of the House which was held two weeks ago. That Rule involves the number of Committees, and I refer particularly to the Committee on Cities and Counties First Class.

I have amendments here and I had in mind offering them to once more request the Assembly to give proper consideration to the largest city in the state of Pennsylvania. However, in view of the fact that the majority in the House undoubtedly will want to continue the Rule as it was passed two weeks ago, I am only making the statement so you will know that those from Philadelphia still feel that Philadelphia was not treated in a proper manner.

We hope, however, that in the administratoin of the Committees by the majority party, Philadelphia legislation will get proper consideration.

Finally, as to Rule 11, which is old Rule 13, I had amendments ready to provide for the opening of the session on Monday at 9:00 p. m. instead of 4:30. I did this for the simple reason, as contained in the other two amendments which I prepared, that this assembly seems to operate on conversation and to a large extent does not allow time for food.

I served in the last three sessions under three Speakers, the first of whom was a little gentleman who probably did not require much food; the second Speaker was very heavy and did not require much food; the third Speaker was quite up in years and I suppose he got along on only two meals a day. But most of us who are young

and energetic and thrive on excitement get to the point where we must have dinner and we must have lunch. So in all seriousness I submit that an amendment probably should be placed in these Rules that this House should not operate during lunchtime or dinnertime. I am not specifying any particular time such as 6:00 or 7:00 o'clock. That could be at the discretion of the Speaker, but we should be treated with the same kind of consideration with which other workers are treated and given a chance to eat, rather than to sit here from 4:30 to sometimes 8:00 or 9:00 o'clock, when all the restaurants are closed and there is no place to eat. Some of the men send out for a few crackers, they ruin their dinners and ruin their digestion. We are not given a real opportunity to consume the food which is necessary to operate properly. That is what I had in mind for my third amendment.

However, in all three cases I received the suggestion that I should not submit them in order not to consume a lot of time and in order not to have them go down to inevitable defeat by the party that is now presenting these Rules as the majority.

I really submit this recommendation to you so that our Speaker will take into consideration our need for nourishment and give us a fighting chance to get dinner and to get lunch.

The SPEAKER. The Chair wishes to inform the gentleman that the present occupant of the Chair needs food regularly and in sufficient quantity.

Mr. READINGER. Mr. Speaker, before we adopt these revised Rules, I would like to add a word of commendation from our side for the excellent job which our Parliamentarian has done in this respect.

Having looked them over and having studied them, I think it must have been a back-breaking job to go over them one by one and make the revision of language and sometimes the revision of substance which he has done.

I think this House probably will operate more smoothly from now on under these Rules, and we are praying that we are not making any mistake in adopting them.

The membership on this side, I believe to a man, intends to support the revision of these Rules.

The SPEAKER. For what purpose does the gentleman from Philadelphia rise?

Mr. McCORMACK. Mr. Speaker, I would like to have briefly clarified one or two Rules.

The SPEAKER. The gentleman is in order and will proceed.

Mr. McCORMACK. Mr. Speaker, I want to point out that in proposed Rule 13, third paragraph, where the Speaker refuses to refer a bill after it is introduced during the next two days when the House is in session, I think this Rule provides that on motion of a Member, if the motion is carried, the bill shall immediately be delivered. I think that the Speaker has the duty to refer every bill, and that duty should not be made enforceable only by a majority vote. Therefore, I do not particularly think this paragraph of the Rule is a good one.

With respect to Rule, Mr. Speaker, which says no dilatory motion shall be entertained by the Speaker, that, of course, is ambiguous and I would like to inquire of the Speaker just what his definition or his interpretation is of that particular Rule. I don't have the number. I am told it is on page 29, Mr. Speaker. It is Rule 51.

THE SPEAKER. When it becomes obvious to the Chair that motions are being made purely and simply for the purpose of delaying the action of this House, the Chair would probably interpret that as a dilatory motion.

Mr. McCORMACK. Well, Mr. Speaker, I would like to ask one further question of the Chair. Would a motion to postpone ever be considered a dilatory motion by the Chair?

The SPEAKER. If it is the opinion of the Chair that that is a proper motion, it would not be so considered.

Mr. McCORMACK. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Cambria rise

Mr. ANDREWS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, at various times I have spoken on the floor of this House and elsewhere, as a result of which speaking it came about that His Excellency, the Governor, was quoted, I believe, in the Press as intimating that perhaps I spoke because of spite. It has never been my practice, Mr. Speaker, to mix my personal opinions with my public service.

Now I am compelled by reason of some developments to cast aside the prepared speech, or talk on this question of personal privilege that I had prepared. For a considerable period, for many months, as a matter of fact, it has been a matter of current rumor, of sidebar gossip and of allegation that a member of the Governor's personal staff was interested in a concern that sought to deal with the Commonwealth and was dealing with the Commonwealth.

It was alleged, and rumored and stated as a matter of personal conviction and based upon records that a company known as the S and Y Trucking Company had as its president someone closely associated with a member of the Governor's personal staff—David Randall, as a matter of fact.

It was asserted to a representative of one concern which was seeking to obtain a contract to truck and sell ashes to the Turnpike that David Randall was interested in that concern and in that contract. It was not, however, David Randall who conveyed that information, but that information was conveyed.

Now the statement is made that there is a matter of mistaken identity. It is stated by Mr. Randall that there are those who are asserting that Mrs. Randall is president of the S and Y Trucking Company, but that, as a matter of fact, such is not the case.

If it has come about that someone is pretending that a member of the Governor's personal staff is personally interested in a company seeking to deal with the Commonwealth and is naming as the president of that company a Helen Randall, who is not the Helen Randall who is Mrs. Dave Randall, that is a matter of proper concern. Who is trying to frame whom? The fact that the S and Y Trucking Company has dealt with the Commonwealth is proven by the record. I have here the record which shows that last September on a certain day a contract was awarded the S and Y Company for 10,000

tons of cinders—that was in September of last year—and part of that contract was delivered. $8,000 of the money is still held in a Jonestown bank.

It is also a matter of record that the S and Y Company sought to sell and deliver cinders to the Turnpike Commission. I have been very reliably informed that at the time one of the Commissioners, not now serving, said he hoped for the sake of the Governor that the S and Y bid was not the low bid. As I have said, while the contract was pending awaiting the analysis of bids, I am informed by persons in whom I have confidence that Members of the Commission were informed that the Governor's secretary was interested in that contract.

I have within the hour been told that the Attorney General's office is investigating this situation. If there has been a case of mistaken identity, if some outfit has been trying to victimize the administration by pretending that a certain party was president of the company when that is not the case, I hope the investigation will ascertain the identity of those who are obviously attempting to frame the administration. On the other hand, if there has been a conflict of interest in so far as the employes, the personal employes, of his office are concerned, I hope the report will establish that fact.

It had been my conviction upon what I believed substantial evidence that the Governor's secretary was interested in this company by reason of various ties concerned with the official manning of the company.

Now the Attorney General will within a very short time, I am told, ascertain the facts. The only fact missing from the record is the absolute establishment of who was president of that company. The fact of sales to the Commonwealth are matter of record. The amount, the day, the date, the amount delivered, the times when the company endeavored to secure a contract, but failed by not having the low bid, are matters of record.

I am in the position of finding what I was convinced of was a case of conflict of interest by reason of the fact that there was reason to believe that someone closely connected with the Governor's personal secretary was interested in the S and Y Company. So I repeat that someone by the name which I have stated was named to certain persons before whom the S and Y Company had filed its bid in an endeavor to obtain a contract.

So whether we have a conflict of interest or a case of mistaken idenity, there is someone guilty of an offense that should merit inquiry not only upon the part of the Attorney General but might well deserve the attention of the House.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. JOHNSON. Mr. Speaker, I am sure that everybody on this side of the House commends the last speaker for his courage and his fortitude. I think he is doing a great service to the people of Pennsylvania in bringing out into the open what has been rumored around Capitol Hill, shall I say, since we came back into session. I am pleased to hear him say that the Attorney General is going to look into the matter and render a report. I am sure that if such a thing has been going on and widespread violation of the law has taken place, it certainly is something for this General Assembly to look into before we leave here and adjourn sine die.

Now I would like to interrogate the gentleman if he will consent to be interrogated.

The SPEAKER. Will the gentleman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. Mr. Speaker, I am a simple farmer and I hope no lawyer's questions will confuse and confound me.

Mr. JOHNSON. Mr. Speaker, I am amazed at that gentleman ever begging for mercy.

I take it, Mr. Speaker, he will consent to be interrogated within reason. I will therefore proceed.

Mr. Speaker, I would like to ask the gentleman—and this is probably a lawyer's question—is the particular firm in question a corporation?

Mr. ANDREWS: I understand it is a company, a partnership. Whether it is incorporated or not, I wouldn't know. The S & Y Trucking Company is the designation.

Mr. JOHNSON. I might say for the gentleman's information that whether it is a partnership or a corporation the records would be found in the Secretary of the Commonwealth's office if the original incorporation was incorporated in Pennsylvania; or the filing of a fictitious name with the name of the partners, if it is a partnership, and this would be a fictitious name.

Mr. ANDREWS. First, I did not go up to the office of the Secretary of the Commonwealth and examine the records myself.

Mr. JOHNSON. That was going to be my question, Mr. Speaker.

Mr. ANDREWS. I was informed by persons who said they had done so, and the records showed the original filing of the fictitious name of the company listed the offices I have represented.

Mr. JOHNSON. Well, the record is available.

Does the gentleman know whether anybody has been to the Secretary of the Commonwealth's office, asked for this information, and has been denied access to it?

Mr. ANDREWS. No. I understand that the information was available and I had been under the impression that some members of the Press had made inquiry there as to just the listing of the officers of the company.

Mr. JOHNSON. Does the gentleman know whether that information was made available to the members of the Press or a member of the Press?

Mr. ANDREWS. It was made available, I think, to the two members who inquired.

The question is, is the person named a question of different identity? Has there been a misrepresentation as to who the person was pretending to be Helen Randall and was not Helen Randall, at least not the wife of the Secretary of the Governor?

Mr. JOHNSON. Another question, Mr. Speaker: The gentleman referred to a contract for 10,000 tons of cinders, I believe. Who was that contract made with, if the gentleman is able to answer.

Mr. ANDREWS. It was made with the Highway Department for last September, about September 26th, for delivery in York.

Mr. JOHNSON. For delivery in what county?

Mr. ANDREWS. In York.

Mr. JOHNSON. York County?

Mr. ANDREWS. That is right.

Mr. JOHNSON. Does the gentleman know of any other contracts that have been granted that he has not related here today?

Mr. ANDREWS: I cannot confirm the statement that the firm is renting trucks to the Commonwealth. I cannot confirm that on the floor as I stand here. It is one of the factors of the situation, one of the things that is being spread.

Mr. JOHNSON. Mr. Speaker, I would like to make this further statement: I believe that there is a principle in our law, and it is only just and right, that if anybody has done any wrong, that those who were in charge of that person who might have control over the situation should be given an opportunity to clear up the wrong and bring anybody to justice who should be brought to justice.

Therefore, when the gentleman states that the Attorney General is going to make an investigation and do what he thinks is proper under the matter, I believe that as far as the General Assembly is concerned we will sit and observe and see what takes place in an important matter of this kind. If nothing is done, and if in the opinion of the House it merits an investigation, we have the machinery here, and we certainly should look into the matters which vitally affect the business of running our government.

PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. TOMPKINS. Mr. Speaker, the remarks I am about to make originated through the gentleman from Mifflin, Mr. Price.

I have before me a letter from the Lions Club of West Philadelphia addressed to the Lion presidents throughout the Commonwealth of Pennsylvania which reads in part as follows:

> Dear Lion President: The Congress of the United States passed Public Law 565 and the appropriation to cover the cost of its administration.
>
> Under this law the Federal Government will furnish two-thirds to three-fourths of the cost of new machinery or expanding rehabilitation services sheltered workshop buildings to make it possible to employ more blind people—provided that the State furnishes the balance of the funds."

At this point I would like to state that in 1956 the Federal Government paid the sum of $2,539,169 for this purpose and that there has been appropriated, and approved for payment for the year 1957, the sum of $3,120,210.

The letter continues:

> "The Pennsylvania Legislature in its last session approved and appropriated the money for the balance of the one-fourth to one-third of the total cost of such projects.
>
> "Despite this, the Department of Welfare, State Council for the Blind, has notified all agencies in Pennsylvania that they are unable to consider financial support of these projects so important to the blind. Although the money had been appropriated and is available, the funds have been frozen and we are at a loss to understand why.
>
> "Knowing that all Lions Clubs are interested in the blind, I know you will welcome this opportunity to give them practical support by having your Club pass a resolution objecting to the freeze. . . .
>
> "The State funds will revert back to the General Fund if they are not allocated by next May 31st. For all practical purposes the deadline for their allocation is February 1957—so immediate action is essential."

Mr. Speaker, I think that not only the Lions Clubs are interested in this, but I am sure that the General Assembly should be interested in why any department on this Hill should freeze any funds which we have appropriated for any purpose.

At this time I call upon the Department of Welfare, the State Council for the Blind, to give a report to this General Assembly as to why they have not used these funds which have been set up for that purpose.

The SPEAKER. New Members of the House—Republicans and Democrats—who have not served in previous sessions, are requested to meet with the Parliamentarian in the Republican Caucus Room on the first floor tomorrow morning, January 29th, 1957, at 10:00 o'clock, A. M.

This is an important meeting for first term Members. It will begin promptly at 10:00 A. M.

The Chair would like to suggest to those Members who might be on Committees that are meeting tomorrow morning at 10:00 o'clock that they go first to their Committee meeting and then report immediately to the meeting in the Caucus Room.

The Chair at this time also would like to express his sincere appreciation to the Caucus Committee which have performed their duties so well after their appointment. The Chair refers specificially to the Committee on Committees, the Slate Committee and the Committee on Seating. The Chair includes in that thanks to the minority Members as well as to the majority Members.

The Chair thinks at this time he would like also to express his personal appreciation to the Parliamentarian of this House for the very able job he has done in revising our Rules. The Chair thinks this House owes him a very deep debt of gratitude.

RESOLUTION INTRODUCED AND REFERRED

By Messrs JOHNSON and LIPPINCOTT.

(Concurrent) RESOLUTION No. 5.

In the House of Representatives, January 28, 1957.

Whereas, It has been alleged in the public press that there has been a misuse of money from the 1.7 million dollar Administrative Fund in the Bureau of Employment Security, and

Wheres, This fund is under the personal control of the Secretary of Labor and Industry as are these personnel and the conduct of the Bureau of Employment Security itself, and

Whereas, The fund is made up of fines and penalties collected from Pennsylvania employers who fail to make prompt payment for unemployment compensation benefits, and

Whereas, The personnel of the Bureau are charged with the duties, inter alia, of investigating charges of fraud in

jobless benefit surveys, labor surveys and allied activities, and

Whereas, The funds are actually remitted to the Department by the U. S. Government out of the fines and penalties collected, as heretofore referred to, and

Whereas, The fund is not subject to the budgetary controls of other State funds, and

Whereas, The Governor has investigated such charges and as a result thereof has dismissed the Secretary of Labor and Industry, Mr. John Torquato and suspended the employes who were paid salaries from the fund, and

Whereas, This action of the Governor suggests that the Secretary of Labor and Industry has actually made unlawful use of the fund, therefore be it

Resolved (the Senate concurring), That the Governor be hereby requested to submit through the Attorney General, all information and evidence of wrongdoing with respect to this fund, which he may have, to the District Attorney of Dauphin County for the purpose of submission to the Grand Jury.

Referred to the Committee on Rules.

RESOLUTION NO. 1

Mr. JOHNSON. Mr. Speaker, I call up on page 2 of today's calendar, House Resolution No. 1.

The resolution was read as follows:

In the House of Representatives, January 7, 1957

David K. Darcy, Harold Foster and Harry Zietz were convicted by a jury for the slaying of William Kelly, an innocent bystander, during a holdup of a tavern in Bucks County. The jury fixed the punishment at death in the electric chair.

The conviction and sentence was appealed to the Supreme Court of Pennsylvania and the case reached the Supreme Court of the United States five times.

On September 29, 1956 the Board of Pardons, acting on Darcy's twenty-sixth application for executive clemency, recommended that the sentences of death be commuted to sentences of life imprisonment.

The commutations granted by the Governor have aroused public interest and indignation. The action of a non judicial body in substituting its judgment for that of the jury which heard the case, and of the many jurists who studied the case has been criticized throughout the State. The opinion prevails in many quarters that political consideration influenced the action of the Board of Pardons in this and in other recent cases.

It is imperative therefore that a complete and thorough investigation be made of the action of the Board of Pardons, to determine whether or not any abuses have occurred with respect to the powers entrusted to it; therefore be it

Resolved, (The Senate concurring) That the Speaker of the House of Representatives appoint four members of the House and the President Pro Tempore of the Senate appoint four members of the Senate, who together shall constitute, a joint committee, and be authorized and directed to make an immediate investigation of all actions of the Board of Pardons in connection with the pardon, parole, or commutation of sentence of persons convicted of crimes. The committee shall have the power to issue subpoenas under its hand and seal requesting and commanding any person or persons to appear before it and answer questions touching matters properly being inquired into and to produce such books, papers, records, and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of courts of this Commonwealth. The committee shall have power to administer oaths and affirmations to witnesses appearing before it. Any person who shall wilfully neglect or refuse to testify before the committee or to produce any books, papers, records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases and be it further

Resolved, That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed sixty days.

On the question,

Will the House adopt the resolution?

Mr. JOHNSON. Mr. Speaker, I desire to offer the following amendments.

The amendments were read as follows:

Amend second paragraph of preamble, page 1, last line of second paragraph, by striking out "five" and inserting in lieu thereof: "four".

Amend third paragraph of preamble, page 1, line 2 of third paragraph, by striking out "twenty-sixth" and inserting in lieu thereof: "third".

On the question,

Will the House agree to the amendments?

Mr. READINGER. Mr. Speaker, I have seen a copy of the amendments and I believe the first one is to amend the words "one time" on line 7, page 1, to "four times." Is that correct?

The SPEAKER. Can the gentleman from McKean, Mr. Johnson, answer the interrogation?

Mr. JOHNSON. Mr. Speaker, the gentleman is confused with the amendment that he planned to offer. It takes out the word "five" and inserts the word "four."

I am sorry, I was over at the gentleman's desk and had the amendments and came back with his copy. I will be glad to deliver it to him.

Mr. READINGER. Mr. Speaker, I understand this first amendment offered would change the words "five times" to "four times." I am not rising to oppose that amendment, even though the information I have received indicates that there were five applications for a writ of certiorari to the Supreme Court of the United States, but the case was brought before the Supreme Court only once.

I had been prepared to offer an amendment changing the "five times" to "one time," but as I say, it is so immaterial for this purpose that I am not going to object to its being made "four times." I will ask the membership on this side to vote for that amendment.

The second amendment offered is also a corrective amendment and changes the word "twenty-six" to "three," so that it conforms to the facts, that number being in the Resolution in relation to the number of times executive clemency was applied for.

So I am asking the membership on this side of the House to vote for both of these amendments.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House adopt the resolution as amended?

Mr. READINGER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read as follows:

Amend the resolution, page 2, line 2, by striking out "four" and inserting "three."

Amend the resolution, page 2, line 3, by striking out "four" and inserting "three."

Amend the resolution, page 2, line 5, by inserting after "actions": "since January 4, 1950."

On the question,

Will the House agree to the amendments?

Mr. READINGER. Mr. Speaker, I desire to yield momentarily to the gentleman from Philadelphia, Mr. Toll.

The SPEAKER. The gentleman from Berks, Mr. Readinger, yields to the gentleman from Philadelphia, Mr. Toll.

Mr. TOLL. Mr. Speaker, in connection with this Resolution which involves an investigation of a constitutional board known as the Board of Pardons, I feel that before a meeting can be held the Resolution itself should be in proper order. The nature of the Committee should be such as to provide a suitable number of the majority Members and minority Members of the Houes on the Committee.

Furthermore, as the Resolution now reads, there is no time limit involved for the purpose of the investigation. For instance, if you will look at the last paragraph of the Resolution, you will see that the Committee is merely to make a report to the General Assembly within a period not exceeding 60 days, but there is no period mentioned during which this investigation is to take place, in other words, whether there is going to be a review of Pardon Board cases for one year, two years, or for one month.

It seems to me, since the primary reason for looking into the business of the Pardon Board is the Darcy case, as expressed in this Resolution, that the "Resolved" portion of the Resolution should be amended to specify a date when the investigation is to begin. As I understand from the records of the Board of Pardons, the date on which the first appeal was filed was January 4, 1950. So we have offered an amendment to conduct the investigation from the period when the appeal was first filed until the present time, which would be January 4, 1950, unto the present date.

I want to support the amendment which was offered with reference to the Supreme Court hearings. Actually, the Supreme Court of the United States only heard this case on one occasion. The other four times it was referred to the Supreme Court on certiorari and was refused. So when you use the language that the case reached the Supreme Court four times in accordance with the amendment which you just passed, it might mean that the case was heard by the Supreme Court, although it says "reached." It did not actually reach it when it was refused. An attempt was made to reach the Supreme Court and it was not successful. So our amendments would limit the language of the Resolution to one hearing by the Supreme Court.

The number on the Committee our amendment offers to reduce to three in the House and three in the Senate, instead of four in the House and four in the Senate as now contained in your Resolution, which would make it a problem as to whether you intended to appoint two from the Majority side and two from the Minority side in each branch, whereas, if you accepted our amendment to have three from each side, you could have two from one party and one from the other. Otherwise we will have a badly unbalanced situation of three and one.

With reference to the remaining language, while we have only offered the few amendments which were presented by the Minority leader, I call your attention to the fact that there are a number of other problems and discrepancies in this Resolution. It seems to me that in all fairness, if we are going to have a fair and impartial investigation of this constitutional Board, we ought to at least have this Resolution as accurate as possible, so we can start off with accurate definitions and accurate charges.

For instance, in the "Resolved" portion, the Resolution says that the Committee is directed to make an investigation of the actions of the Board of Pardons in connection with pardon, parole, or commutation of sentence. We all know the Board of Pardons by the Constitution is charged with the control of pardons and commutations, but not parole. Parole is handled by the Parole Board under an Act of Assembly which this Assembly passed some years ago providing for three members, approved by two-thirds of the Senate.

Finally, I would like to call your attention to the paragraph which refers to the action of a non-judicial body in substituting its judgment for that of the jury which heard the case and of the many jurists who studied the case having been criticized. Actually, the three appellate courts which heard the matter totalled 23 judges, nine of the United States Supreme Court, seven of the Circuit Court of Appeals and seven of the Pennsylvania Supreme Court. Of those 23, eight judges decided that this particular party did not have a fair trial. While the majority decided that he did and refused to affirm the appeal, still there was plenty of room for consideration by the Pardon Board.

I further want to call your attention to the fact that the language says that the Pardon Board substituted its judgment. Actually, the Pardon Board is a Board recommending executive clemency and has nothing to do with the judgment which is required of members of the bench who are obliged to follow rules of evidence. It has permission under the statutes to abandon the rules of evidence and the evidence and testimony which is presented. So that the purpose of the Constitution of Pennsylvania, in creating this Pardon Board to recommend to the Governor executive clemency, is to take into consideration any extraneous factors or any extenuating circumstances which would justify the Governor in extending executive clemency to a person who has been convicted in a case. As I understand executive clemency, it includes the word "mercy" if he is entitled to it.

Whether it is correct or not correct, this investigating committee will establish it. In the interest of fair play and because of the fact that this Board contained such distinguished members as the present Secretary of the Interior, a present Justice of the Supreme Court and members who are well versed in the law, we ought to at least get the Resolution in such shape that it can properly be presented to a body of Members from this House who can consider it, knowing that at least we started out with a Resolution which was absolutely correct in its presentation.

Mr. BELL. Mr. Speaker, I as one of the sponsors of the original resolution have not made a thorough legal study of the Darcy case. I do not think that we are here as appellate attorneys, but I do have in my possession a full page of the Sunday Bulletin of October 14, 1956. I think everyone in this House agrees that the Sunday Bulletin is a fair newspaper. It is part of the free Press of Pennsylvania and its contents are highly respected.

First, the gentleman from Philadelphia, Mr. Toll, stated that the matter was heard by the Supreme Court of United States one time. The Sunday Bulletin, under a

boxed article called "Facts of the Darcy Murder case" states as follows, among other things, "The United States Supreme Court considered this case four times."

Gentlemen and Ladies of the Legislature, I am inclined to rely on the Sunday Bulletin as being factual.

With respect to the talk concerning the Darcy case, it is my interpretation of this Resolution that it asks for an investigation of certain allegations concerning the Pardon Board, not just concerning the Darcy case.

In view of that fact, I think this Resolution should stand as it is. I do not think there is any purpose for this investigation other than to ascertain the facts. I do not think anyone by innuendo should restrict this investigation to the one case because the people of Pennsylvania have been aroused and their deep concern with the Pardon Board has been centered upon a series of events which culminated with the Darcy case.

Therefore, I ask that any action you take on this Resolution—and I am not debating the Resolution at this time because I am not in order to debate it at this time—but I say that we should not let anyone whatsoever hold up this investigation because the people of Pennsylvania demand to know the facts. They demand to know whether the administration of justice is being properly conducted in the state of Pennsylvania. For that reason, I have answered the gentleman from Philadelphia.

Mr. JOHNSON. Mr. Speaker, I have gone over the three amendments offered by the gentleman from Berks, Mr. Readinger, and I believe these amendments are quite fair. I am asking all the Members of the House to vote for his amendments.

Mr. ANDREWS. Would I be in order with a suggestion that I would like to make to the Majority Leader regarding the language of the Resolution that he might accomplish, if he was in agreement, by means of another amendment.

Mr. SPEAKER. Without objection, the gentleman would be in order. The Chair hears none.

Mr. ANDREWS. I am in perfect agreement with the purpose of this Resolution. I agree with the gentleman from Delaware, I believe, who just spoke that the Resolution should really not be confined to the investigation of a particular case, but should also investigate the influences that from time to time may have possibly influenced board action. But I suggest to you as a lawyer that in drawing a resolution of investigation you do not endeavor to prejudice the inquiry or state a result, or an implied result, in the language of your resolution.

You say the opinion prevails in many quarters with political considerations, that the opinion prevails. We are not now interested in opinions. We want to find out some facts. The essential part of the paragraph that is not subject to objection is that the action of a non-judicial body in substituting its judgment for that of a jury which has heard the case, and of many jurists who have studied the case, offers sufficient reason for an investigation upon the part of the House. But as you read the paragraph, you say that it has aroused widespread indignation and that there is this opinion and that opinion.

I suggest to the Majority Leader as a lawyer—I am not a lawyer—that he would admit that it was not in accordance with the proper judicial procedure or legal procedure to imply a conclusion in a resolution desiring an investigation.

I would say for the record and for the sake of the precedent I would like to see the Majority Leader redraft that portion of the Resolution beginning on page one " . . . with the commutation granted by the Governor" and so forth, and state simply the desire for an investigation of the whole business, and not the opinions that prevail about it.

Mr. JOHNSON. Mr. Speaker, I yield to Mr. Bell, who is the sponsor of the Resolution.

The SPEAKER. The gentleman from McKean, Mr. Johnson, yields to the gentleman from Delaware, Mr. Bell.

Mr. BELL. Mr. Speaker, with the greatest esteem for the capable gentleman from Cambria, whom all have learned to respect most highly because of his fairness, I fear that I cannot concur with him in this matter for the reason that I have in my hand many, many newspaper editorials from newspapers, which are generally regarded as the free Press of Pennsylvania, wherein the insinuations are contained as appears in the whereas clause of this resolution. With respect to the business of political influence, this has appeared in the Press, and again I say the free Press of Pennsylvania, newspapers which are fair on both sides, and because of this factor these allegations should be investigated.

I cannot concur with the gentleman from Cambria that a committee of this House would pre-judge this matter because I am sure that the Speaker who appoints this committee will place on it men of the caliber who are sitting in this House, women of the caliber who are sitting in this House, who will not pre-judge because they will be charged with the responsibility of ascertaining the facts.

For that reason I can not agree with the gentleman from Cambria, Mr. Andrews.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House adopt the resolution as amended?

It was adopted.

The SPEAKER. The resolution as amended will lie over for printing.

REPORT FROM COMMITTEE

Mr. JOHNSON from the Committee on Rules, reported as committed, House Resolution No. 5.

COMMITTEE MEETINGS

CITIES—COUNTIES, FIRST, SECOND and SECOND CLASS A, Mr. Wilt, Chairman, Room 521, Tuesday, January 29, at 10:00 a. m.

JUDICIARY, Mr. Tompkins, Chairman, Room 145, Tuesday, January 29, at 11:00 a. m.

MOTOR VEHICLES, Mr. Guthrie, Chairman, Room 522, Tuesday, January 29, at 11:00 a. m.

All interested members of Service Clubs will meet Tuesday, January 29, at 9:30 a. m., in the Old House Caucus Room, Third Floor.

Mr. SHERMAN. Mr. Speaker, a good many of us are appointed only on two Committees and as it happens, I think I heard that the Judiciary and Motor Vehicles Committees are meeting at the same time tomorrow. I

understand that in accordance with previous policy it was to be arranged that they would not meet at the same time.

The SPEAKER. The Chair has been informed that the Chairman of the Motor Vehicles Committee has changed the time for the meeting of that Committee to 11:30 a. m.

ADJOURNMENT

Mr. WHEELER. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 29, 1957 at 1:00 p. m.

The motion was agreed to, and (at 6:06 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, JANUARY 29, 1957. No. 7.

SENATE

TUESDAY, January 29, 1957

The Senate met at 1:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

Our Dear Heavenly Father, we thank Thee that Thou hast given us the health and strength to serve in our positions, and we pray that Thou wilt also give us the wisdom and determination to do the best we can.

At this time we pray that Thou wouldst remember those of our colleagues who are sick, and that Thou, as the great physician, wouldst heal them and bring them back to us.

Keep us always loyal in Thy service, whether we are here or home or anywhere, that we shall endeavor to do Thy will.

We ask it in Thy Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. MADIGAN, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 29, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel K. Williams (Democrat), Roaring Spring, Blair County, for appointment as a member of the Blair County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Rev. Marion E. Smith, Altoona, resigned.

GEORGE M. LEADER.

MEMBER OF THE McKEAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 29, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Betty Ann Enos (Democrat) 23 West Corydon Street, Bradford, McKean County, for appointment as a member of the McKean County Board of Assistance, until December 31, 1957, and until her successor is duly appointed and qualified, vice Mrs. Margaret M. Dunn, Bradford, resigned.

GEORGE M. LEADER.

REPORTS FORM COMMITTEES

Mr. WALKER, from the Committee on Local Government reported as committed, Senate Bill No. 29, entitled:

An Act amending the act of May 9, 1949 (P. L. 908) entitled "An act relating to public records of political subdivisions other than cities and counties of the first class; .. .. ..," authorizing county controllers to destroy or dispose of certain records and papers."

He also, from the Committee on Local Government reported as committed, Senate Bill No. 30, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code," providing for the disposition of certain unused Commonwealth license forms, tags, buttons and certificates in the possession of county treasurers.

He also, from the Committee on Local Government reported as commnitted, Senate Bill No. 31, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law," defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records.

He also, from the Committee on Local Government reported as committed, Senate Bill No. 32, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code,"fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

He also, from the Committee on Local Government reported as committed, Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect, and violating appeals heretofore heard.

He also, from the Committee on Local Government reported as committed, Senate Bill No. 48, entitled:

An Act amending the act of May 6, 1929 (P. L. 1551) entitled "An act authorizing cities of the first class to adopt and enforce zoning ordinances .. ..," regulating appeals based on invalidity of zoning ordinances.

He also, from the Committee on Local Government reported as committed, Senate Bill No. 57, entitled:

An Act amending the act of May 11, 1911 (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures .. ..," to include instruments used in weighing serviced commodities.

He also, from the Committee on Local Government reported as committed, Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908), entitled "An act relating to public records of political subdivisions other than cities and counties of the first class; .. ..," authorizing county commissioners to destroy or dispose of certain records and papers.

Mr. EHRGOOD, from the Committee on Judiciary General reported as committed, Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing penalties for removal of bodies from burial places and for destruction, injury or removal of cemetery property.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

BILLS INTRODUCED AND REFERRED

Mr. TAYLOR read in his place and presented to the Chair Senate Bill No. 105, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Harrisburg Hospital.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 106, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Harrisburg Polyclinic Hospital.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 107, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Children's Home of Harrisburg.

Which was committed to the Committee on Public Health and Welfare.

Messrs. KOPRIVER, JR. and PROPERT read in place and presented to the Chair Senate Bill No. 108, entitled:

A Supplement to the act of June 2, 1915 (P. L. 736), entitled as amended "The Pennsylvania Workmen's Compensation Act," providing for the payment of compensation to auxiliary police or their dependents.

Which was committed to the Committee on Labor and Industry.

Mr. KESSLER read in his place and presented to the Chair Senate Bill No. 109, entitled:

An Act regulating the supplying of fluoridated water to the public; providing for a referendum to determine the will of the electorate with respect thereto; requiring Department of Health permits and prescribing penalties.

Which was committed to the Committee on Local Government.

RECESS

Mr. MAHANY. Mr. President, I request a ten-minute recess of the Senate for the purpose of holding a Republican Caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten-minute recess.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. VAN SANT. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VAN SANT, from the Committee on State Government, reported as committed, Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joints interstate bodies.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 65, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "State Employes' Retirement Law," extending the time within which State employes may become "original members."

He also, from the Committee on State Government, reported as committed, Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

BILL RE-REFERRED

He also, from the Committee on State Government, returned to the Senate, Senate Bill No. 93, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia, Pennsylvania.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 93, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia, Pennsylvania.

SENATE CONCURRENT RESOLUTION, SERIAL No. 105, REPORTED FROM COMMITTEE AND LAID ON THE TABLE

Mr. VAN SANT, from the Committee on State Govern-

ment, to which was referred resolution offered by Messrs. Kessler, Blass and Berger on January 28, 1957, reported the same without amendment as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY AND INVESTIGATE THE PENNSYLVANIA MORTGAGE SYSTEM

In the Senate, January 28, 1957.

Due to economic changes, the raising of the standards of living and the facility of financing the purchase of property for business and dwelling purposes, each year untold thousands of deeds and mortgages are left for recording with the Recorder of Deeds of the several counties of this Commonwealth.

As a result of the recording of this vast number of deeds and mortgages, the various offices of the Recorder of Deeds are being filled to capacity.

Our Legislature saw fit years ago to enact legislation providing for a short "form" deed which was designed to conserve space in the office of the Recorder of Deeds.

Many states have appropriate legislation, which provide a title abstract system and the incorporation of descriptions in conveyance which result in shorter deeds and mortgages.

Attorneys at law, financing institutions, public officials and the general public would be greatly benefited by legislation that would simplyfy the conveyancing and mortgaging of property; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to study and investigate:

1. The various types of "short form mortgages" and the integration thereof into the Pennsylvania system of mortgaging property;

2. The establishment of abstract of title systems with respect to the ownership and conveyancing of property together with methods whereby descriptions of property may be incorporated into deeds and mortgages by reference to prior deeds; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Laid over for one day under the Rules.

BILL INTRODUCED AND REFERRED

Mr. HAYS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. HAYS, PECHAN, DENT and VAN SANT read in place and presented to the Chair Senate Bill No. 110, entitled:

A Supplement to the act of June 12, 1931 (P. L. 588) entitled "An act authorizing the Department of Property and Supplies to acquire lands in Harris Township, Centre County, for the use of the Department of Military Affairs; and making an appropriation," transferring the control, supervision and management of the lands to the Pennsylvania Historical and Museum Commission; requiring the Commission to complete, and thereafter maintain, the "Twenty-eighth Division Shrine," thereon, dedicating of same to the officers and men of the Twenty-eighth Division; creating the Twenty-eighth Division Memorial Shrine Commission, and prescribing its powers and duties; and making an appropriation.

Which was committed to the Committee on Military Affairs and Aeronautics.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth:

MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Merritt A. Williamson, 705 West Nittany Avenue, State College, Centre County, for appointment as a member of the Pennsylvania Turnpike Commission, until June 4, 1961, and until his successor is appointed and qualified, vice Hon. David E. Watson, Philadelphia, deceased.

GEORGE M. LEADER.

PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President and Members of the Senate, these past few weeks have been rather trying times and it is my privilege to speak my opinion in regard to a few of the particulars that have happened before.

I am taking the floor today to publicly state to G. Franklin McSorley, of Pittsburgh, that I am one member of State Government who has an abiding faith in his honesty, his integrity and his moral conduct. I say to you, and to the people of Pennsylvania, that I have known Frank McSorley for years and I know that Frank McSorley would never willfully nor maliciously violate any law of this Commonwealth or of this Nation. As a matter of fact, I do not think Frank McSorley would willfully violate any traffic law in effect in any city or county in the United States.

Mr. President, I want Frank McSorley to know, I want his wife and family to know, that I, as one of his personal friends, will stand up before the public and tell the public that I believe Frank McSorley is a man of honesty and integrity. If there is a conspiracy to assassinate this man's character, I hope that when his trial goes on down here in Dauphin County, the people will know that Frank McSorley acted with the best intentions and with the best of faith. I want Frank to know that I, for one, am in his corner because I know he would never do anything wrong.

I also want the people to know that I was one of the men who encouraged Frank McSorley to take a position as Turnpike Commissioner some years ago. As a matter of fact, I used to meet him in Pittsburgh when I took my son back to Pitt. We would often talk and I knew him long before he was active in politics. I felt that he would be a good man for the job because he knows the value of a dollar and he is a good businessman.

I apologize to him for having his character assassinated because I feel that, in a way, I was indirectly responsible for his taking an office in Pennsylvania. I know, too,

that when the dirty linen is all washed, there are going to be some red faces.

PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman will state it.

Mr. DENT. Mr. President, first, I want to assure Bill Lane that to my knowledge he is not alone in his admiration of Franklin McSorley as a gentleman, as a student and as a public servant. I, too, have known Frank for a great number of years and I know something that probably most of you do not know.

Frank McSorley, through his ability and the graces of God, is financially independent. There is nothing that this Commonwealth can offer to Frank McSorley that he cannot have from his own pocket. He told me—and I think it is worthy to pass on—that upon a calculation of his income from the Turnpike Commission, at the end of the year, he stands to be a loser by over $4,200, financially, for having rendered service to this Commonwealth. I mean that after the entire $15,000 is taken, he still must add $4,200 on top of that to meet his income bracket. This shows that Frank McSorley did not take public office for the purposes that most of us do; namely, to earn a living. He took it because, when he was approached, he was led to believe that his peculiar talents could be loaned to the Commonwealth in a position of importance and of necessity. To the best of his ability, he rendered that service. At this time, as Senator Lane so ably put it, he is having his character questioned because he is imbued with the milk of human kindness.

As I read the charges in the indictment, Mr. President, Frank McSorley is charged with having loaned to the former Chairman of the Turnpike Commission the use of a driver because the former Chairman owned no car nor never learned to drive. He had been requested, as I understand it from the newspapers, to act as an advisor on the unfinished thirty-five miles of road. All he asked for in the way of pay was that they provide transportation to and from this job so that he could make reports that the remaining Turnpike Commissioners desired.

I do not know any of the other ramifications of the case. I only know that citizens in this Commonwealth will think more than twice before they will jeopardize their good names and sully their records as citizens by taking a job with the Commonwealth of Pennsylvania. I think it is the duty of every public official to stand in defense of public employees until it has been proven that they have been outside the law.

The easiest character to assassinate in America today is the man in political life. Tyrants from early days have learned the secret from whence comes the power to usurp the position of a tryant; by criticism of a particular group, a particular person or a particular object that is easy to put into the well of disrepute. On down through the pages of history and, of recent date, we watched Hitler pick on the Jewish people and ride to the pinnacle of political power by so doing. We watched, in a little country not too far away, a man by the name of Mussolini climb to the top of the rungs of the ladder of success, politically, in government by attacking the Masons in Italy. We watched Huey Long, in our lifetime, pick on the Gulf Oil Company down in Louisina and ride it to death and to glory for himself and eventual death, as comes to all tyrants. We have watched these men through our own times. It is easy for any person to pick a whipping boy.

I do not want anybody to get the impression that I go along with any proposition, so long as I am in public life, that destroys the character of one person in order that another may gain prestige, influence or affluence.

I think Frank McSorley is an honorable man. I think he was a credit to government while he was in it and I pray that a jury of his peers will find him to be that type of man and that he comes back to State Government and serves the people of this Commonwealth.

Mr. LANE. Mr. President, I would like to inform our Minority Leader that I had a long talk with Frank McSorley last night and he told me that he only wants his name cleared and he wants no part of government.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO MAJOR ANTHONY PAUL DZIERSKI

Mr. WALLEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 29, 1957.

It is fitting that we pause and pay tribute to Major Anthony Paul Dzierski, the navigator in one of the B-52 Jet Bombers that encircled the globe in a record making flight that took only forty-five hours.

Upon landing, General Curtis LeMay, Commanding General of the Strategic Air Command personally conferred on Major Dzierski, the highest Air Force award, the Distinguished Flying Cross.

Hailed as one of the greatest achievements in the field of aviation, the flight will place Major Dzierski side by side with other heroes of aviation. Citizens of the United States and all freedom-loving nations hail the flight as another step in the direction of making the world safe for democracy and peace.

We are proud to honor Major Dzierski, the only native son of Pennsylvania who was a member of one of the B-52's; therefore be it

Resolved, That the Senate of Pennsylvania hereby recognizes and hails the circumnavigation of the globe, as one of the greatest achievements in the aviation field and congratulates Major Anthony Paul Dzierski for the part he played in it to make it possible; and be it further

Resolved, That a copy of this resolution be forwarded to Major Anthony Paul Dzijerski, 209 Seventh Street, Winber, Pennsylvania.

SENATE CONCURRENT RESOLUTION

REFERRED TO COMMITTEE

PETITIONING THE GENERAL ASSEMBLY OF THE UNITED NATIONS TO VOTE TO LIBERATE CYPRUS FROM BRITISH COLONIAL RULE

Mr. DONOLOW offered the following resolution which was twice read and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate, January 29, 1957.

The glorious history of the United States, bespeaks the firm adherence by our Government to the unchanging and changeless principles of the right to self-determination of the right to liberty, both of which were declared in our City of Philadelphia, the birthplace of American independence, to be inalienable human rights by the Founding Fathers of our great land.

The people of Cyprus have, at incalculable expense of blood and spirit, gallantly struggled for the cause of

world freedom and liberty, the ideal for which our American soliders, side by side with the Greek and Cypriote soldiers fought victoriously in two World Wars.

The people of Cyprus have overwhelmingly, by plabiseite in 1950, proclaimed their desire to be unified with their Motherland Greece, and so eminently deserve and should have the blessing of self-determination and freedom.

Freedom-loving people everywhere have reposed their abiding confidence and faith in the United Nations to secure peaceful independence to every country whose people desire and capable of sustaining an independent existence; therefore be it

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania respectfully petition the General Assembly of the United Nations to vote to liberate Cyprus from British colonial rule and to permit the incorporation and unification of the people of Cyprus with their Motherland, Greece; and be it further

Resolved, That certified copies of this resolution be forwarded to the Honorable Dag H. A. Hammerskjold, Secretary-General of the United Nations, the Honorable John Foster Dulles, Secretary of State of the United States of America, and the Honorable Henry Cabet Lodge, United States Delegate to the United Nations.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President and Members of the Senate, it is sometimes necessary to engage in a melancholy duty such as I have before me today.

When word was received throughout the State of the untimely passing of Honorable G. Mason Owlett, it shocked and dismayed not only those who were well acquainted with him, but thousands of people who knew him only by his works and by his position; for outside of his home and family, the greatest interest that Senator Owlett held was the welfare of government in his county, State and Nation. His outstanding ability when a Member of this Senate of Pennsylvania was recognized and respected, not only by his Republican colleagues, but equally by his political opposition, and the work which he performed when Republican Floor Leader is still remembered as an outstanding example of brilliant, tireless and successful effort in legislative accomplishment.

The real measure of a man's worth may be found by the speech of people in his own community, and I can testify that Mason Owlett held the esteem and affection of his neighbors in his home town of Wellsboro and the county of Tioga to a degree that anyone could envy.

It is not my intention to, and I could not, eulogize Mason, because his career as lawyer, a national political leader, a business executive, and a great citizen is a personal history of accomplishments which cannot be adequately reviewed except by lengthy and careful research. If, however, I may be permitted a personal reference, it is to say that it has been my unique privilege to have been a constituent and friend of Senator Owlett and to have had him as a constituent and friend of mine.

If he were to have left a message for this body I know that he would have said, as he said so many, many times, that the Senate of Pennsylvania was the scene of the most happy time in his public life.

SENATE RESOLUTION

CONDOLENCE OF THE SENATE EXTENDED TO THE FAMILY OF THE LATE HONORABLE GILBERT MASON OWLETT

Mr. BERGER, on hehalf of the entire Republican Caucus, offered the following resolution, which was twice read as follows:

In the Senate, January 29, 1957.

On January 24, 1957 one of Pennsylvania's most distinguished citizens quit our life and our service.

Gilbert Mason Owlett dedicated his entire life to the service of his State.

Born at Wellsboro, Pennsylvania on June 13, 1892, he attended public school there and was graduated from Wellsboro High School in 1909. He was graduated from Perkiomen Academy in 1910, Princeton University in 1914 and from the University of Pennsylvania School of Law in 1917. He was admitted to the bar of Tioga County in 1917 and became a "country lawyer" a title he claimed for the remainder of his life.

In 1928 he was elected Republican County Chairman of Tioga County. In 1932 he was elected to this Senate and became Republican Whip during his first term. During his second term he became majority leader of the Senate and was in fact a tower of strength upon which his entire party depended.

During his first term as Senator he became the Republican National Committeeman from Pennsylvania and held that post until ill health forced him to retire, after a record twenty years.

In 1943 he became President of the Pennsylvania Manufacturers Association and directed his own energies and the energy of that body to the good of Pennsylvania.

With all his many business and public service activities, he still found time to work for his church, and civic and fraternal organizations, He was a lifelong member of the Presbyterian Church. He was a member of both the State and National bar associations, the Arch Club of Princeton, the Ross Club of Williamsport, the Wellsboro Country Club, the Union League of Philadelphia, the Odd Fellows, and was a 32nd degre Mason, Member of the Coudersport Consistory, A. A. S. R.

Although it seems impossible to say more of this busy man, his wife the former Sue Elizabeth Berkey, his son Edward and his daughter Mrs. Thomas Wilcox, will all attest that he was a devoted husband and father, therefore be it

Resolved, That the members of the Senate of Pennsylvania pause a moment in memory of our late colleague and express our most sincere sympathy to his loved ones.

On the question,

Will the Senate adopt the resolution?

Mr. BERGER. Mr. President, if I may do so, I would like to say that this resolution is offered by the entire Republican Caucus of the Senate as well as by myself.

And the question recurring,

Will the Senate adopt the resolution?

RESOLUTION UNANIMOUSLY ADOPTED

Mr. BERGER. Mr. President, I move the adoption of this resolution.

Mr. DENT. Mr. President, I rise to second that motion and do so on behalf of the entire Democratic Caucus.

I also would ask permission to add a few words to those given by Senator Berger.

Mr. President, when I first arrived in this Senate of Pennsylvania, some twenty years ago, Mason Owlett was a member of this body. From the day that I became a Member until his recent death, I think Mason Owlett and myself have been personal friends. I cannot say that we always agreed politically. That was one of Mason's greatest points; he liked those who disagreed with him politically if they disagreed honestly.

During his lifetime, he received his share of both criticism and praise. I find that those who stand up and make decisions ofttimes are criticized, but when they are

criticized, they are also receiving praise. I think it was Andrew Jackson who said, "You measure a man's friends by the size of his enemies." I say that Mason Owlett, politically, had many enemies but, by the same token, he had many, many more friends.

While he was on this Senate floor, I served with him for quite a few years. At any time when we had to make agreements—and every day of every Session some agreements must be made between the Minority and the Majority—Mason Owlett always kept his word.

I do not know what is in store for him in the life hereafter, but I am sure that wherever he goes he will be called "Mason" by his frends, because he was the kind of man that one never needed to be ashamed to know or ashamed to follow in a political fight.

Mr. RUTH. Mr. President, for the record, I would like to say that Senator G. Mason Owlett was also an alumnus of one of the very best preparatory schools in our Country, Perkiomen School. We worked together there as students.

On the question,

Will the Senate agree to the motion?

The motion was agreed to and the resolution was unanimously adopted.

SENATE RESOLUTIONS

REFERRED TO COMMITTEE AMENDING SENATE RULE 39 AND SENATE RULE 34

Messrs. MAHANY and RUTH offered the following resolution which was twice read as follows and referred to the Committee on Rules:

In the Senate, January 29, 1957.

Resolved, That Rule 39 of the Senate be amended by adding a new paragraph at the end thereof as follows:

> Resolutions except congratulatory, condolence, adjournment (except sine die), recalling bills from Governor and procedural resolutions shall be printed in the Senate History.

and be it further

Resolved, That Rule 34 be amended by striking out "Jeffersons Manual" and inserting in lieu thereof

"Mason's Manual of Legislative Procedure."

and be it further

Resolved, That two (2) new rules be added as follows:

> 48. All bills shall be examined by the Legislative Reference Bureau for correctness as to form and shall be imprinted with the stamp of the Bureau, before being accepted by the President for introduction.
>
> 49. All bills reported or re-reported from committee, if amended by the committee, shall be reprinted on white paper and a printer's number assigned thereto.

AMENDING SENATE RULE 2

Messrs. MAHANY and RUTH offered the following resolution which was twice read and referred to the Committee on Rules:

In the Senate, January 29, 1957.

Resolved, That Rule 2 of the Senate of Pennsylvania is hereby amended to read as follows:

Order of Business

2. The order to be observed in taking up business shall be as follows:

First—Call to order.
Second—Prayer by the Chaplain of the Senate.
Third—Reading of the Journal of the preceding day.
Fourth—The asking of leave of absence.
Fifth—Reading of communications.
Sixth—The receiving of the reports of committees.
Seventh—The reading of bills in place. The President commencing on his left and recognizing all in their order from left to right, and all bills in place shall be accompanied by two copies of the same.
Eighth—The offering of original resolutions.
Ninth—The consideration of Executive Nominations.
Tenth—Consideration of the Calendar.
Eleventh—The reading of bills reported from committee the first time, and in that state shall not be subject to amendment or a vote thereon.
Twelfth—Introduction of petitions and remonstrances.
Thirteenth—The reading of announcements by the Secretary.
Fourteenth—Adjournment.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania enabling the Legislature to enact legislation providing for absentee voting.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 2, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 3, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives for payment of expenses of members.

Which was committed to the Committee on Appropriations.

House Bill No. 12, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 33, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21 1931 (P. L. 149) making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

Which was committed to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION No. 1 REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Rules:

JOINT COMMITTEE TO CONDUCT AN INVESTIGATION OF THE BOARD OF PARDONS

In the House of Representatives, January 8, 1957.

David K. Darcy, Harold Foster and Harry Zietz were convicted by a jury for the slaying of William Kelly, an innocent bystander, during a holdup of a tavern in Bucks County, The jury fixed the punishment at death in the electric chair.

The conviction and sentence was appealed to the Supreme Court of Pennsylvania and the case reached the Supreme Court of the United States five times.

On September 29, 1956 the Board of Pardons, acting on Darcy's twenty-sixth application for executive clemency, recommended that the sentences of death be commuted to sentences of life imprisonment.

The commutations granted by the Governor have aroused public interest and indignation. The action of a non-judicial body in substituting its judgment for that of the jury which heard the case, and of the many jurists who studied the case has been criticized throughout the State. The opinion prevails in many quarters that political considerations influenced the action of the Board of Pardons in this and in other recent cases.

It is imperative therefore that a complete and thorough investigation be made of the action of the Board of Pardons, to determine whether or not any abuses have occurred with respect to the powers entrusted to it; therefore be it

Resolved (The Senate concurring), That the Speaker of the House of Representatives appoint four members of the House and the President Pro Tempore of the Senate appoint four members of the Senate, who together shall constitute, a joint committee, and be authorized and directed to make an immediate investigation of all actions of the Board of Pardons in connection with the pardon, parole, or commutation of sentence of persons convicted of crimes. The committee shall have the power to issue subpoenas under its hand and seal requesting and commanding any person or persons to appear before it and answer questions touching matters properly being inquired into and to produce such books, papers, records, and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of courts of this Commonwealth. The committee shall have power to administer oaths and affirmations to witnesses appearing before it. Any person who shall wilfully neglect or refuse to testify before the committee or to produce any books, papers, records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases and be it further

Resolved, That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed sixty days.

HOUSE CONCURRENT RESOLUTION No. 5 REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Rules:

In the House of Representatives, January 28, 1957.

Whereas It has been alleged in the public press that there has been a misuse of money from the 1.7 million dollar Administrative Fund in the Bureau of Employment Security and

Whereas This fund is under the personal control of the Secretary of Labor and Industry as are these personnel and the conduct of the Bureau of Employment Security itself and

Whereas The fund is made up of fines and penalties collected from Pennsylvania employers who fail to make prompt payment for unemployment compensation benefits and

Whereas The personnel of the Bureau are charged with the duties inter alia of investigating charges of fraud in jobless benefit surveys labor surveys and allied activities and

Whereas The funds are actually remitted to the Department by the U. S. Government out of the fines and penalties collected as heretofore referred to and

Whereas The fund is not subject to the budgetary controls of other State funds and

Whereas The Governor has investigated such charges and as a result thereof has dismissed the Secretary of Labor and Industry Mr. John Torquato and suspended the employes who were paid salaries from the fund and

Whereas This action of the Governor suggests that the Secretary of Labor and Industry has actually made unlawful use of the fund therefore be it

Resolved (the Senate concurring) That the Governor be hereby requested to submit through the Attorney General all information and evidence of wrongdoing with respect to this fund which he may have to the District Attorney of Dauphin County for the purpose of submission to the Grand Jury.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. STIEFEL, BLASS and MALLERY read in place and presented to the Chair Senate Bill No. 111, entitled:

An Act to further amend section one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949" further providing for sabbatical leaves of absence.

Which was committed to the Committee on Education.

Messrs. STIEFEL and CHAPMAN read in place and presented to the Chair Senate Bill No. 112, entitled:

An Act establishing the Pennsylvania Recreation Commission and its Advisory Recreation Council determining its powers and duties and making an appropriation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

They also read in place and presented to the Chair Senate Bill No. 113, entitled:

An Act relating to and providing for the promotion and development of a State-wide recreation program in the Commonwealth conferring powers and duties upon the Department of Recreation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, from the Committee on Executive Nominations, I report at this time a communi-

cation from His Excellency, the Governor of the Commonwealth, recalling the nomination of Frank Garufi as Justice of the Peace.

The Clerk read the communication as follows:

RECALLING THE NOMINATION OF FRANK GARUFI AS JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 28, 1957, for the appointment of Frank Garufi, 902 Warren Avenue, Apollo, Armstrong County, as Justice of the Peace in and for the Borough of Apollo, Armstrong County to serve until the first Monday of January 1958, vice O. M. Cunningham, deceased.

I respectfully request the return to me of the official message of nomination in the premises.

GEORGE M. LEADER.

NOMINATION BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. WATSON. Mr. President, I further report from the Committee on Executive Nominations, the nomination of Frank Garufi and ask that it be read by the Clerk:

The Clerk read the nomination as follows:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Garufi, 902 Warren Avenue, Apollo, Armstrong County, for appointment as Justice of the Peace in and for the Borough of Apollo, Armstrong County, to serve until the first Monday of January 1958, vice O. M. Cunningham, deceased.

GEORGE M. LEADER.

NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. WATKINS. Mr. President, I second the motion.

The motion was argeed to.

The PRESIDENT. The nomination will be returned to the Governor.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state it.

Mr. DENT. Will the President of the Senate or somebody qualified to do so, point out where the corpse of Mr. Pechan is?

Yesterday, Mr. Pechan said that this would only be recalled over his dead body, and I want to see the body.

NOMINATIONS TAKEN FROM TABLE

Mr. WATSON. Mr. President, it is my intention to call from the table all the nominations that were laid on the table yesterday, but as there is some objection to the Philadelphia Registration Commission, I would call up those nominations at this time and have them read by the Clerk.

The PRESIDENT. The Clerk will read the nominations.

The Clerk read the nominations as follows:

MEMBERS OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Registration Commission in and for the City of Philadelphia, until January 6, 1961, or until their successors qualify:

Charles W. Sweeney, Esq. (Republican), 2015 Spring Garden Street, Philadelphia, Philadelphia County.

Leon Sacks, Esq. (Democrat), 2428 North Fifty-fourth Street, Philadelphia, Philadelphia County.

James C. Crumlish, Jr. (Democrat), 7105 McCallum Street, Philadelphia, Philadelphia County.

Robert S. Hamilton (Republican), 6321 Ridge Avenue, Roxborough, Philadelphia, Philadelphia County.

Harold H. Salkind (Democrat), 2101 Walnut Street, Philadelphia, Philadelphia County.

GEORGE M. LEADER.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations just read and certain other nominations.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

Mr. SILVERT. Mr. President, may we be at ease?

The PRESIDENT. Are there objections?

PARLIAMENTARY INQUIRY

Mr. DENT. I object, Mr. President. I object to being at ease at this moment. Before we go into any Caucus, if a Caucus is necessary, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state it.

Mr. DENT. Mr. President, am I to understand that the reading of these names includes all the names submitted by the Governor for the Philadelphia Registration Commission as reported from committee yesterday afternoon?

The PRESIDENT. That is correct.

Mr. DENT. Mr. President, I would request of the Republican Senators that they give this matter serious consideration and allow the Registration Commission to rest upon the table temporarily, I do not want to do any injustice to any person named to that commission. There

are internal problems which have to be resolved before we can give our vote on this side to the Registration Commission.

Without seeking to do any harm or injustice, I earnestly and sincerely request that these names lay on the table so that the eight Philadelphia Members in this body have an opportunity to discuss this matter over the week end. There will be nothing lost by this action since they are still serving.

And the question recurring,

Will the Senate agree to the motion?

Mr. WATSON. I ask for a roll call, Mr. President.

Mr. DENT. Mr. President—

The PRESIDENT. The Chair recognizes the Senator from Westmoreland, Mr. Dent.

RECESS

Mr. DENT. Mr. President, I move that the Senate do now recess for a period of twenty minutes in order that we may have a special caucus.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

And the question recurring,

Will the Senate agree to the motion?

DIVISION OF THE QUESTION

Mr. DENT. Mr. President, pursuant to Rule 30, I ask for a division of the question, the division to be that we vote on each nomination separately in the order that they appear as submitted by the Governor.

The PRESIDENT. There being no objection, the Clerk will read the first name.

The Clerk read as follows:

Charles W. Sweeney, Esquire (Republican), 2015 Spring Garden Street, Philadelphia, Philadelphia County.

On the question,

Will the Senate advise and consent to the nomination of Charles W. Sweeney, Esquire as a member of the Registration Commission in and for the City of Philadelphia?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	Miller,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT. The Clerk will read the second name.

The Clerk read as follows:

Leon Sacks, Esquire (Democrat), 2428 North Fifty-fourth Street, Philadelphia, Philadelphia County.

On the question,

Will the Senate advise and consent to the nomination of Leon Sacks, Esquire as a member of the Registration Commission in and for the City of Philadelphia?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	Miller,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT. The Clerk will read the third name.

The Clerk read as follows:

James C. Crumlish, Jr. (Democrat), 7105 McCallum Street, Philadelphia, Philadelphia County.

On the question,

Will the Senate advise and consent to the nomination of James C. Crumlish, Jr. as a member of the Registration Commission in and for the City of Philadelphia?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.:

YEAS—50

Barr,	Harney,	Miller,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT. The Clerk will read the fourth name.

The Clerk read as follows:

Robert S. Hamilton (Republican), 6321 Ridge Avenue, Roxborough, Philadelphia, Philadelphia County.

On the question,

Will the Senate advise and consent to the nomination of Robert S. Hamilton, as a Member of the Registration Commission in and for the City of Philadelphia?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.:

YEAS—27

Berger,	Harney,	Pechan,	Wagner,
Blass,	Kessler,	Propert,	Walker,
Chapman,	Kopriver, Jr.,	Scott,	Watkins,
Ehrgood,	Kromer,	Stevenson,	Watson,
Elliott,	Madigan,	Taylor,	Whalley,
Flack,	Mahany,	Van Sant,	Wolfe,
Fleming,	Mallery,	Wade,	

NAYS—21

Camiel,	Lane,	Mullin,	Seyler,
Dent,	McCreesh,	Murray,	Silvert,
Derk,	McGinnis,	Ruth,	Stiefel,
Donolow,	McMenamin,	Sarraf,	Weiner,
Hays,	Miller,	Schmidt,	Yosko,
Kalman,			

Less than two-thirds of all the Senators having voted "aye," the question was determined in the negative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT. The Clerk will read the fifth name.

The Clerk read as follows:

Harold H. Salkind (Democrat), 2101 Walnut Street, Philadelphia, Philadelphia County.

On the question,

Will the Senate advise and consent to the nomination of Harold S. Salkind as a member of the Registration Commission in and for the City of Philadelphia?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.:

YEAS—50

Barr,	Harney,	Miller,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS TAKEN FROM TABLE

Mr. WATSON. Mr. President, I now call from the table all of the nominations made by the Governor which were reported from committee at yesterday's Session and are now on the table.

The PRESIDENT. The Clerk will read the nominations.

The Clerk read the nominations as follows:

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Adolph Schoenbrun (Democrat), 2789 Beechwood Boulevard, Pittsburgh 17, Allegheny County, for appointment as a Member of the Allegheny County Board of Assistance, to serve until December 31, 1959, and until his successor is duly appointed and qualified, vice Thomas M. Watt, McKeesport, resigned.

GEORGE M. LEADER.

MEMBER OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel F. Hinkle (Republican), 112 Para Avenue, Hershey, Dauphin County, for appointment as a member of the Advisory Board on Problems of Older Workers, for a term of four years or until his successor is appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Edinboro State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

William P. Rose, Cambridge Springs, Crawford County. (Reappointment)

Mrs. Helen D. Rye, 15 Maple Drive, Edinboro, Erie County, vice Alfred L. Cochran, Edinboro, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John F. Marshall, 350 East Water Street, Lock Haven, Clinton County, for appointment as a member of the Board of Trustees of Lock Haven State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Marion Walker, 10 Brown Avenue, Clarendon, Warren County, for appointment as a member of the Board of Trustees of the Pennsylvania Soldiers' and Sailors' Home, for the term of four years, and until his successor is appointed and qualified, vice J. Frank Graff, Kittanning, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of California State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified.

William V. Campbell, 315 East Eleventh Avenue, Homestead, Allegheny County.

Daniel B. Swaney, 712 Morgantown Road, Uniontown, Fayette County.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with the law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE GREAT LAKES COMMISSION

John H. Dent, Jeannette, from October 8, 1956, for a term of four years, and until his successor is appointed and qualified.

Francis A. Pitkin, Harrisburg, from October 8, 1956, for a term of six years, and until his successor is appointed and qualified.

Joseph S. St. John, Erie, from October 8, 1956, for a term of two years, and until his successor is appointed and qualified.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with the law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

H. Stanley Witwer, Elverson, from December 13, 1956, for a term of four years and until his successor is appointed and qualified.

David A. Bloomer, Phoenixville, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Clarence A. Kulp, Pottstown, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Agnes Speakman, Glenmoore, from December 13, 1956, for a term of four years, and until her successor is appointed and qualified.

Samuel Himmelstein, Philadelphia, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

William F. Hohl, Pottstown, from December 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Harvey Haldeman, Chester Springs, from December 27, 1956, for a term of four years, and until his successor is appointed and qualified.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with the law, I have the honor to nominate for the advice and consent of the Senate the following:

COMMISSIONERS OF DEEDS

Le Roy H. Hanson, Baldwin, New York, July 2, 1956.

(Miss) Elenor A. Rose, Trenton, New Jersey, July 2, 1956.

Walter M. Lindsay, Rochester, New York, September 24, 1956.

(Miss) Catharine F. Hosbach, Camden, New Jersey, October 3, 1956.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Nellie V. Curran, Galeton, Potter County, for appointment as a member of the Board of Trustees of Mansfield State Teachers' College, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Paul H. Conner, Coudersport, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF CHEYNEY STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Cheyney State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Dr. Walter H. Mohr, George School, Newtown, Bucks County, vice Mrs. Mary F. Comfort, Haverford, whose term expired.

Mrs. Anne Walton Pennell, Moylan, Delaware County. (Reappointment)

Lancelot Tynes, 638 North Peach Street, Philadelphia 31, Philadelphia County, vice James G. Vail, Media, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry M. Ludwick, Box 33, Delmont, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of New Salem, Westmoreland County, to serve until the first Monday of January 1958, vice M. F. Gosser, deceased.

GEORGE M. LEADER.

MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank C. Forderer (Democrat), 2729 North Front Street, Philadelphia, Philadelphia County, for reappointment as a member of the Philadelphia County Board of Assistance,

until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE WASHINGTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Marie G. Kelley (Democrat), 988 Thompson Avenue, Donora, Washington County, for appointment as a member of the Washington County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Delia Kelley, Donora, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE FAYETTE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate (Reverend) William E. McClellan (Democrat), R. D. 1, Lemont Furnace, Fayette County, for appointment as a member of the Fayette County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Reverend Frederick D. Wilkes, Brownsville, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Millersville State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Ivan E. Newpher, Terre Hill, Lancaster County.
Nevin H. Hillegass, Leola, Lancaster County.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE DELAWARE RIVER PORT AUTHORITY

James V. Baney, Upper Darby, from July 5, 1956, for a term of five years and until his successor is appointed and qualified.

Ted Schlanger, Philadelphia, from July 5, 1956, for a term of five years and until his successor is appointed and qualified.

Frank M. Steinberg, Merion, from July 5, 1956, for a term of five years and until his successor is appointed and qualified.

GEORGE M. LEADER.

CONSIDERATION OF EXECUTIVE NOMINATIONS

A motion was made by Mr. WATSON and Mr. WATKINS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Contitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	Miller,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,	McMenamin,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RECONSIDERATION OF VOTE ON NOMINATION

Mr. DENT. Mr. President, I rise to make a motion at this time.

I move that the vote by which the nomination of Robert S. Hamilton failed of confirmation in the Senate be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

Mr. SILVERT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring.

Will the Senate agree to the motion to advise and consent to the nomination?

NOMINATION LAID ON THE TABLE

Mr. DENT. Mr. President, I now move that the nomination of Robert S. Hamilton as a member of the Registration Commission in and for the City of Philadelphia be laid upon the table.

Mr. WEINER. Mr. President, I second the motion.

The motion was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON. Mr. President, I ask unanimous consent for the immediate consideration of the nomination made by His Excellency, the Governor, which was reported from committee today.

The PRESIDENT. There being no objection, the Clerk will read the nomination.

The Clerk read the nomination as follows:

MEMBER OF THE PENNSYYLVANIA TURNPIKE COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Merritt A. Williamson, 705 West Nittany Avenue, State College, Centre County, for appointment as a member of the Pennsylvania Turnpike Commission, until June 4, 1961, and until his successor is appointed and qualified, vice Hon. David E. Watson, Philadelphia, deceased.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DENT. Senator Mahany, do I understand that your delegation is satisfied that Mr. Williamson is a proper candidate for the position of Turnpike Commissioner?

Mr. MAHANY. Senator Dent, I would say that the majority of our Caucus has decided that Mr. Williamson is a proper candidate. I believe that if his name is presented, he will receive a sufficient number of votes to be confirmed.

Mr. DENT. Senator Mahany, do you feel that he has the qualifications, then, after examination, since his name came in yesterday, to perform the duties of a Turnpike Commissioner in Pennsylvania?

Mr. MAHANY. Senator Dent, I believe you were in my office when I interrogated Mr. Williamson. All I inquired into was whether or not he met the legal qualifications which provide for a two-year residence in Pennsylvania and being a qualified elector in the State of Pennsylvania for one year. He satisfied me that he meets the legal qualifications for the appointment.

I did not inquire too much into his background as to whether or not he would be a proper Turnpike Commissioner. I feel that is up to the Governor to decide whether or not the man is proprely qualified for that position.

Mr. DENT. I appreciate that because I was with you. If you asked me the question, I would be glad to give the answer to the same question.

However, Senator Mahany, am I then to understand that so long as a candidate for the Turnpike Commission meets the legal requirements the rest of the requirements are up to the appointive power; that you are satisfied with his appointment?

Mr. MAHANY. As far as this particular appointee is concerned, that is true.

Mr. DENT. All right then, Mr. Mahany, will you state whether or not the former Member of this Body, Senator John Byrne, is qualified legally or otherwise to take the position of a Commissioner on the Turnpike Commission?

Mr. MAHANY. Senator Dent, I could not answer that question. I have not examined Senator Byrne about his qualifications. As far as I know, however, he is legally qualified to hold the position.

Mr. DENT. Thank you very kindly.

Mr. President, I said earlier this afternoon that we sometimes build for ourselves the obstacles that we must surmount. We are acting as a body here today in an emergency, as I understand it, and we are taking a man whom none of us know in so far as knowledge of the man's past is concerned or his ability, other than what we have gained from so-called newspaper reports and a slight introduction to the gentleman today. Yet, we sit here and, month after month, we allow a former Member of this Senate to go without the consideration of this Body. I think that in all fairness to that man we are casting a shadow upon his character and upon his ability as a Turnpike Commissioner.

If we in this Senate take a complete stranger and accept him on a board such as that of the Commissioners of the Pennsylvania Turnpike today, I would say unanimously or as near unanimously as you can get, and we disallow the same consideration to a former Member of this Senate, we are building for ourselves the type of criticism that we cannot do anything about because we create that criticism. We give cause for that criticism.

I would say that in fairness to Senator Byrne, I request the Republicans to consider his name if you will and, if you will, call a meeting today or Monday. Please consider his name and if you feel that he is not qualified for the job, turn him down. However, do not leave him in this state of flux. Do not leave him in a position where he, himself, acts upon that Turnpike Commission under a shadow of not recognizing himself as a member of that Commission because we have withheld confirmation. If he is not a fit man for the job, turn him down. At least, give us an opportunity to show our respect and our consideration for John F. Byrne. I will appreciate it very much if you will give this consideration because I intend to bring it up again Monday.

Mr. DONOLOW. Mr. President, prior to voting on the confirmation of Dean Williamson, I should like to say a few words on behalf of a man whose name has been in committee since last May. John Byrne, a fellow Philadelphian, certainly is no one new to this body, both when he was here in the Senate as well as operating on the Turnpike Commission since last May.

I may be too young to understand how this Body, charged with the responsibility to the people of Pennsylvania, can overlook the confirmation of a former Senator, who has been operating on that Turnpike Commission successfully since May, and agree to an appointment which was submitted here just yesterday.

I have no objection to Dean Williamson. I saw him today for ten or fifteen minutes and I asked him about his qualifications. From what he tells me, I assume that he is capable. I also have confidence that the Governor would not submit a candidate for that position who did not have sufficient ability.

We have in our committee a man who has been tried at this job, a man who has been operating successfully

since May and has never been indicted or fired. It seems to me that we are invoking a course of action here today which, in the future, if we can overlook that type of man and because of an emergency take the first person who is presented to us, will come back to face us in a sorrowful manner.

I know that the Members on the Republican side are as interested in running this government successfully as we are, and I know that they are as interested in seeing that the best possible men are put into these vacancies. I known this is a last hour appeal and there is nothing I can say that will bring John Byrne's name out immediately, but I do hope that the Republican Members of this Senate will sincerely and conscientiously give consideration as soon as possible to the name of John Byrne, so that we may have the opportunity to confirm him on this floor.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. LANE. Senator Mahany, I listened to Senator Dent's interrogation of you in regard to Senator Byrne and I would like to ask you this question, and I hope that you are in a position to tell the Members of the Senate the Republican views regarding this.

Do you, on the Republican side, have any bona fide reason for refusing to confirm Senator Byrne?

Mr. MAHANY. As far as I am concerned personally, I do not have any reason other than the fact that he is serving, Senator, and he is drawing his salary and doing his work. As you know, there have been a couple of fellows indicted over there, and whether they are guilty or not guilty remains to be seen. I hope both of them will be found not guilty of any charges which face them.

Senator Byrne has been over there for almost a year and it seems to me that perhaps he should have known what was going on over there. I do not see how we can excuse him. If all these things occurred which Governor Leader claims were done illegally, it seems to me Senator Byrne should have had some knowledge of them.

Mr. LANE. Senator Mahany, you will agree that most—I would say all—of the alleged illegal operations of the Turnpike were prior to the tenure of Senator Byrne, is that correct?

Mr. MAHANY. I do not know that to be true, Senator. I understood this has been continuing offenses and has been continual almost right up to the present time.

Mr. LANE. Well, I am inclined to disagree with that statement. However, is it not a fact, Senator Mahany, that the primary reason why the Republican majority will not confirm Senator Byrne is because of politics?

Mr. MAHANY. I would not say that, Senator. It was very obvious that that was the reason you did not confirm the two Republicans whom we had up for the Registration Commission down in Philadelphia.

Mr. LANE. Senator Mahany, we just wanted to let you know that there is a little fight in the Democratic minority. I thank the gentleman.

Mr. President and Members of the Senate, I do believe, and I am very sincere when I make this statement, that it is a matter of poor grace as far as every Member of the Senate is concerned that on this day we are going to confirm Dean Williamson.

Senator Byrne was a Member of this Senate for quite some time, and I believe that he has the respect and confidence of nearly all the Members of the Senate. At the same time, today, he deliberately receives a slap in the face, politically, because he is not going to be confirmed, and the reason given is that he is now serving.

Mr. President, I believe that the public as a whole agrees that Senator Byrne knows nothing about the alleged illegal operations of the Turnpike Commission, and he certainly deserves the consideration and the support of thirty-four Members of this Senate.

Mr. WEINER. Mr. President, I do not want to belabor this subject unduly, but I feel if Senator Mahany thinks that Senator Byrne, who has been a part of the Turnpike Commission, is in any way responsible for any type of difficulty they are having over there, he should not withhold the information and he should take some action in his role as a legislator to correct this situation.

I further would like he and the other Members sitting across the aisle to mull over the fact that when I came to the Senate there were only eighteen Democratic Senators, and at that time no one could be confirmed unless they had two of our votes. I would also like to serve notice on he and his colleagues that, regardless of whether or not we have a Democratic Governor the next time, unless they elect thirty-four Senators, they may have trouble getting some of their people confirmed. If that is the way they would like to play politics and to handle this situation, I think it is perfectly all right. However, I do not believe that they should engage in this double talk which they say is for the good of the Commonwealth and they want to do all things that will help all the citizens, when at one time they are doing one thing and at another time their actions bespeak other than what their words are saying. I think that it comes in ill grace to withhold the confirmation of John Byrne when we have taken the position in the Senate to give ex-Members of this Senate positions of power and prestige, two of whom are serving this body.

I think that the position the Republican Senators have taken in this, and in all the confirmations, comes in ill grace and is one which I think they will have difficulty wiping out when we read the record back to them.

Mr. McMENAMIN. Mr. President, I do not think any of us should leave here today with the impression that there is any cloud upon former Senator Byrne. I think Senator Mahany probably spoke offhandedly when he made those remarks.

I think it is crystal clear in the record that all of the difficulties that the Turnpike is having result from contracts executed and work begun long before Mr. Byrne was ever on the Turnpike Commission. Most of these difficulties seem to arise from the construction on the Northeastern Extension, between Philadelphia up to north of Wilkes-Barre. I am sure that it is quite obvious to everyone that that work began and the contracts, of course, were executed before Mr. Byrne got on the Commission, and that the investigations began shortly after he did get on the Commission.

I am sure, also, that Senator Mahany would agree that if the tables were reversed, we would confirm their man

and allow an outgoing Governor to have at least one fellow confirmed on the Turnpike Commission.

Mr. MAHANY. Mr. President, I hope that the record is quite clear that there is certainly no cloud on Senator Byrne. I did not mean to infer anything like a cloud on him. However, we understand and know that Senator Byrne is presently employed on the Turnpike Commission, and evidently he is drawing his salary. I hope he has a nice car and gets all the other emoluments in connection with his being a Turnpike Commissioner.

We are going along with Mr. Williamson today and giving the Governor this appointment because we want the Turnpike Commission to function. We understand that, at least, there is a threat of a suspension and I think there has been word that the Governor is going to suspend Mr. McSorley and Mr. Torrance, effective tomorrow. In order that the whole operation of the Turnpike Commission does not break down—we want them to have a quorum and we want them to have officers. That is one of the big reasons why we are going along and confirming this appointment. However, we are having a tough time in trying to carry out the Governor's wishes. He would like to have us confirm this man and I would like to confirm him. Therefore, I hope we can get to the voting and get this thing over with.

Mr. DENT. Mr. President, I am sure the gentleman, Dean Williamson, will be confirmed. Of course, if I were politically minded, I would consider the fact that Mr. Byrne is a Democrat and Mr. Williamson is a Republican and would wonder if that fact has anything to do with the confirmation.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—1

Miller,

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. MALLERY asked and obtained unanimous consent to address the Senate.

Mr. MALLERY. Mr. President and Members of the Senate, I had the privilege last Saturday of attending a meeting in Tyrone, in my county, where not only the townspeople, but the citizens of Blair County paid tribute to the Gardner Guards, the Drum and Bugle Corps of Howard Gardner Post No. 281, American Legion of Tyrone, Blair County, Pennsylvania.

It was one of the most thrilling experiences that I ever witnessed. I hope that I may have the opportunity of presenting this wonderful Drum and Bugle Corps here for your entertainment and edification. The members of the Drum and Bugle Corps are made up of good citizens, sons for the most part of veterans, Democrats and Republicans alike. They have the snappiest and best drum corps that I have ever had the privilege of witnessing. I am assured that every red-blooded American would enjoy seeing these men perform.

SENATE RESOLUTION

CONGRATULATING THE DRUM AND BUGLE CORPS OF HOWARD GARDNER POST No. 281 0F TYRONE BOROUGH, BLAIR COUNTY

Mr. MALLERY. Mr. President, I ask unanimous consent to offer a resolution a this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 29, 1957.

Success belongs to those whose spirit and determination inspire them to great accomplishments. The best illustration of this fact has been demonstrated by "Gardner Guards"—the Drum and Bugle Corps of Howard Gardner Post No. 281, American Legion of Tyrone Borough, Blair County, Pennsylvania, who, by being selected the top corps in America, received the Presidential Trophy for their performance in the Inaugural Day Parade.

This was a truly stirring finish to a drama that seemed at first would result in great disappointment to the thriving borough of Tyrone. However, the courage and determination of the people of this fine community assured a different ending. In 1956, Gardner Guards were selected as the top Drum and Bugle Corps in the State. As a result, it appeared a foregone conclusion that they would be one of the groups representing Pennsylvania on Inauguration Day. The slogan of the guards was "On to Washington Come January, 1957." All that remained now was the receipt of a formal invitation to the Inaugural Parade. However, fate at times can take some rather unpredictable and disillusing turns, for as the supposed "big day" neared, Tyrone's Gardner Guards still remained uninvited for the decision had already been made that three other drum and bugle corps would represent Pennsylvania in the big parade. Instead of being a source of discouragement, this only served to fire the spirit and imagination of the good citizens of Tyrone, Pennsylvania, and in the final moments of those hectic days just before the Inauguration, a telegram reached Tyrone. In it was a brief but completely joyous message—"good news—you represent Porto Rico—heading the seventh division." It was signed by Congressman Van Zandt, shortly after another message arrived bearing the same news: it was signed by Richard M. Nixon. Finally, another similar message arrived from Munox-Marin, the Governor of Porto Rico, "So pleased to have you."

Still another hurdle remained to be scaled that was the matter of financing the trip of Guards to Washington. However, this was made short work of, for with typical civic pride and initiative, the townspeople raised the necessary funds and off to Washington, D. C. went Gardner Guards. Tyrone's "pride and joy" now wrote the next chapter to this drama of human life. The Guards com-

posed mostly of war veterans exhibited a rare degree of talent that will long be remembered of Inaugural Parades. With a dazzling array of flawless baton twirling and exciting musical playing, Gardner Guards strutted regally by the review stand where stood President Dwight D. Eisenhower, Vice President Richard M. Nixon, and many other dignitaries of this and other Nations.

The next and final chapter to this heart-warming episode came in the form of personal praise directly from the President, the Vice President, and their families to the "finest of musical outfits." Now the drama is near completion for after having been declared the best Drum and Bugle Corps in Pennsylvania, Gardner Guards have been the recipient of the Presidential Trophy evidencing the fact that they are now the best corps in all of America. But the winning of this trophy means a little more than just the fact that Gardner Guards are a great Drum and Bugle Corps. The trophy in a more quiet but cogent way says—"Thank you Tyrone for the faith and devotion you possess in your Town's ideals. Thank you, for demonstrating so convincingly that pure quality of faith, hope, inspiration and determination so characteristic of all Americans. Thank you for having me come to rest amidst the warmth of a people so possessed with your ideals."

The Senate of the Commonwealth of Pennsylvania beams with pride at the accomplishments of this inspiring group of performers, known as Gardner Guards; therefor, be it

Resolved, That the Senate congratulate the Drum and Bugle Corps of Howard Gardner Post No. 281 of Tyrone Borough, Blair County, for their scintillating performance in the Inaugural Parade of President Dwight D. Eisenhower, and that the citizens of Tyrone Borough be likewise congratulated for making the success of this Corps a reality; and be it further

Resolved, That copies of this resolution be sent to Drum Major John J. Clark of the Howard Gardner Post.

BILLS INTRODUCED AND REFERRED

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE read in place and presented to the Chair Senate Bill No. 114, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route in Marianna Borough, Washington County.

Which was committed to the Committee on Highways.

Mr. BERGER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER read in place and presented to the Chair Senate Bill No. 115, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," abolishing the Special Administration Fund; providing for disposition of moneys in the fund; and discountinuing authorization to erect buildings.

Which was committed to the Committee on Labor and Industry.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 4, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Harney,	Miller,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Elliott,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,	McMenamin,		

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 11, Printer's No. 3, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. ELLIOTT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing penalties for removal of bodies from burial places and for destruction, injury or removal of cemetery property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interstate bodies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 29, entitled:

An Act amending the act of May 9, 1949 (P. L. 908) entitled "An act relating to public records of political subdivisions other than cities and counties of the first class . . .;" authorizing county controllers to destroy or dispose of certain records and papers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 30, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code," providing for the disposition of certain unused Commonwealth license forms, tags, buttons and certificates in the possession of county treasurers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 31, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law," defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill 32, entitled:

An Act amending the act of August 9, 1955 (P L. 323) entitled "The County Code", fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect, and validating appeals heretofore heard.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 48, entitled:

An Act amending the act of May 6, 1929 (P. L. 1551) entitled "An act authorizing cities of the first class to adopt and enforce zoning ordinances," regulating appeals based on invalidity of zoning ordinances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 57, entitled:

An Act amending the act of May 11, 1911 (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures; . . .," to include instruments used in weighing serviced commodities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 65, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "State Employes' Retirement Law," extending the time within which State employes may become "original members."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 93, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908), entitled "An act relating to public records of political subdivisions other than cities and counties of the first class; . . .," authorizing county commissioners to destroy or dispose of certain records and papers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, February 4, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. MURRAY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:28 o'clock, p. m., Eastern Standard Time, until Monday, February 4, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, January 29, 1957

The House met at 1:00 p. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Father F. S. Lizik, pastor of the St. Francis DePaul Church, Ford City, Pa., guest Chaplain, offered the following prayer:

We thank Thee, O Heavenly Father, for guiding our Founding Fathers to recognize that "all men" of "all nations" are endowed by their Creator with inalienable rights and to realize that the chief purpose of government is to safeguard these rights. Enable us, O God, to do all in our power to share with all men our heritage, Thy precious blessing of true freedom.

Grant, O Lord, that this Assembly of free men, chosen to lead and to govern a people who love freedom, may give of their very best in leadership, and may they be guided by the inner voice of conscience in all their deliberations and ultimate decisions.

And finally, may Thy divine assistance be imparted to the President of our Nation, the members of Congress, the Governor of our Commonwealth, and to all of our duly elected representatives so that, through their efforts, and our mutual cooperation and prayers, a just and lasting peace may once again be restored to all nations. Through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, January 28, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. DUNN. HOUSE BILL No. 122.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), changing certain penalties for making illegal noises.

Referred to the Committee on Motor Vehicles.

By Mr. MAXWELL. HOUSE BILL No. 123.

An Act amending the act of May 18, 1937 (P. L. 654) entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed * * *," requiring nurses to be on duty in certain factories, plants or other establishments.

Referred to the Committee on Labor Relations.

By Mr. MAXWELL. HOUSE BILL No. 124.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the minimum salaries of certain part-time teachers, leaders supervisors and directors of extension recreation activities.

Referred to the Committee on Education.

By Messrs. DOWN, TOMPKINS and GEORGE.
HOUSE BILL No. 125.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring preference to be given to citizens of Pennsylvania when appointments or promotions are made to public positions.

Referred to the Committee on State Government.

By Messrs. KNECHT and HAROLD G. MILLER.
HOUSE BILL No. 126.

An Act amending the act of March 10, 1949, (P. L. 30) entitled, "An act relating to the public school system, etc. . . ." providing for reimbursement by the Commonwealth to school districts for the employment of school nurses.

Referred to the Committee on Education.

By Messrs. MOSCRIP and McCANN.
HOUSE BILL No. 127.

An Act to further amend Section 1122 of the act approved the 10th day of March, 1949, (P. L. 30), entitled, "An act relating to the public school system, etc." by changing the age at which boards may terminate the services of professional employes.

Referred to the Committee on Education.

By Messrs. MOSCRIP and GOODLING.
HOUSE BILL No. 128.

An Act amending the "Public School Code of 1949" approved March 10, 1949, (P. L. 30) changing the base for reimbursement on account of school nurses.

Referred to the Committee on Education.

By Mr. MOSCRIP. HOUSE BILL No. 129.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing submission of question of formation of union or merged districts at primary and special elections.

Referred to the Committee on Education.

By Messrs. ASHTON and BROWN.
HOUSE BILL No. 130.

An Act providing for the reassessment of properties for tax purposes where new improvements have been made and the addition thereof to existing tax duplicates of political subdivisions.

Referred to the Committee on Municipal Corporations.

By Messrs. RAGOT, IDE and MOYER.
HOUSE BILL No. 131.

An Act amending the "Liquor Code" of April 12, 1951 (P. L. 90), redefining the term "Population."

Referred to the Committee on Liquor Control.

By Mrs. MARKLEY and Mr. WHEELER.
HOUSE BILL No. 132.

A Supplement to the act of January 26, 1956 (P. L. 955), entitled "An act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning juveniles and for related purposes," providing for return of any child to its home state.

Referred to the Committee on Welfare.

By Messrs. TOMPKINS and AUKER.
HOUSE BILL No. 133.

An Act prescribing the courts in which actions against officers or agencies of the Commonwealth may be instituted.

Referred to the Committee on Judiciary.

By Messrs. HAMILTON, SMITH and STONE.
HOUSE BILL No. 134.

An Act authorizing counties of the fourth and fifth classes to regulate air pollution from any sources including provisions for the payment of inspection and certificates of compliance * * *.

Referred to the Committee on Counties.

By Messrs. TAYLOR and BOORY.
HOUSE BILL No. 135.

An Act requiring tipstaves to attend juries and imposing restrictions with respect thereto.

Referred to the Committee on Judiciary Special.

By Mrs. VARALLO and Mrs. MONROE.
HOUSE BILL No. 136.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) redefining "firearm."

Referred to the Committee on Judiciary Special.

By Messrs. GOLDSTEIN and AGNEW.
HOUSE BILL No. 137.

An Act amending the "Fiduciaries Act of 1949," approved April 18, 1949, (P. L. 512), imposing duties on personal representatives with respect to employment of attorneys at law.

Referred to the Committee on Judiciary.

By Messrs. BROWN and WHEELER.
HOUSE BILL No. 138.

An Act to amend Section 1 of the act approved January 14, 1952 (P. L. 2015) entitled, "A supplement to the act approved July 18, 1917, (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, etc. . . .'" by further extending the provisions of said act to all employes employed by any school district or vocational school district after service in the armed forces of the United States and not heretofore covered.

Referred to the Committee on Education.

By Messrs. TOLL, GOLDSTEIN AMARANDO and POMEROY. HOUSE BILL No. 139.

An Act to define and prohibit unauthorized interception, divulgence or use of telephone and telegraph communications; providing criminal penalties and civil damages, including attorneys' fees for the violation thereof * * *.

Referred to the Committee on Judiciary Special.

By Messrs. GOODLING, GOODRICH and McCANN.
HOUSE BILL No. 140.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing representation on the board of directors of union, merged and consolidated school districts.

Referred to the Committee on Education.

By Mr. WILT. HOUSE BILL No. 141.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), requiring certain vehicles propelled by deisel motors or engines to be equipped with exhaust pipes of a prescribed height extending to and attached to the side of the chassis.

Referred to the Committee on Motor Vehicles.

By Messrs. LIPPINCOTT, MURPHY and DENGLER.
HOUSE BILL No. 142.

An Act amending the act of August 5, 1932, (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes * * *," limiting the rate of wage, income or occupation taxes; reducing such taxes heretofore imposed and providing for certain credits and deductions for nonresident taxpayers.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. DOWN. HOUSE BILL No. 143.

An Act amending the "Municipal Authorities Act of 1945," approved May 2, 1945 (P. L. 382), providing for "Authorities" to submit copies of audits to the Auditor General and Attorney General.

Referred to the Committee on Municipal Corporations.

By Messrs. VARNER and DENNISON.
HOUSE BILL No. 144.

An Act amending "The Vehicle Code," approved May 1, 1929, (P. L. 905), reducing annual registration fee for certain two-wheeled semi-trailers.

Referred to the Committee on Motor Vehicles.

By Messrs. MUSTO, WARGO, Mrs. MUNLEY and Mr. REIDENBACH. HOUSE BILL No. 145.

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095) changing security requirements and adding penalties.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WORLEY (by request), POST (by request) and WARGO (by request). HOUSE BILL No. 146.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) extending provisions for special permits to certain disabled persons.

Referred to the Committee on Game and Conservation.

By Messrs. IDE, RAGOT and MOYER.
HOUSE BILL No. 147.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), providing additional enforcement procedures on traffic violations in cities of the third class.

Referred to the Committee on Motor Vehicles.

By Mr. ERB. HOUSE BILL No. 148.

An Act amending the act of January 5, 1952 (P. L. 1883), entitled as amended "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions of Title II of the Federal Social Security Act, as amended; * * *," extending the act to aldermen, justices of the peace and constables.

Referred to the Committee on State Government.

By Messrs. HEAVEY and McGEE.
HOUSE BILL No. 149.

An Act amending the act of June 22, 1931 (P. L. 880), entitled "An act making it the duty of counties of the

first class, cities *** to give *** an additional bond conditioned for the payment of material and labor, ***," increasing the amount of contracts requiring material and labor bonds.

Referred to the Committee on Municipal Corporations.

By Mr. AMARANDO. HOUSE BILL No. 150.

A Supplement to the "First Class City Home Rule Act," of April 21, 1949 (P. L. 665), authorizing the Council of the City of Philadelphia to legislate with respect to wordly employment or business on Sunday, with respect to games, sports and other diversions on Sunday, and with respect to the sale of liquor and malt and brewed beverages on Sunday.

Referred to the Committee on Law and Order.

By Messrs. SHERMAN, BUCCHIN and GOLDSTEIN. HOUSE BILL No. 151.

An Act amending the act of April 27, 1927 (P. L. 414) entitled, as amended, "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals; ***" requiring the destruction of photographs and fingerprints in certain cases.

Referred to the Committee on Judiciary Special.

By Messrs. STRAUSSER and WYATT. HOUSE BILL No. 152.

An Act requiring State primary highways having a three percent incline for fifteen hundred feet to be four lanes wide.

Referred to the Committee on Highways.

By Messsr. SHERMAN, TOLL, POMEROY and Mrs. ANDERSON. HOUSE BILL No. 153.

An Act prohibiting discriminatory practices and policies based upon race, religion, color or natural origin in educational institutions; creating the Pennsylvania Fair Educational Opportunities Commission; ***.

Referred to the Committee on Education.

By Messrs. VARNER and WESCOTT. HOUSE BILL No. 154.

An Act amending clause (c) of subsection 5 of section 13 of the act approved the 18th day of July, 1917 (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, etc. .. .. .." by increasing the allowances for disability retirement.

Referred to the Committee on Education.

By Mr. WORLEY (by request). HOUSE BILL No. 515.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) providing for payment by the commission of damages caused by deer and prescribing penalties for false claims.

Referred to the Committee on Game and Conservation.

By Messrs. RIGBY, VAUGHAN, STUART and JOHNSTON. HOUSE BILL No. 156.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) eliminating straight party voting by ballot and voting machines.

Referred to the Committee on Elections and Apportionment.

By Mr. McCORMACK. HOUSE BILL No. 157.

An Act prohibiting unauthorized interception, divulgence or use of telephone and telegraph communications without warrant; ***.

Referred to the Committee on Judiciary Special

By Mr. McCORMACK. HOUSE BILL No. 158.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting the installation or operation in motor vehicles of equipment capable of intercepting police radio message and providing for certain exemptions.

Referred to the Committee on Judiciary Special.

By Messrs. WOOD, WESCOTT, WHEELER and McCANN. HOUSE BILL No. 159.

An Act reenacting and amending the act of July 20, 1953 (P. L. 550) entitled "An act providing for and regulating the annexation of parts of a second class township to boroughs, cities and townships," eliminating from the provisions of the act cities of the second and second class A, ***.

Referred to the Committee on Municipal Corporations.

By Messrs. WOOD, WESCOTT, WHEELER and HAMILTON. HOUSE BILL No. 160.

An Act amending '"The Third Class City Code," approved June 23, 1931 (P. L. 932), providing for audits of accounts by independent accountants appointed by council.

Referred to the Committee on Cities—Third Class.

By Messrs. WOOD, WESCOTT, WHEELER and HAMILTON. HOUSE BILL No. 161.

An Act amending the act of May 2, 1949 (P. L. 873), entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs ***," clarifying the provisions of the act as to its application in townships.

Referred to the Committee on Municipal Corporation.

By Messrs. WOOD, WESCOTT, WHEELER and McCANN. HOUSE BILL No. 162.

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs ***," further defining the formula used to determine the amount of payments to be made to the political subdivisions.

Referred to the Committee on Ways and Means.

By Messrs. WOOD, WESCOTT, WHEELER and McCANN. HOUSE BILL No. 163.

An Act amending the act of May 16, 1945 (P. L. 594), entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings, ***," imposing penalties for violations of the act, and in certain cases removing from office magistrates *** failing to make monthly settlements with certain political subdivisions.

Referred to the Committee on Judiciary Special.

By Mr. McGEE. HOUSE BILL No. 164.

An Act imposing duties on builders of dwelling and housing units; prohibiting the issuance of building permits by local governments in certain cases; and prescribing penalties.

Referred to the Committee on Municipal Corporations.

By Messrs. CARSON, BRUCKER, Mrs. BEATRICE Z. MILLER and Mr. A. M. LEE. HOUSE BILL No. 165.

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743) establishing a Traffic Court of Philadelphia and prescribing its powers and duties and jurisdiction and the magistrates assigned thereto; ***.

Referred to the Committee on Judiciary.

By Mr. McCORMACK. HOUSE BILL No. 166.

An Act amending "The Game Law," approved June 3, 1937, (P. L. 1225), further regulating the issuance of antlerless deer licenses, and imposing penalties for the unlawful issuance thereof.

Referred to the Committee on Game and Conservation.

By Mrs. DUFFY. HOUSE BILL No. 167.

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051) making eligible for assistance certain aged, disabled and other persons who are inmates of public institutions.

Referred to the Committee on Welfare.

By Mrs. DUFFY. HOUSE BILL No. 168.

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207) by providing for the revesting and reattaching of unpaid taxes and municipal claims and charges on, and estates in, land sold at public sale and thereafter redeemed.

Referred to the Committee on Municipal Corporations.

By Messrs. ISAACS, FOSTER and Mrs. KERNAGHAN. HOUSE BILL No. 169.

An Act amending "The Juvenile Court Law" approved June 2, 1933 (P. L. 1433) making parents liable for financial loss caused by juveniles.

Referred to the Committee on Judiciary Special.

By Messrs. MULDOWNEY and McKEEVER. HOUSE BILL No. 170.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing penalties with respect to obscene materials.

Referred to the Committee on Judiciary Special.

By Messrs. ISAACS, FOSTER and Mrs. KERNAGHAN. HOUSE BILL No. 171.

An Act amending the "Juvenile Court Law of Allegheny County," approved June 3 1933 (P. L. 1449) making parents liable for financial loss caused by juveniles.

Referred to the Committee on Judiciary Special.

By Mrs. BEATRICE Z. MILLER, Mrs. KERNAGHAN, Mrs. KOOKER and Mrs. DONAHUE. HOUSE BILL No. 172.

An Act amending "The Penal Code" approved June 24, 1939, (P. L. 872) extending provisions relating to obscene literature and objects; and increasing the penalty for violating the provisions.

Referred to the Committee on Law and Order.

By Messrs. JUMP, PARRY, POST and DIETTERICK. HOUSE BILL No. 173.

An Act requiring court approval of contracts between architects and counties *** and providing payments on such contracts may be made out of proceeds of temporary loans.

Referred to the Committee on Counties.

By Mr. McCORMACK. HOUSE BILL No. 174.

An Act authorizing the recovery of damages from parents whose children destroy property.

Referred to the Committee on Judiciary Special.

By Messrs. LUTTY and LEONARD. HOUSE BILL No. 175.

An Act amending the act of April 3, 1947 (P. L. 55) entitled "An act authorizing cities, boroughs, towns and townships to regulate parking lots ***" authorizing certain political subdivisions to regulate motor vehicle parking garages.

Referred to the Committee on Municipal Corporations.

By Messrs. LUTTY and GOLDSTEIN. HOUSE BILL No. 176.

An Act relating to voting rights of bedridden, hospitalized or otherwise physically incapacitated veterans.

Referred to the Committee on Elections and Apportionment.

By Mr. AMARANDO. HOUSE BILL No. 177.

An Act relating to circuses; prohibiting the staging thereof on Sunday unless authorized by local option; providing for licenses and penalties, and imposing duties on local legislative bodies.

Referred to the Committee on Law and Order.

By Messrs. DENNISON and VARNER. HOUSE BILL No. 178.

An Act amending the act of June 29, 1937, (P. L. 2420) entitled, as amended "An act fixing the hours of rest each calendar week, and the vacation period of members of the Pennsylvania State Police, and Guards in State Parks," limiting the weekly hours of duty of such persons and providing for overtime payments.

Referred to the Committee on State Government.

By Messrs. SILVERMAN and KRAKOW. HOUSE BILL No. 179.

An Act amending the act of June 23, 1911, (P. L. 1123) entitled "An act establishing in each county a board of viewers; prescribing their duties; *** and providing for the charges upon the respective counties in the matter of salaries, costs and expenses thereof," providing for the appointment to the board of viewers, in counties of the first class, of competent and qualified real estate appraisers.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mrs. ANDERSON and Mr. TOLL. HOUSE BILL No. 180.

An Act defining and relating to installment land contracts in cities of the first class, and providing for and regulating the rights and obligations between parties to such contracts, under certain terms and conditions.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. COMER. HOUSE BILL No. 181.

An Act amending the "Practical Nurse Law" approved March 2, 1956 (P. L. 1211) providing alternative qualifications for licensure.

Referred to the Committee on Professional Licensure.

By Messrs. A. M. LEE, BRUCKER, Mrs. BEATRICE MILLER and Mr. CARSON. HOUSE BILL No. 182.

An Act providing for the consolidation, merger, division and creation of wards in the City of Philadelphia *** and defining the boundaries of each ward.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. GOODLING, STRAUSSER and MOSCRIP. HOUSE BILL No. 183.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for reimbursement by the Commonwealth to school districts and vocational school districts and harmonizing the language.

Referred to the Committee on Education.

By Mrs. MONROE and Mrs. VARALLO. HOUSE BILL No. 184.

An Act controlling and regulating air pollution in this Commonwealth; prohibiting the discharge of dust, fume, gas, mist, odor, smoke, vapor and similar matter or any combination thereof into the air where the effect is to cause air pollution or an air pollution nuisance.

Referred to the Committee on Public Health and Sanitation.

By Mr. FLOYD. HOUSE BILL No. 185.

An Act amending "The Vehicle Code," approved May 1, 1929, (P. L. 905), authorizing the establishment of speed limits in cities of the first class under certain terms and conditions; providing for use of testing devices in these cases, and imposing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. EILBERG and McKEEVER. HOUSE BILL No. 186.

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid tax proceeds to cities ***," changing the formula for money allocated to cities, boroughs, towns and townships.

Referred to the Committee on Ways and Means.

By Messrs. BELL and WORLEY. HOUSE BILL No. 187.

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire and repair the Caleb Pusey House and to convey it to the Delaware County Historical Society, and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. WOOD, WESCOTT, WHEELER and McCANN. HOUSE BILL No. 188.

An Act amending "The Vehicle Code," approved May 1, 1929, (P. L. 905) further providing for signs on highways where certain restrictions are imposed by local authorities.

Referred to the Committee on Motor Vehicles.

By Messrs. DOUGHERTY, CIANFRANI and SILVERMAN. HOUSE BILL No. 189.

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. DOUGHERTY. HOUSE BILL No. 190.

An Act making an appropriation to the Department of Forests and Waters for the clearing and dredging part of the Schuylkill River.

Referred to the Committee on Appropriations.

By Mr. DOUGHERTY. HOUSE BILL No. 191.

An Act making an appropriation to the Department of Forests and Waters for the construction and maintenance of a pilot ship-to-shore radar installation for navigation of the Delaware River Channel.

Referred to the Committee on Appropriations.

By Mesrs. GOODRICH, HORST, PURSLEY and H. P. MURRAY. HOUSE BILL No. 192.

An Act amending the "Public School Code of 1949" approved March 10, 1949, (P. L. 30,), providing Commonwealth reimbursement to school districts on account of migratory children attending their schools; and making an appropriation.

Referred to the Committee on Education.

By Messrs. McCORMACK and BOORY. HOUSE BILL No. 193.

An Act making an appropriation to the Department of Commerce for the rendering of financial assistance to industrial development agencies.

Referred to the Committee on Appropriations.

By Messrs. BELL, ISAACS and FOSTER. HOUSE BILL No. 194.

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242) limiting the power of the secretary to designate the location of new highways.

Referred to the Committee on Highways.

By Messrs. BELL, FOSTER and ISAACS. HOUSE BILL No. 195.

An Act amending the act of May 29, 1945 (P. L. 1108), entitled "An act authorizing the establishment, construction and maintenance of limited access highways and local service highways; *** and making an appropriation," restricting the power of the Secretary of Highways to lay out new highways.

Referred to the Committee on Highways.

By Messrs. MULLEN and HEAVY. HOUSE BILL No. 196.

An Act making an appropriation to the Philadelphia Commercial Museum for maintenance and the purchase of apparatus, supplies and equipment.

Referred to the Committee on Appropriations.

By Messrs. LIPPINCOTT, ISAACS, FOSTER and BELL. HOUSE BILL No. 197.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Common-

wealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

Referred to the Committee on Appropriations.

By Messrs. BELL, ISAACS and FOSTER.

HOUSE BILL No. 198.

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604) restricting the power of the Authority to construct highways in the Commonwealth.

Referred to the Committee on Highways.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. BRENNINGER and WILLAREDT.

RESOLUTION No. 6.

In the House of Representatives, January 28, 1957.

The Pennsylvania Occupational Disease Act was enacted as a humane measure to ease hardship and facilitate financial payments to those who have contracted disease arising out of and in the course of certain types of employment.

The diseases which arise from certain types of occupations, chiefly that disease often referred to as "Silicosis Asthma," have posed a problem which modern society recognizes as a public challenge.

Long drawn out and costly litigation is contrary to public wishes and unfair to those persons who have been severely tried and harmed by illness due to their work which has produced much which our society requires to maintain its modern system of manufacture and supply; therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of five House members to investigate methods for attaining quicker and less costly settlement of occupational disease claims; and be it further

Resolved, That the committee make a report of its findings and recommendations to the House of Representatives as soon as possible.

Referred to the Committee on Rules.

By Messrs. GOODRICH, GIBSON, MAGEE and GRAMLICH.

RESOLUTION No. 7.

In the House of Representatives, January 29, 1957.

Whereas, The location of the interstate highways in Pennsylvania to be constructed under the Federal Highway Program has created a great deal of dispute and discussion; and

Whereas, U. S. Route 6 is a transcontinental highway reaching from California to Massachusetts and crosses Pennsylvania through the Northern Tier Counties, and is vitally important to this region because it lacks any other means of cross state transportation; and

Whereas, The Governor of Pennsylvania has recommended to the United States Bureau of Roads that the cross sta e highway to be constructed under the said program shall be a new road leading from a point near Sharon to Stroudsburg, and to the New York State line; and

Whereas, The construction of the interstate highway from Sharon, Pennsylvania, near the western entrance to our present Pennsylvania Turnpike to the New York State line will result in virtual bankruptcy of our turnpike system, thus repudiating the faith reposed in the bonds of the turnpike by the financial public; and

Whereas, Those who realize the importance of U. S. Route 6 to the State and the Northern Tier Counties know that the denial of the said interstate highway to the said counties will be a staggering blow to their growth and progress and will reduce the said route to a farm to market road; and

Whereas, This unreasonable discrimination against the Northern Tier Counties demands action by the General Assembly to save irreparable damage to this important region; therefore be it

Resolved, That the House of Representatives deplores this action by the Governor of the Commonwealth and the Secretary of Highways, and recommends that all efforts be put forth to have the new cross state interstate highway constructed at, near and upon U. S. Route 6, and that the Governor of the Commonwealth, the Secretary of Highways and the U. S. Bureau of Roads be informed of the wishes of the House of Representatives in this important matter.

Referred to the Committee on Rules.

By Mr. WORLEY.

RESOLUTION No. 8.

In the House of Representatives, January 28, 1957.

President Eisenhower has stated his belief that the United Nations Organization is essential to world peace and world progress.

The United Nations is presently engaged in endeavors to preserve world peace and avert world war. It is axiomatic that sufficient strength in the initial task would destroy the need for the latter; therefore be it

Resolved, That the House of Representatives of Pennsylvania commend those men of good will who have dedicated their lives, their fortunes and their sacred honor to the cause of world peace, and affirm to them that every member of the House of Representatives of Pennsylvania is their ally; and be it further

Resolved, That the House of Representatives commend the efforts of all men of all nations toward peace, and to that end recommend;

(1) The strengthening of the United Nations to the extent that it can enforce its edicts.

(2) The creation of a world public service organization, dedicated to the realization of an equitable distribution among all peoples, of all sources of power, including ores, combustion materials, atomic power and technical "know how."

(3) That the use of all sources of power be directed to the satisfaction of human needs and wants, and to the complete suppression of their utilization in warfares, and

(4) The creation of financial resources directly available to the United Nations or to any nation which would expend its energies to these noble ends; and be it further

Resolved, That a copy of this resolution be forwarded to President Eisenhower and to the Secretary General of the United Nations.

Referred to the Committee on Rules.

By Mr. McCORMACK.

RESOLUTION No. 9.

In the House of Representatives, January 29, 1957.

Whereas, It is reported that the President of the United States is contemplating extending an invitation to Marshal Tito, Premier of Yugoslavia, to visit the United States as an honored guest in April, 1957, and

Whereas, Tito is a Communist and as such represents everything that is repugnant to lovers of freedom and justice, and

Whereas, History has chronicled in bold type the many cruel and inhuman acts perpetrated by Tito on a defenseless people in his relentless drive to inflict on them a ruthless dictatorship wherein the name of God is anathema and freedoms of religion, speech and press are completely abolished, and

Whereas, Tito has ruthlessly shot down and killed United States airmen in two unarmed United States planes off course because of bad weather, and to this day he has not had the decency to offer the United States an apology, and

Whereas, Tito has imprisoned the leader of the Roman Catholic Church in Yugoslavia, Aloysius Cardinal Stepinac, as well as countless clergymen on trumped-up charges, and

Whereas, This invitation will not only be a terrible affront to thirty-four million Catholics and freedom loving Americans, but also a demoralizing blow to those

lovers of freedom behind the Iron Curtain, the Resistance, who have a right to expect that the United States and all freedom-loving Nations throughout the world should denounce this barbarian and refuse to allow him into the company of decent human beings until he has proven himself worthy of such company, rather than embrace him and enhance considerably his prestige for the sake of political expediency; therefore be it

Resolved, By the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, that the President of the United States be urged not to invite Marshal Tito to visit the United States or to withdraw said invitation if one has already been extended, and be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States.

Referred to the Committee on Rules.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is happy to welcome to the Hall of the House today the gentleman from Perry County, Mr. R. M. Barton, a former Member, and the father of a present Member, Mr. Carl M. Barton of the same county.

REPORTS FORM COMMITTEES

Mr. THOMAS H. W. JONES from the Committee on Judiciary, reported as committed, House Bill No. 7, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), making it unlawful to knowingly listen into deliberations of juries.

Mr. LAFORE from the Committee on Motor Vehicles, reported as committed, House Bill No. 60, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) further regulating the speed of certain commercial vehicles.

Mr. STRAUSSER from the Committee on Motor Vehicles, reported as committed, House Bill No. 61, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), changing existing maximum gross weights and annual registration fees and establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

Mr. HEFFNER from the Committee on Judicary, reported as committed, House Bill No. 78, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) requiring that summary offenses under the act be commenced before certain specified magistrates, aldermen or justices of the peace.

Mr. KEHLER from the Committee on Judiciary, reported as committed, House Bill No. 80, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448), requiring that violations of the act or rules and regulations promulgated thereunder be prosecuted before certain specified magistrates, aldermen or justices of the peace.

Mr. GOLDSTEIN from the Committee on Cities—Counties First, Second and Second Class A, reported as committed, House Bill No. 10, entitled:

An Act amending the act of March 1, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," providing for minority party presentation in council.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 14, entitled:

An Act requiring filing the reasons in writing for recommending pardons and making the reasons matters of public record.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania enabling the Legislature to enact legislation for absentee voting.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RAGOT. Mr. Speaker, I would like to state my reasons for voting for House Bill No. 1.

For many sessions in the past similar absentee voting bills were presented by Members of the House, and although their names do not appear on the present bill, they all can claim some pioneering credit if it finally passes the last two hurdles.

Although my name does not appear as a sponsor of the present bill we are about to vote upon, I nevertheless also consider it my baby. As early as the 1953 Session I introduced a similar bill permitting absentee voting in Pennsylvania. This bill was passed by the House but unfortunately died in the Senate.

At this Session I had ordered an absentee vote bill drawn up with the intention of presenting it on the first day on which bills were permitted. However, my bill was not released until Tuesday. Knowing that the present bill had been presented on Monday and in order to save on printing of bills when more than one bill of a similar nature is introduced, I did not introduce the present bill which I hold.

Many states extend this privilege to their citizens, and Pennsylvania should not be the exception.

I hope that every Member of the House will support this bill because of the importance of every Pennsylvania citizen being permitted to exercise his or her right of franchise, even if he or she is temporarily away from his or her voting district or is temporarily incapacitated.

Mr. WORLEY. Mr. Speaker, on the first day to introduce bills, January 7, 1957, I introduced and sponsored an absentee voting bill.

I am very strongly for the policy contained in such legislation, and I recommend that House Bill No. 1 now

before us for consideration be given support by the Members of the House.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—208

Adams,	Fetterolf,	Lippincott,	Rigby,
Agnew,	Filo,	Lopresti,	Rovansek,
Amarando,	Fineman,	Lovett,	Royer,
Anderson, M. S.,	Floyd,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Magee,	Scarcelli,
Andrews,	Foster,	Mahan,	Schuster,
Ashton,	Fox,	Markley,	Schwartz,
Auker,	Frascella,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Silverman,
Boies,	George,	McGee,	Smith,
Boory,	Gibb,	McInroy,	Snare,
Bower,	Gibson,	McKeever,	Snider,
Bowman,	Goldstein,	McLaughlin,	Spray,
Brand,	Goodling,	Merry,	Steckel,
Breisch,	Goodrich,	Metz,	Stevens,
Brennan,	Gramlich,	Mihm,	Stimmel,
Brenninger,	Gross,	Mikula,	Stone,
Breon,	Guthrie,	Miller, B. Z.	Stoner,
Breth,	Hamilton,	Miller, H. G.,	Strausser,
Brown,	Haudenshield,	Miller, W. H.,	Stroup,
Brucker,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Monroe,	Taylor,
Buchanan,	Henzel,	Moody,	Thompson,
Campano,	Hocker,	Moscrip,	Toll,
Carson,	Holt,	Moyer,	Tompkins,
Cianfrani,	Horst,	Muldowney,	Trusio,
Cioffi,	Ide,	Mullen,	Ujobai,
Cleveland,	Isaacs,	Munley,	Varallo,
Comer,	Jenkins,	Murphy,	Varner,
Cooper,	Jim,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Verona,
Curwood,	Johnston,	Musto,	Wall,
Dalrymple,	Jones, G. E.	Naugle,	Walsh,
Davis,	Jones, T. H. W.	O'Brien,	Wargo,
Dengler,	Jump,	O'Dell,	Weidner,
Dennison,	Kamyk,	Ogilvie,	Welsh,
Devlin,	Kehler,	Parry,	Wescott,
Dietterick,	Keller,	Pashley,	Wheeler,
Donahue,	Kernaghan,	Petrosky,	Whittaker,
Donaldson,	Knecht,	Phillips,	Willard,
Dougherty,	Kooker,	Piper,	Willaredt,
Down,	Kornick,	Polaski,	Williams,
Duffy,	Korns,	Pomeroy,	Wilt,
Dunn,	Krakow,	Post,	Wood,
Edwards,	Lafore,	Price,	Worley,
Eilberg,	Lee, A. M.,	Pursley,	Wyatt,
Erb,	Lee, K. B.,	Ragot,	Wynd,
Eshleman,	Leonard,	Readinger,	Yatron,
Ewing,	Light,	Reidenbach,	Zimmerman,
Farabaugh,	Limper,	Renwick,	Helm, Speaker

NAYS—0

NOT VOTING—1

DeLong,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by providing for annual sessions of the General Assembly.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—209

Adams,	Fetterolf,	Lippincott,	Rigby,
Agnew,	Filo,	Lopresti,	Rovansek,
Amarando,	Fineman,	Lovett,	Royer,
Anderson, M. S.,	Floyd,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Magee,	Scarcelli,
Andrews,	Foster,	Mahan,	Schuster,
Ashton,	Fox,	Markley,	Schwartz,
Auker,	Frascella,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Silverman,
Boies,	George,	McGee,	Smith,
Boory,	Gibb,	McInroy,	Snare,
Bower,	Gibson,	McKeever,	Snider,
Bowman,	Goldstein,	McLaughlin,	Spray,
Brand,	Goodling,	Merry,	Steckel,
Breisch,	Goodrich,	Metz,	Stevens,
Brennan,	Gramlich,	Mihm,	Stimmel,
Brenninger,	Gross,	Mikula,	Stone,
Breon,	Guthrie,	Miller, B. Z.	Stoner,
Breth,	Hamilton,	Miller, H. G.,	Strausser,
Brown,	Haudenshield,	Miller, W. H.,	Stroup,
Brucker,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Monroe,	Taylor,
Buchanan,	Henzel,	Moody,	Thompson,
Campano,	Hocker,	Moscrip,	Toll,
Carson,	Holt,	Moyer,	Tompkins,
Cianfrani,	Horst,	Muldowney,	Trusio,
Cioffi,	Ide,	Mullen,	Ujobai,
Cleveland,	Isaacs,	Munley,	Varallo,
Comer,	Jenkins,	Murphy,	Varner,
Cooper,	Jim,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Verona,
Curwood,	Johnston,	Musto,	Wall,
Dalrymple,	Jones, G. E.	Naugle,	Walsh,
Davis,	Jones, T. H. W.	O'Brien,	Wargo,
DeLong,	Jump,	O'Dell,	Weidner,
Dengler,	Kamyk,	Ogilvie,	Welsh,
Dennison,	Kehler,	Parry,	Wescott,
Devlin,	Keller,	Pashley,	Wheeler,
Dietterick,	Kernaghan,	Petrosky,	Whittaker,
Donahue,	Knecht,	Phillips,	Willard,
Donaldson,	Kooker,	Piper,	Willaredt,
Dougherty,	Kornick,	Polaski,	Williams,
Down,	Korns,	Pomeroy,	Wilt,
Duffy,	Krakow,	Post,	Wood,
Dunn,	Lafore,	Price,	Worley,
Edwards,	Lee, A. M.,	Pursley,	Wyatt,
Eilberg,	Lee, K. B.,	Ragot,	Wynd,
Erb,	Leonard,	Readinger,	Yatron,
Eshleman,	Light,	Reidenbach,	Zimmerman,
Ewing,	Limper,	Renwick,	Helm, Speaker
Farabaugh,			

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration on House Bill No. 3, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—209

Adams,	Fetterolf,	Lippincott,	Rigby,
Agnew,	Filo,	Lopresti,	Rovansek,
Amarando,	Fineman,	Lovett,	Royer,
Anderson, M. S.,	Floyd,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Magee,	Scarcelli,
Andrews,	Foster,	Mahan,	Schuster,
Ashton,	Fox,	Markley,	Schwartz,
Auker,	Frascella,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Silverman,
Boies,	George,	McGee,	Smith,
Boory,	Gibb,	McInroy,	Snare,
Bower,	Gibson,	McKeever,	Snider,
Bowman,	Goldstein,	McLaughlin,	Spray,
Brand,	Goodling,	Merry,	Steckel,
Breisch,	Goodrich,	Metz,	Stevens,
Brennan,	Gramlich,	Mihm,	Stimmel,
Brenninger,	Gross,	Mikula,	Stone,
Breon,	Guthrie,	Miller, B. Z.	Stoner,
Breth,	Hamilton,	Miller, H. G.,	Strausser,
Brown,	Haudenshield,	Miller, W. H.,	Stroup,
Brucker,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Monroe,	Taylor,
Buchanan,	Henzel,	Moody,	Thompson,
Campano,	Hocker,	Moscrip,	Toll,
Carson,	Holt,	Moyer,	Tompkins,
Cianfrani,	Horst,	Muldowney,	Trusio,
Cioffi,	Ide,	Mullen,	Ujobai,
Cleveland,	Isaacs,	Munley,	Varallo,
Comer,	Jenkins,	Murphy,	Varner,
Cooper,	Jim,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Verona,
Curwood,	Johnston,	Musto,	Wall,
Dalrymple,	Jones, G. E.	Naugle,	Walsh,
Davis,	Jones, T. H. W.	O'Brien,	Wargo,
DeLong,	Jump,	O'Dell,	Weidner,
Dengler,	Kamyk,	Ogilvie,	Welsh,
Dennison,	Kehler,	Parry,	Wescott,
Devlin,	Keller,	Pashley,	Wheeler,
Dietterick,	Kernaghan,	Petrosky,	Whittaker,
Donahue,	Knecht,	Phillips,	Willard,
Donaldson,	Kooker,	Piper,	Willaredt,
Dougherty,	Kornick,	Polaski,	Williams,
Down,	Korns,	Pomeroy,	Wilt,
Duffy,	Krakow,	Post,	Wood,
Dunn,	Lafore,	Price,	Worley,
Edwards,	Lee, A. M.,	Pursley,	Wyatt,
Eilberg,	Lee, K. B.,	Ragot,	Wynd,
Erb,	Leonard,	Readinger,	Yatron,
Eshleman,	Light,	Reidenbach,	Zimmerman,
Ewing,	Limper,	Renwick,	Helm,
Farabaugh,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives for payment of expenses of members

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—209

Adams,	Fetterolf,	Lippincott,	Rigby,
Agnew,	Filo,	Lopresti,	Rovansek,
Amarando,	Fineman,	Lovett,	Royer,
Anderson, M. S.,	Floyd,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Magee,	Scarcelli,
Andrews,	Foster,	Mahan,	Schuster,
Ashton,	Fox,	Markley,	Schwartz,
Auker,	Frascella,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Silverman,
Boies,	George,	McGee,	Smith,
Boory,	Gibb,	McInroy,	Snare,
Bower,	Gibson,	McKeever,	Snider,
Bowman,	Goldstein,	McLaughlin,	Spray,
Brand,	Goodling,	Merry,	Steckel,
Breisch,	Goodrich,	Metz,	Stevens,
Brennan,	Gramlich,	Mihm,	Stimmel,
Brenninger,	Gross,	Mikula,	Stone,
Breon,	Guthrie,	Miller, B. Z.	Stoner,
Breth,	Hamilton,	Miller, H. G.,	Strausser,
Brown,	Haudenshield,	Miller, W. H.,	Stroup,
Brucker,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Monroe,	Taylor,
Buchanan,	Henzel,	Moody,	Thompson,
Campano,	Hocker,	Moscrip,	Toll,
Carson,	Holt,	Moyer,	Tompkins,
Cianfrani,	Horst,	Muldowney,	Trusio,
Cioffi,	Ide,	Mullen,	Ujobai,
Cleveland,	Isaacs,	Munley,	Varallo,
Comer,	Jenkins,	Murphy,	Varner,
Cooper,	Jim,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Verona,
Curwood,	Johnston,	Musto,	Wall,
Dalrymple,	Jones, G. E.	Naugle,	Walsh,
Davis,	Jones, T. H. W.	O'Brien,	Wargo,
DeLong,	Jump,	O'Dell,	Weidner,
Dengler,	Kamyk,	Ogilvie,	Welsh,
Dennison,	Kehler,	Parry,	Wescott,
Devlin,	Keller,	Pashley,	Wheeler,
Dietterick,	Kernaghan,	Petrosky,	Whittaker,
Donahue,	Knecht,	Phillips,	Willard,
Donaldson,	Kooker,	Piper,	Willaredt,
Dougherty,	Kornick,	Polaski,	Williams,
Down,	Korns,	Pomeroy,	Wilt,
Duffy,	Krakow,	Post,	Wood,
Dunn,	Lafore,	Price,	Worley,
Edwards,	Lee, A. M.,	Pursley,	Wyatt,
Eilberg,	Lee, K. B.,	Ragot,	Wynd,
Erb,	Leonard,	Readinger,	Yatron,
Eshleman,	Light,	Reidenbach,	Zimmerman,
Ewing,	Limper,	Renwick,	Helm,
Farabaugh,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 12, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

NAYS—208

Adams,	Fetterolf,	Lippincott,	Rovansek,
Agnew,	Filo,	Lopresti,	Royer,
Amarando,	Fineman,	Lovett,	Rudisill,
Anderson, M. S.,	Floyd,	Lutty,	Scarcelli,

Anderson, S. A.,	Flynn,	Magee,	Schuster,
Andrews,	Foster,	Mahan,	Schwartz,
Ashton,	Fox,	Markley,	Seltzer,
Auker,	Frascella,	Marsh,	Sherman,
Barton,	Gailey,	Maxwell,	Shields,
Bell,	Garlock,	McCann,	Silverman,
Blair,	Gelfand,	McCormack,	Smith,
Boies,	George,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman,	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mihm,	Stone,
Brenninger,	Gross,	Mikula,	Stoner,
Breon,	Guthrie,	Miller, B. Z.	Strausser,
Breth,	Hamilton,	Miller, H. G.,	Stroup,
Brown,	Haudenshield,	Miller, W. H.,	Stuart,
Brucker,	Heavey,	Mills,	Taylor,
Bucchin,	Heffner,	Monroe,	Thompson,
Buchanan,	Henzel,	Moscrip,	Toll,
Campano,	Hocker,	Moyer,	Tompkins,
Carson,	Holt,	Muldowney,	Trusio,
Cianfrani,	Horst,	Mullen,	Ujobai,
Cioffi,	Ide,	Munley,	Varallo,
Cleveland,	Isaacs,	Murphy,	Varner,
Comer,	Jenkins,	Murray, H. P.,	Vaughan,
Cooper,	Jim,	Murray, P. G.,	Verona,
Cummins,	Johnson,	Musto,	Wall,
Curwood,	Johnston,	Naugle,	Walsh,
Dalrymple,	Jones, G. E.	O'Brien,	Wargo,
Davis,	Jones, T. H. W.	O'Dell,	Weidner,
DeLong,	Jump,	Ogilvie,	Welsh,
Dengler,	Kamyk,	Parry,	Wescott,
Dennison,	Kehler,	Pashley,	Wheeler,
Devlin,	Keller,	Petrosky,	Whittaker,
Dietterick,	Kernaghan,	Phillips,	Willard,
Donahue,	Knecht,	Piper,	Willaredt,
Donaldson,	Kooker,	Polaski,	Williams,
Dougherty,	Kornick,	Pomeroy,	Wilt,
Down,	Korns,	Post,	Wood,
Duffy,	Krakow,	Price,	Worley,
Dunn,	Lafore,	Pursley,	Wyatt,
Edwards,	Lee, A. M.,	Ragot,	Wynd,
Eilberg,	Lee, K. B.,	Readinger,	Yatron,
Erb,	Leonard,	Reidenbach,	Zimmerman,
Eshleman,	Light,	Renwick,	Helm,
Ewing,	Limper,	Rigby,	Speaker
Farabaugh,			

NAYS—0

NOT VOTING—1

Moody,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

The majority required by the Constitution having voted in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 33, entitled:

An Act amending the act of May 21 1931 (P L 149) entitled as amended "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WORLEY. Mr. Speaker, as the people of this Commonwealth well know, I was the one who first worked for and took the lead in bringing about the 100 percent gas tax refund for the farmers of Pennsylvania. The proof of that statement appears on pages 138, 139, 570, 571, 572, 573, 2013 and 2162 of the Legislative Journals of 1949; and pages 188, 189, 190, 550, 551, 1671, 1877 and 7455 of the Legislative Journals of 1955 and 1956.

Today I am speaking on the floor of this House of Representatives to recommend and to urge that the membership of this body vote to make the present full gas tax refund law a permanent and continuous law. I hope you will support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—209

Adams,	Fetterolf,	Lippincott,	Rigby,
Agnew,	Filo,	Lopresti,	Rovansek,
Amarando,	Fineman,	Lovett,	Royer,
Anderson, M. S.,	Floyd,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Magee,	Scarcelli,
Andrews,	Foster,	Mahan,	Schuster,
Ashton,	Fox,	Markley,	Schwartz,
Auker,	Frascella,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Silverman,
Boies,	George,	McGee,	Smith,
Boory,	Gibb,	McInroy,	Snare,
Bower,	Gibson,	McKeever,	Snider,
Bowman,	Goldstein,	McLaughlin,	Spray,
Brand,	Goodling,	Merry,	Steckel,
Breisch,	Goodrich,	Metz,	Stevens,
Brennan,	Gramlich,	Mihm,	Stimmel,
Brenninger,	Gross,	Mikula,	Stone,
Breon,	Guthrie,	Miller, B. Z.	Stoner,
Breth,	Hamilton,	Miller, H. G.,	Strausser,
Brown,	Haudenshield,	Miller, W. H.,	Stroup,
Brucker,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Monroe,	Taylor,
Buchanan,	Henzel,	Moody,	Thompson,
Campano,	Hocker,	Moscrip,	Toll,
Carson,	Holt,	Moyer,	Tompkins,
Cianfrani,	Horst,	Muldowney,	Trusio,
Cioffi,	Ide,	Mullen,	Ujobai,
Cleveland,	Isaacs,	Munley,	Varallo,
Comer,	Jenkins,	Murphy,	Varner,
Cooper,	Jim,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Verona,
Curwood,	Johnston,	Musto,	Wall,
Dalrymple,	Jones, G. E.	Naugle,	Walsh,
Davis,	Jones, T. H. W.	O'Brien,	Wargo,
DeLong,	Jump,	O'Dell,	Weidner,
Dengler,	Kamyk,	Ogilvie,	Welsh,
Dennison,	Kehler,	Parry,	Wescott,
Devlin,	Keller,	Pashley,	Wheeler,
Dietterick,	Kernaghan,	Petrosky,	Whittaker,
Donahue,	Knecht,	Phillips,	Willard,
Donaldson,	Kooker,	Piper,	Willaredt,
Dougherty,	Kornick,	Polaski,	Williams,
Down,	Korns,	Pomeroy,	Wilt,
Duffy,	Krakow,	Post,	Wood,
Dunn,	Lafore,	Price,	Worley,
Edwards,	Lee, A. M.,	Pursley,	Wyatt,
Eilberg,	Lee, K. B.,	Ragot,	Wynd,
Erb,	Leonard,	Readinger,	Yatron,
Eshleman,	Light,	Reidenbach,	Zimmerman,
Ewing,	Limper,	Renwick,	Helm,
Farabaugh,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE RESOLUTION No. 1

Mr. BELL. MR. SPEAKER, I desire to call up House Resolution No. 1.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 7, 1957.

David K Darcy Harold Foster and Harry Zietz were convicted by a jury for the slaying of William Kelly an innocent bystander during a holdup of a tavern in Bucks County The jury fixed the punishment at death in the electric chair

The conviction and sentence was appealed to the Supreme Court of Pennsylvania and the case reached the Supreme Court of the United States four times

On September 29 1956 the Board of Pardons acting on Darcy's third application for executive clemency recommended that the sentences of death be commuted to sentences of life imprisonment

The commutations granted by the Governor have aroused public interest and indignation The action of a non judicial body in substituting its judgment for that of the jury which heard the case and of the many jurists who studied the case has been critized throughout the State The opinion prevails in many quarters that political considerations influenced the action of the Board of Pardons in this and in other recent cases.

It is imperative therefore that a complete and thorough investigation be made of the action of the Board of Pardons to determine whether or not any abuses have occurred with respect to the powers entrusted to it therefore be it

Resolved (The Senate concurring) That the Speaker of the House of Representatives appoint three members of the House and the President Pro Tempore of the Senate appoint three members of the Senate who together shall constitute a joint committee and be authorized and directed to make an immediate investigation of all since actions January 4 1950 of the Board of Pardons in connection with the pardon parole or commutation of sentence of persons convicted of crimes The committee shall have the power to issue subpoenas under its hand and seal requesting and commanding any person or persons to appear before it and answer questions touching matters properly being inquired into and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of courts of this Commonwealth The committee shall have power to administer oaths and affirmations to witnesses appearing before it Any person who shall wilfully neglect or refuse to testify before the committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases and be it further

Resolved That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed sixty days

On the question,

Will the House adopt the resolution?

Mr. BELL. Mr. Speaker, at this time I would like to make a few remarks in favor of the present resolution.

I will make these remarks brief, and if it evolves that there is a floor fight I would like to come back later with a longer argument.

Ladies and gentlemen of the House of Representatives, today we are asking this House to adopt this resolution to look into certain charges that have been made with respect to the Pardon Board of Pennsylvania.

I have in my possession a large number of newspaper editorials, newspaper articles, that have appeared throughout the state of Pennsylvania. To make it very brief, the citizens of Pennsylvania are aroused. They desire to know what are the facts with respect to the present Pardon Board; and perhaps even further, whether or not it would be a good idea to have subsequent legislation introduced that would take the Pardon Board out of politics.

Mr. Speaker, I ask that the ladies and gentlemen of both sides of this House support this resolution.

Mr. WORLEY. I rise to my feet to oppose and to request that I be recorded as voting "no" on Resolution No. 1 Printer's No. 8, now before this House for consideration.

It is well known that I have for many years introduced bills into the Pennsylvania Legislature for the abolition of capital punishment, and I again introduced such a bill into this Session on January 22, 1957.

While Resolution No. 1, Printer's No. 8, does not direct a death penalty in and of itself, the Resolution is nevertheless an obvious step in the direction of capital punishment. I want to make it very clear that I will not in any way direct, or attempt to direct, the chief executive of this Commonwealth to sign a death warrant for any man.

This Legislature has the legal power to investigate the circumstances under which a commutation of sentence was brought about as an inherent right of the General Assembly so that it will have information for future legislation on the subject so investigated. This House of Representatives has the constitutional power of impeachment of the Governor and all other civil officers for any misdemeanor in office and this Legislature has the power to submit evidence for prosecution in the courts of this Commonwealth. However, my objection to the Resolution is based on the fact that it is giving comfort and support to the principle of capital punishment, a policy which I am against. Capital punishment is contrary to Divine Law, and as a Legislator, I believe it is my duty to influence the making and changing of man-made laws so that they more nearly accord with Divine Law. The application of the death penalty is brutalizing and degrading to the public mind. It leaves no room for the reformation of character, which should be the principal aim of criminal law, nor for the revision of the sentence in the event of a miscarriage of justice.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

HOUSE RESOLUTION No. 2

Mr. JOHNSON. Mr. Speaker, I desire to call up House Resolution No. 5.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 28, 1957.

Whereas It has been alleged in the public press that there has been a misuse of money from the 1.7 million dollar Administrative Fund in the Bureau of Employment Security and

Whereas This fund is under the personal control of the Secretary of Labor and Industry as are these personnel and the conduct of the Bureau of Employment Security itself and

Whereas The fund is made up of fines and penalties collected from Pennsylvania employers who fail to make prompt payment for unemployment compensation benefits and

Whereas The personnel of the Bureau are charged with the duties inter alia of investigating charges of fraud in jobless benefit surveys labor surveys and allied activities and

Whereas The funds are actually remitted to the Department by the U S Government out of the fines and penalties collected as heretofore referred to and

Whereas The fund is not subject to the budgetary controls of other State funds and

Whereas The Governor has investigated such charges and as a result thereof has dismissed the Secretary of Labor and Industry Mr. John Torquato and suspended the employes who were paid salaries from the fund and

Whereas This action of the Governor suggests that the Secretary of Labor and Industry has actually made unlawful use of the fund therefore be it

Resolved (the Senate concurring) That the Governor is hereby requested to submit through the Attorney General all information and evidence of wrongdoing with respect to this fund which he may have to the District Attorney of Dauphin County for the purpose of submission to the Grand Jury

On the question,

Will the House adopt the resolution?

Mr. READINGER. Mr. Speaker, I desire to interrogate the Majority Floor Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the Majority Floor Leader to explain what is desired to be achieved by the passage of this Resolution No. 5?

Mr. JOHNSON. Mr. Speaker, in answer to the inquiry, this Resolution, which in effect memorializes the Governor to have his Attorney General deliver to the District Attorney of Dauphin County any wrong-doing that might have grown out of the dismissal of Mr. Torquato, was inspired by the remarks of Mr. Andrews on January 22, 1957, whereas Mr. Andrews deplored the fact that Mr. Torquato was summarily dismissed amid charges in the newspapers and that it was unfortunate, I believe he stated, that there was not a tribunal where the gentleman could be exonerated of any wrong-doing in the case.

We feel there is such a tribunal provided. We have a grand jury that can investigate a matter of this kind just as they have been investigating other things that are of interest to the Commonwealth which has made some indictments and has discharged some people I understand.

Another reason for offering the Resolution is we feel that it carries out, as I pointed out yesterday, a fundamental idea of justice that you always give a person a chance to correct his own errors or put his own house in order before any outside agency or force moves upon a situation. It is like a judge who makes an error in a trial where a motion is then made for a new trial to give the Judge a chance to correct his own error. That in effect is what we are saying here. If there has been any wrongdoing, it should be given to a grand jury and have Mr. Torquato exonerated. He is under a cloud now.

Surely if the Governor's office announces that there has been a misuse of this fund and he gives the gentleman until five o'clock, I believe, of the next day to resign and then said he has suspended 23 employes on the payroll, that in itself I believe raises, or as we say in the Resolution, suggests, an unlawful use of the funds which ought to be looked into by an appropriate authority. We feel that that type of tribunal is the place where the matter should be sifted.

I believe that answers your inquiry, does it not?

Mr. READINGER. Yes, Mr. Speaker. I desire to ask one further question.

Does the Majority Floor Leader believe that it is not a proper function of this House, or the House and Senate concurrently, to investigate a matter of this kind to ascertain what the facts are in order to determine whether legislation should be drafted, and to perhaps pass legislation to change the method of operating of that fund?

Mr. JOHNSON. I think that is true. I am not saying that such an inquiry would not be appropriate along with the matter that we have before us. That is not what is before us today. The question today is are we going to adopt this particular resolution.

Mr. READINGER. Mr. Speaker, I rise to oppose the adoption of this Resolution for the reason that I think it is a futile act.

If I understand the law correctly, every Governor and every Attorney General who takes the oath of office in this Commonwealth swears to obey and defend and uphold the Constitution of Pennsylvania and its laws.

As I read the press on the matter of the dismissal of the Secretary of Labor and Industry, I did not gather there was anything said there that an unlawful act had been committed. I gathered the impression that some of the activities of the recent Secretary may have been unwise, but I saw no allegation of any unlawful act.

It seems to me that certainly the Governor of this state, if he has any evidence of a criminal act on the part of Mr. Torquato, already has a duty to refer the matter to the District Attorney of this jurisdiction, lay the facts before him and have the District Atorney proceed from there.

The District Attorney of this county if he is given no information has every right to ask the Governor, or anybody under the Governor, for whatever evidence of a criminal act they may have. He can then make his decision as to whether it should be laid before a grand jury or not. But it seems to me that when we start passing resolutions asking the Governor to do what to me is his plain duty, we are certainly doing something which we should not be doing.

I have no objection whatsoever to a tribunal being set up, such as the membership of this House or a joint committee of the House and Senate to look into this matter, in fairness to everybody involved including ourselves, and find out what the facts are, but when we start asking for the cooperation of the Governor to carry out the criminal laws of this state, it seems to me we are getting slightly ridiculous.

On January 22nd there was a resolution introduced in the Senate which provides for the appointment of a committee of four, I believe to be appointed by the President pro tempore of the Senate, to look into this entire matter and to find out whether legislation is necessary to provide for the better operation of that fund. That seems to be the proper way in which this thing should be approached and not by adopting a resolution such as this.

I do not know whether anybody might have in mind trying to embarrass our Governor by the passage of this resolution. For example, if there is no evidence in his hands of any unlawful act, he obviously is not going to give the District Attorney any such evidence because he would not have it. His very failure to give evidence might be construed by many people reading about it later as an attempt to withhold such evidence.

I say we are treading on dangerous ground if we adopt this Resolution. It is the wrong thing to do. It is the wrong way to approach it.

I do not question the gentleman's motives whatsoever in wanting to establish the tribunal where Mr. Torquato can be heard, but this definitely is not the right way to do it in my opinion.

Mr. ANDREWS. Mr. Speaker, I had not intended to become involved in the debate on this Resolution. However, since the Majority Leader has mentioned my name, I must of necessity, address myself to the matter before us.

I asked for a tribunal before which the former Secretary of Labor and Industry could plead his case publicly. I say he cannot have any opportunity to plead his case publicly in the secrecy of a grand jury investigation.

There has as yet been no allegation, as the Minority Leader has pointed out, that the former Secretary of Labor and Industry has erred other than in matters of discretion. An inquiry in public would reveal the fact, if it should be a fact, that this administration has or has not raised a trivial complaint against the former Secretary of Labor and Industry, or whether the administration has been hiding serious offenses.

I am very much in agreement with the Minority Leader. This Grand Jury investigation cannot operate unless the Governor concedes that he has suppressed evidence of illegality, and I do not imagine that His Excellency, the Governor, is going to inform a Dauphin County grand jury, "Yes, gentleman, I wanted to be a little easy on the former Secretary of Labor and Industry and I have been concealing evidence of grave offenses." He is not going to do that. As a lawyer, the Majority Leader knows he is not going to do that.

The proper thing, if we are going to act, is as I have requested, that there be created a tribunal before which the alleged offender can state his case, a tribunal which will be empowered to decide whether there is action due against the former Secretary of Labor and Industry, or whether the master-minds of the administration have been in error.

I want the situation to be developed as to whether the former Secretary of Labor and Industry has been guilty of any indiscretion or a criminal act. That decision can only be arrived at by an investigation made by this body. I am not adverse, if this House is so disposed, not only to investigate the use, or the alleged misuse, of this fund, but to investigate, if they want to, the entire operation of the Department as a whole.

I want to repeat, and I hope the Majority Leader pays attention to this, that in order to bring this case to the attention of the District Attorney in this County the Governor must concede that he has concealed informaion regarding guilty acts, and he is not going to do it. He would be a fool if he did. So I ask the Majority Leader and I ask the Members of this House to create a tribunal where all the facts as they affect the administration, as they affect former Secretary of Labor and Industry, can be brought right out into the open so that the people of Pennsylvania and the Members of this House will know definitely where the seed of error lies.

Mr. JOHNSON. Mr. Speaker, I personally cannot see anything unusual in this Resolution. I grant you that it is probably made possible by reason of the fact that we have a House composed of a political party different than that of the Governor.

In effect, what we are doing in this Resolution is memorializing the Governor to take a certain action which we think he should take. I cannot see anything wrong with it. I think this Resolution, as I stated before, gives the Governor a chance to put his own house in order, rather than we in the Legislature setting up a tribunal to do the job for him.

I am just going to read at random some of the remarks of the former Speaker on January 22nd. He says on page 129 in the House Journal, "I believe that if an investigation made by and through any impartial agency were to be consummated the fact would be shown that the Secretary of Labor and Industry made no appointments to the fund in question except at the suggestion of party leaders who were either his superiors or his equal."

Again, farther down in the same statement, "I want to point out that this linen, be it dirty or not, came to the notice of the public through releases authorized by the Governor's office and it would not otherwise have been known, but could have been settled in routine fashion."

It seems to me there are some facts about this matter which are peculiarly within the knowledge and information of the Governor's office. Here is a man who has been publicly maligned and dismissed summarily from office. I believe if a grand jury were to look into this matter and were to render not a true bill, perhaps some of us might be satisfied with the matter, but I believe that that is the best way to reach it.

The Governor in his actions with respect to the Turnpike matter, as you know came out in the public Press and made a public statement that this was the most colossal fraud in the history of the Commonwealth and, in effect, in the papers prejudiced these people who are presently indicted by a grand jury. He did not come to the Legislature and ask us to conduct an investigation of the Turnpike Commission. He and his Attorney General gave the information to the District Attorney of Dauphin County, who impaneled a grand jury, and they made presentments. He can do the same thing in this case. We are merely memorializing him, if he has any information, to do that very thing.

I believe, we are first giving him the opportunity to do the job himself and then, if he says in his opinion and that of the Attorney General there have been no criminal acts committed, we will, of course, take that statement and weigh it, and that may settle the matter. I am not saying that it will or it will not. But you are afraid we will say, "Well, it is just a whitewash." But public statements can be made which would clear the gentleman if there was no criminal act involved. I be-

lieve that could be done and I think we, perhaps owe it to Mr. Torquato, who I say has been summarily fired without a hearing and maligned through innuendos and statements in the newspapers. I think it would not hurt a bit to have it given to a grand jury to see whether he is in the wrong or not, and if a true bill is not found that will be a public declaration of his innocence of any criminal act.

That is all we are asking for in this resolution, and I ask the House to vote for it.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I was interested in the opening declaration of the gentleman, which as I caught it, was to the effect that the Resolution had been drafted as it was drafted by reason of the fact that the majority in this House was represented by men and women who are not members of the Governor's party. Does the Majority Leader concede a possible partisan political aspect to this matter? I would judge so by the statement as I heard it.

Mr. JOHNSON. Mr. Speaker, that is not what I said. I said that by reason of the political complexion of the Legislature with respect to the Governor's Office it is not unusual that we would memorialize the Governor to do a certain thing. I think it is probably true that if the Governor were of our own party, the two-party system being what it is, we probably would not be memorializing our own Governor. I think that is probably true.

Mr. ANDREWS. Mr. Speaker, the issue, Ladies and Gentlemen of the House, at the present time is not His Excellency, the Governor. The issue is whether or not the former Secretary of Labor and Industry is or is not entitled to a public hearing. I repeat, the Governor of this Commonwealth canont send this matter to a grand jury investigation without admitting previous error upon his part, and I do not think he is going to admit previous error. The matter then will simply stay stymied and there will be no action, no investigation, and the former Secretary of Labor and Industry will remain in his present status, with people saying, "Yes, he was dismissed because of an alleged reason, but what was the real reason?" I am perfectly willing to have a tribunal established that can begin, at least, to ascertain the real reason.

So I plead to the fairness of this House that the fact that he has reported a Resolution has undoubtedly prejudiced the Majority Leader in favor of the way and the method employed.

I am quite sure if we would have been able to sit down together and talk the matter over that he would have favored a fairer, a better method of approach, and one which does not abdicate the jurisdiction of this House initially.

It is our duty initially to assume jurisdiction and we determine whether or not the matter should go before a grand jury, not His Excellency, the Governor, to determine whether it should go before a grand jury. There is no power inherent in this House which can require His Excellency, the Governor, by means of an administrative act to in any way comply with the provisions of this Resolution, whereas, if we assume original jurisdiction, are in command of the situation both as far as His Excellency, the Governor, is concerned and so far as the former Secretary of Labor and Industry is concerned.

So I plead in justice to the dignity of this Assembly, in justice to Mr. Torquato, and I even plead in justice to His Excellency, the Governor, that we reword this resolution and not pass it hastily this afternoon.

Mr. McCORMACK. I would like to make a few remarks on this Resolution. Most of it has been covered by both sides.

I want to point out to the Majority Leader that he well knows, when he tries to draw a parallel between the Governor's reference of the Turnpike scandal to the Grand Jury of Dauphin County and this Resolution, that our system of government provides, according to the Constitution, that the government shall be divided into three distinct branches, the Legislative, the Judicial and the Executive, and that the Governor has the absolute right and we can do nothing about it. What he does therefore is beyond our control.

The Majority Leader well knows that if there is evidence of wrong-doing in the Department of Labor and Industry, or in any other department in this government, then it is our duty as legislators to assume control and to conduct an investigation that accords with all the principles of fair-play with a view towards promulgating and passing legislation that will correct those defects that allegedly exist.

I think that it is shameful conduct on our part to memorialize the Governor in referring this matter to the Dauphin County District Attorney. I say it is shameful because it is inspired politically. There is no other purpose. No one here on the Majority side of the House is interested in protecting the name of John Torquato. If they are, then they certainly would not attempt to pass a resolution which states the Governor should refer this to the District Attorney. What should happen if the District Attorney of Dauphin County refuses to submit it to the Grand Jury? We are right back where we started from. And certainly we have no control over the Dauphin County District Attorney.

I say to you in all sincerity, with the desire to be fair to everyone—and certainly we have brought this out into the open; we are not hiding anything—we should adopt a resolution, or correct this one if need be, so that this House has the control of the whole situation when we can subpoena witnesses and get the full story on the record.

Mr. READINGGER. Mr. Speaker, before asking for a roll call vote on the Resolution, I would like to state it is my firm belief that if a resolution were introduced and reported from committee calling for either a separate House committee or a joint House and Senate committee, practically everybody on this side of the House, if not everybody, would support such a resolution.

I am therefore asking you again to defeat this Resolution today so that we may approach this matter in what I consider to be a much better manner.

Mr. LOPRESTI. Mr. Speaker, I am going to vote against this resolution because in my opinion it is a resolution which in effect limits the inquiry. I, as a Member of this House, and I think the people of this Commonwealth, are entitled to know all the facts concerning this fund from its inception up to this moment.

It appears to me that this Resolution may be an attempt on the part of the Majority party to close the inquiry at a point beginning with the administration of the fund by John Torquato.

I think the public is entitled to know whether or not John Torquato administered this fund in the same manner that previous secretaries of Labor and Industry administered it. I think the public and this House are entitled to have all of the facts concerning the administration of this fund from its inception to the present time in order that we can recommend a future course of action with respect to this fund. I do not believe that the inquiry should be limited, and in effect it seems to me that is what this resolution is attempting to do.

I am therefore opposing it and stating at the same time that I would vote for a resolution which would conduct an inquiry back into the operation of this fund from the time it was created until the present time so that we may know how this fund was operated in the past by all parties who have handled it.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. READINGER and ANDREWS. and were as follows:

YEAS—116

Adams,	Ewing,	Lee, K. B.,	Rigby,
Agnew,	Fetterolf,	Light,	Royer,
Ashton,	Foster,	Lippincott,	Seltzer,
Barton,	Fox,	Magee,	Snare,
Bell,	George,	Mahan,	Spray,
Bower,	Gibson,	Markley,	Steckel,
Bowman,	Goodrich,	McInroy,	Stevens,
Brand,	Gramlich,	Merry,	Stimmel,
Breisch,	Gross,	Metz,	Stoner,
Brenninger,	Guthrie,	Mikula,	Strausser,
Breon,	Haudenshield,	Miller, B. Z.	Stroup,
Brown,	Heffner,	Miller, H. G.,	Stuart,
Brucker,	Henzel,	Miller, W. H.,	Thompson,
Buchanan,	Hocker,	Moody,	Tompkins,
Carson,	Horst,	Moscrip,	Ujobai,
Cleveland,	Ide,	Moyer,	Varner,
Cooper,	Isaacs,	Murphy,	Wall,
Dalrymple,	Johnson,	Murray, H. P.,	Weidner,
Davis,	Johnston,	Murray, P. G.,	Wescott,
Dengler,	Jones, T. H. W.	Naugle,	Whittaker,
Dennison,	Jump,	O'Dell,	Willard,
Dietterick,	Kehler,	Ogilvie,	Willaredt,
Donahue,	Keller,	Parry,	Wilt,
Donaldson,	Kernaghan,	Phillips,	Wood,
Down,	Knecht,	Piper,	Worley,
Dunn,	Kooker,	Post,	Wyatt,
Edwards,	Korns,	Price,	Wynd,
Erb,	Lafore,	Pursley,	Zimmerman,
Eshleman,	Lee, A. M.,	Ragot,	Helm, Speaker

NAYS—82

Amarando,	Fineman,	Marsh,	Rudisill,
Anderson, M. S.,	Floyd,	McCann,	Scarcelli,
Anderson, S. A.,	Flynn,	McCormack,	Sherman,
Andrews,	Frascella,	McGee,	Shields,
Boies,	Gailey,	McKeever,	Silverman,
Boory,	Garlock,	McLaughlin,	Smith,
Brennan,	Gelfand,	Mihm,	Snider,
Breth,	Goldstein,	Mills,	Stone,
Bucchin,	Hamilton,	Muldowney,	Taylor,
Campano,	Heavey,	Mullen,	Toll,
Cianfrani,	Holt,	Munley,	Trusio,
Cioffi,	Jenkins,	Musto,	Varallo,
Comer,	Jim,	O'Brien,	Vaughan,
Cummins,	Jones, G. E.	Pashley,	Verona,
Curwood,	Kamyk,	Polaski,	Walsh,
Devlin,	Kornick,	Pomeroy,	Wargo,
Dougherty,	Krakow,	Readinger,	Welsh,
Duffy,	Leonard,	Reidenbach,	Wheeler,
Eilberg,	Limper,	Renwick,	Williams,
Farabaugh,	Lopresti,	Rovansek,	Yatron,
Filo,	Lutty,		

NOT VOTING—11

Auker,	Gibb,	Maxwell,	Schuster,
Blair,	Goodling,	Monroe,	Schwartz,
DeLong,	Lovett,	Petrosky,	

So the question was determined in the affirmative and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

MANOR SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Manor School of Cumberland County under the supervision of their teachers Mrs. Irene Seibert and Mrs. Buttorff and Mrs. Walker parents of two of the children. They are the guests of the gentleman from Cumberland County, Mr. George.

PERMISSION TO ADDRESS HOUSE

Mr. GOODLING asked and obtained unanimous consent to address the House.

Mr. Speaker, occasionally we hear the words "mistaken identity" used in this House. I noticed by the morning Press than one Ray C. Goodling, Republican, York, among others, co-sponsored a resolution opposing the proposed Keystone Expressway.

In my humble way I try to represent a district in the very southernmost section of this Commonwealth, and the headaches in the northern section of the Commonwealth I would like to assign to the Members representing that district.

ADJOURNMENT

Mrs. KERNAGHAN. Mr. Speaker, I move that this House do now adjourn until Monday, February 4, 1957 at 4:30 p. m.

The motion was agreed to, and (at 2:25 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, FEBRUARY 4, 1957. No. 8.

SENATE

MONDAY, February 4, 1957.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain Rev. IRA O. REED, Pastor of The Presbyterian Church, Bedford, offered the following prayer:

Our Heavenly Father, grant unto the Members and the Officers of this Body a sacred moment of quietness as they begin the activities and the duties of another day and another week. Turn their thoughts to Thee and open their hearts to new understanding which will guide them in their thinking; courage and wisdom in their decisions, love in their attitudes and mercy in their final decisions as we ask this prayer in Jesus' name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. DERK, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth which was read as follows:

JOINT SESSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session tomorrow, February 5, 1957.

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James A. McGuigan, 261 Golf Hills Road, Havertown, Delaware County, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, for the term of four years, and until his successor is appointed and qualified, vice Anton Hopen, Springfield, whose term expired.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Elmer E. Jenkins, 423 Mary Street, Houtzdale, Clearfield County, for appointment as Justice of the Peace in and for the Borough of Houtzdale, Clearfield County, to serve until the first Monday of January 1958, vice Richard S. Rounsley, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Maryon M. Mullen, Crane Street, Cranesville, Erie County, for appointment as Justice of the Peace in and for the Borough of Cranesville, Erie County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER.

MEMBERS OF THE ADAMS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Adams County Board of Assistance:

(Rev.) Charles E. Held (Democrat), R. D. 1, Gettysburg, Adams County, until December 31, 1959, and until his successor is duly appointed and qualified.

Stanislaus E. Krichten (Democrat), 355 Ridge Avenue, McSherrystown, Adams County, until December 31, 1959.

GEORGE M. LEADER.

MEMBERS OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Allegheny County Board of Assistance:

(Dr.) W. R. Vivrett (Democrat), 256 South Evaline Street, Pittsburgh 24, Allegheny County, until December 31, 1959.

(Dr.) Florence L. Marcus (Democrat), 4733 Center Avenue, Pittsburgh 13, Allegheny County, until December 31, 1959, and until her successor is duly appointed and qualified:

GEORGE M. LEADER.

MEMBERS OF THE ARMSTRONG COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Armstrong County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Sam Ford (Democrat), 1335 Fifth Avenue, Ford City, Armstrong County.

Joseph G. Pesci (Democrat), 545 Franklin Street, Freeport, Armstrong County.

GEORGE M. LEADER.

MEMBERS OF THE BERKS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Berks County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Leroy K. Lauck (Democrat), 221 West Penn Avenue, Robesonia, Berks County.

LeRoy Mohn (Democrat), 545 McKnight Street, Reading, Berks County.

GEORGE M. LEADER.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. B. Crumm (Republican), 225 Sixth Avenue, Altoona, Blair County, for reappointment as a member of the Blair County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BUCKS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Bucks County Board of Assistance:

(Rev.) Elwood W. Reitz (Nonpartisan), 328 Church Street, Sellersville, Bucks County, until December 31, 1958, and until his successor is duly appointed and qualified.

Edward G. Feehan (Democrat), 5 Nesting Rock Lane, Levittown, Bucks County, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE CAMBRIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Cambria County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Joseph K. Freeman (Democrat), 334 Main Street, Johnstown, Cambria County.

Harvey Younker (Democrat), 342 Walnut Street, Johnstown, Cambria County.

GEORGE M. LEADER.

MEMBERS OF THE CAMERON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Cameron County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Trenna M. English (Democrat), 129 East Sixth Street, Emporium, Cameron County.

Charles A. Schwab, Sr. (Republican), East Sixth Street, Extension, Emporium, Cameron County.

GEORGE M. LEADER.

MEMBERS OF THE CARBON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Carbon County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Lenore D. Moyer (Democrat), 112 Centre Avenue, Jim Thorpe, Carbon County.

Gilbert W. Hamm (Democrat), 403 Second Street, Weatherly, Carbon County.

GEORGE M. LEADER.

MEMBERS OF THE CHESTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Chester County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Louise Atherton Dickey (Democrat), Oxford, Chester County.

Harry V. Barnett (Democrat), 159 Chestnut Street, Spring City, Chester County.

GEORGE M. LEADER.

MEMBERS OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Clearfield County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Fred E. Sweely (Democrat), 408 East Market Street, Clearfield, Clearfield County.

Eugene D. Vallely, Esq. (Democrat), 14 Hubert Street, DuBois, Clearfield County.

GEORGE M. LEADER.

MEMBERS OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Columbia County Board of Assistance, until December 31, 1959:

Robert W. Coffman (Republican), 405 East Street, Bloomsburg, Columbia County.

Mrs. Hannah L. Groner (Republican), 3 East Fifth Street, Bloomsburg, Columbia County.

GEORGE M. LEADER.

MEMBERS OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Crawford County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Dr.) Lee D. McClean (Republican), 339 Woodland Place, Meadville, Crawford County.

E. E. Madigan (Democrat), Linesville, Crawford County.

GEORGE M. LEADER.

MEMBERS OF THE ELK COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Elk County Board of Assistance:

Mrs. Jean Youngmark (Democrat), R. D. Weedville, Elk County, until December 31, 1959, and until her successor is duly appointed and qualified.

John I. Saalfield (Republican), 700 Hyde Avenue, Ridgway, Elk County, until December 31, 1959.

GEORGE M. LEADER.

MEMBER OF THE FAYETTE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James L. Ruane, Sr. (Democrat), 504 East Washington Avenue, Connellsville, Fayette County, for reappointment as a member of the Fayette County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE FRANKLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Franklin County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Kathleen W. Shoop (Democrat), Richmond Furnace, Franklin County.

Joseph W. Spangler (Democrat), 49 West Commerce Street, Chambersburg, Franklin County.

GEORGE M. LEADER.

MEMBERS OF THE FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Fulton County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Blanche S. Hollenshead (Democrat), Box 14, Needmore, Fulton County.

Mrs. Mary Lynch (Democrat), Box 461, McConnellsburg, Fulton County.

GEORGE M. LEADER.

MEMBERS OF THE HUNTINGDON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Huntingdon County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Mary Elsie Madden (Democrat), Star Route, Orbisonia, Huntingdon County.

Fred A. Mills (Democrat), 401 South Jefferson Street, Mt. Union, Huntingdon County.

GEORGE M. LEADER.

MEMBER OF THE INDIANA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank T.Valeri (Democrat), 942 Philadelphia Street, Indiana, Indiana County, for reappointment as a member of the Indiana County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE JUNIATA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Juniata County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

John G. Crawford (Democrat), Port Royal, Juniata County.

David G. Huchinson (Democrat), McAlisterville, Juniata County.

GEORGE M. LEADER.

MEMBERS OF THE LACKAWANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Lackawanna County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Alvin H. Greenwald (Democrat), 523 Clay Avenue, Scranton, Lackawanna County.

Peter Putirskas (Democrat), 1828 North Main Avenue, Scranton, Lackawanna County.

GEORGE M. LEADER.

MEMBERS OF THE LANCASTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Lancaster County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Margaret C. Krimmel (Democrat), 427 West Vine Street, Lancaster, Lancaster County.

Joseph M. Flanagan (Democrat), 210 South Second Street, Columbia, Lancaster County.

GEORGE M. LEADER.

MEMBERS OF THE McKEAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the

McKean County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Harriette W. Maurey (Democrat), P. O. Box 300, Bradford, McKean County.

Miss Elizabeth O'Connor (Democrat), 317 Park Avenue Kane, McKean County.

GEORGE M. LEADER.

MEMBERS OF THE MERCER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Mercer County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Rev.) John Gallagher (Republican), R. D. 4, Mercer, Mercer County.

Merle Levine (Democrat), 632 New Castle Read, Farrell, Mercer County.

GEORGE M. LEADER.

MEMBERS OF THE MONTOUR COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Montour County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Maxine N. Arnow (Democrat), 903 Bloom Road, Danville, Montour County.

Frank Appleman (Democrat), 21 East Center Street, Danville, Montour County.

GEORGE M. LEADER.

MEMBERS OF THE NORTHAMPTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate th following persons for reappointment as members of the Northampton County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Rev.) Stephen V. Ballek (Democrat), 1421 Lorain Avenue, Bethlehem, Northampton County.

Clifford A. Sebring (Democrat), Mt. Bethel, Northampton County.

GEORGE M. LEADER.

MEMBERS OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Northumberland County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Ann Kaminsky (Democrat), 837 Pine Street, Kulpmont, Northumberland County.

Frank Ficca (Democrat), 241 West Saylor Street, Atlas, Northumberland County.

GEORGE M. LEADER.

MEMBERS OF THE PERRY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Perry County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Col.) Edward L. Holman (Democrat), New Bloomfield, Perry County.

Mrs. Mildred A. Messinger (Democrat), P. O. Box 345, Marysville, Perry County.

GEORGE M. LEADER.

MEMBERS OF THE PIKE COUNTY BOARD OF ASSISSTANCE

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Pike County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Mabel G. Wade (Democrat), Matamoras, Pike County.

Mrs. Gene Anne Titus (Republican), Milford, Pike County.

GEORGE M. LEADER.

MEMBERS OF THE SCHUYLKILL COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Schuylkill County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Joseph W. Campion (Democrat), Heckscherville, Schuylkill County.

Martin V. McGuire, Esq. (Democrat), Shenandoah, Schuylkill County.

GEORGE M. LEADER.

MEMBERS OF THE SNYDER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Snyder County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Maye L. Kelly (Democrat), 414 North Market Street, Selinsgrove, Snyder County.

Mrs. Kathryn C. Mattern (Republican), McClure, Snyder County.

GEORGE M. LEADER.

MEMBERS OF THE SOMERSET COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Somerset County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Margaret Gilbert (Democrat), Box No. 33, Jennerstown, Somerset County.

Joseph P. Kepko (Democrat), Windber, Somerset County.

GEORGE M. LEADER.

MEMBER OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel Burns (Democrat), Forest City, Susquehanna County, for reappointment as a member of the Susquehanna County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE UNION COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles Reaser (Democrat), R. D., Allenwood, Union County, for reappointment as a member of the Union County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Zelma R. Cox (Democrat), 216 Fourteenth Street, Franklin, Venango County, for reappointment as a member of the Venango County Board of Assistance, until December 31, 1959.

GEORGE M. LEADER.

MEMBERS OF THE WARREN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Warren County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Marjorie B. Branch (Democrat), 32 Water Street, Warren, Warren County.

Anthony N. Valone (Democrat), 429 Hickory Street, Warren, Warren County.

GEORGE M. LEADER.

MEMBER OF THE WASHINGTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Presley N. Wrenshall (Democrat), 253 East Wheeling Street, Washington, Washington County, for reappointment as a member of the Washington County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Wayne County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Sarah K. Jones (Democrat), Lake Ariel, Wayne County.

Louis A. Carey (Democrat), R. D. 1, Lakewood, Wayne County.

GEORGE M. LEADER.

MEMBERS OF THE WESTMORELAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Westmoreland County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Mary A. Noel (Democrat), 213 Park Street, Derry, Westmoreland County.

Dick W. Rhea (Democrat), New Stanton, Westmoreland County.

GEORGE M. LEADER.

MEMBERS OF THE WYOMING COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the folowing persons for reappointment as members of the Wyoming County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Kathryn Kiethline (Democrat), R. D., Laceyville, Wyoming County.

Mrs. Elizabeth Heistman (Democrat), R. D. 4, Tunkhannock, Wyoming County.

GEORGE M. LEADER.

MEMBERS OF THE YORK COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the York County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Dorothy R. Amdur (Democrat), 138 North Rockburn Street, York, York County.

Mrs. Ruth M. Glatfelter (Republican), 247 Kurtz Avenue, York, York County.

GEORGE M. LEADER.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS LAID ON THE TABLE

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules:

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Clarion State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified.

Edgar S. Hugus, Knox, Clarion County.

H. Orland Payne, 11 North Seventh Street, Clarion, Clarion County.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Miss Florence F. Murrin, Butler, Butler County.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE DENTAL COUNCIL AND EXAMINING BOARD

Carl M. Graul, Philadelphia, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Perry Swanson, Pittsburgh, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Harry K. Willits, Reading, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Charles S. Gaige, Lancaster, from September 27, 1956, for a term of six year and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE CIVIL SERVICE COMMISSION

Elmer D. Graper, Edgewood, from May 24, 1956, until April 9, 1960, and until his successor is appointed and qualified.

(Miss) Susan H. Baker, Lancaster, from August 6, 1956, until April 9, 1958, and until her successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE INDIANA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Reverend Richard H. Bartley (nonpartisan), Blairsville, Indiana County, for appointment as a member of the Indiana County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice John T. Peace, Sr., Blairsville, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary Piroch (Democrat), Kerr Avenue, Emlenton, Venango County, for appointment as a member of the Venango County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Lorine Shaffer, Oil City, whose term expired.

GEORGE M. LEADER.

ASSOCIATE JUDGE IN AND FOR THE COUNTY OF WYOMING

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest M. Pinnock, Meshoppen, Wyoming County, for appointment as Associate Judge in and for the County of Wyoming, until the first Monday of January 1958, vice Hon. Milton Stang, deceased.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

(Mrs.) Elizabeth G. Zeidman, Rydal, from May 28, 1956, until the third Tuesday of January, 1959, and until her successor shall have been appointed and qualified.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF CHEYNEY STATE TEACHERS' COLLEGE

Paul Comly French, Yardley, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

Orville R. Walls, Kennett Square, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

William M. Maier, Bryn Mawr, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

James M. Brittain, Bryn Mawr, from December 28, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Alfred H. Williams, Wallingford, from December 28, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

(Mrs.) Verona E. Beckett, Germantown, from December 28, 1956, until the third Tuesday of January 1961, and until her successor is appointed and qualified.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EMBREEVILLE STATE HOSPITAL

Herbert D. Cressman, Coatesville, from December 28, 1956, for a term of four years and until his successor is appointed and qualified.

(Mrs.) Doris B. Lyons, Ithan, from December 14, 1956, for a term of four years and until her successor is appointed and qualified.

GEORGE M. LEADER.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Highways, reported as committed, Senate Bill No. 87, entitled:

An Act reenacting certain parts of the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," clarifying provisions relating to magistrates sending notices by registered or certified mail.

Mr. EHRGOOD, from the Committee on Judiciary General, reported as amended, Senate Bill No. 5, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

Mr. CHAPMAN, from the Committee on Appropriations, reported as amended, House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators.

SENATE RESOLUTION, SERIAL No. 4, REPORTED FROM COMMITTEE AND LAID ON THE TABLE

Mr. RUTH, from the Committee on Rules, to which was referred resolution offered by Messrs. Mahany and Ruth on January 29, 1957, reported the same without amendment as follows:

AMENDING SENATE RULE 39 AND SENATE RULE 34

In the Senate, January 29, 1957.

Resolved, That Rule 39 of the Senate be amended by adding a new paragraph at the end thereof as follows:

Resolutions except congratulatory, condolence, adjournment (except sine die), recalling bills from Governor and procedural resolutions shall be printed in the Senate History.

and be it further

Resolved, That Rule 34 be amended by striking out "Jeffersons Manual" and inserting in lieu thereof "Mason's Manual of Legislative Procedure."

and be it further

Resolved, That two (2) new rules be added as follows:

48. All bills shall be examined by the Legislative Reference Bureau for correctness as to form and shall be imprinted with the stamp of the Bureau, before being accepted by the President for introduction.

49. All bills reported or rereported from committee, if amended by the committee, shall be reprinted on white paper and a printer's number assigned thereto.

Laid over for one day under the Rules.

SENATE RESOLUTION, SERIAL No. 5,

REPORTED FROM COMMITTEE AND LAID ON THE TABLE

Mr. RUTH, from the Committee on Rules, to which was referred resolution offered by Messrs. Mahany and Ruth, on January 29, 1957, reported the same without amendment as follows:

AMENDING SENATE RULE 2

In the Senate, January 29, 1957.

Resolved, That Rule 2 of the Senate of Pennsylvania is hereby amended to read as follows:

Order of Business

2. The order to be observed in taking up business shall be as follows:

First—Call to order.
Second—Prayer by the Chaplain of the Senate.
Third—Reading of the Journal of the preceding day.
Fourth—The asking of leave of absence.
Fifth—Reading of communications.
Sixth—The receiving of the reports of committees.
Seventh—The reading of bills in place. The President commencing on his left and recognizing all in their order from left to right, and all bills in place shall be accompanied by two copies of the same.
Eighth—The offering of original resolutions.
Ninth—The consideration of Executive Nominations.
Tenth—Consideration of the Calendar.
Eleventh—The reading of bills reported from committee the first time, and in that state shall not be subject to amendment or a vote thereon.
Twelfth—Introduction of petitions and remonstrances.
Thirteenth—The reading of announcements by the Secretary.
Fourteenth—Adjournment.

Laid over for one day under the Rules.

HOUSE CONCURRENT RESOLUTION No. 1

REPORTED FROM COMMITTEE AND LAID ON THE TABLE

Mr. RUTH, from the Committee on Rules, to which was referred on January 29, 1957, the following resolution from the House of Representatives, reported the same without amendments as follows, viz:

JOINT COMMITTEE TO CONDUCT AN INVESTIGATION OF THE BOARD OF PARDONS

In the House of Representatives, January 8, 1957.

David K. Darcy, Harold Foster and Harry Zietz were convicted by a jury for the slaying of William Kelly, an innocent bystander, during a holdup of a tavern in Bucks County, The jury fixed the punishment at death in the electric chair.

The conviction and sentence was appealed to the Supreme Court of Pennsylvania and the case reached the Supreme Court of the United States four times.

On September 29, 1956 the Board of Pardons, acting on Darcy's third application for executive clemency, recommended that the sentences of death be commuted to sentences of life imprisonment.

The commutations granted by the Governor have aroused public interest and indignation. The action of a non-judicial body in substituting its judgment for that of the jury which heard the case, and of the many jurists who studied the case has been criticized throughout the State. The opinion prevails in many quarters that political considerations influenced the action of the Board of Pardons in this and in other recent cases.

It is imperative therefore that a complete and thorough investigation be made of the action of the Board of Pardons, to determine whether or not any abuses have occurred with respect to the powers entrusted to it; therefore be it

Resolved (The Senate concurring), That the Speaker of the House of Representatives appoint three members of the House and the President Pro Tempore of the Senate appoint three members of the Senate who together shall constitute a joint committee and be authorized and directed to make an immediate investigation of all actions since January 4, 1950 of the Board of Pardons in connection with the pardon, parole or commutation of sentence of persons convicted of crimes. The committee shall have the power to issue subpoenas under its hand and seal requesting and commnading any person or persons to appear before it and answer questions touching matters properly being inquired into, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of courts of this Commonwealth. The committee shall have power to administer oaths and affirmations to witnesses appearing before it. Any person who shall wilfully neglect or refuse to testify before the committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed sixty days.

Laid over for one day under the Rules.

AMENDED HOUSE CONCURRENT RESOLUTION No. 5

REPORTED FROM COMMITTEE AND LAID ON THE TABLE

Mr. RUTH, from the Committee on Rules, to which was referred on January 29, 1957, the following resolution from the House of Representatives, reported the same with amendments as follows, viz:

GOVERNOR REQUESTED TO SUBMIT ALL INFORMATION OF WRONGDOING WITH RESPECT TO THE MISUSE OF MONEY FROM THE SPECIAL FUND IN THE BUREAU OF EMPLOYMENT SECURITY.

In the House of Representatives, January 28, 1957.

Whereas It has been alleged in the public press that there has been a misuse of money from the 1.7 million dollar Administrative Fund in the Bureau of Employment Security and

Whereas This fund is under the personal control of the Secretary of Labor and Industry as are these personnel and the conduct of the Bureau of Employment Security itself and

Whereas The fund is made up of fines and penalties collected from Pennsylvania employers who fail to make prompt payment for unemployment compensation benefits and

Whereas The personnel of the Bureau are charged with the duties inter alia of investigating charges of fraud in jobless benefit surveys labor surveys and allied activities and

Whereas The funds are actually remitted to the Department by the U. S. Government out of the fines and penalties collected as heretofore referred to and

Whereas The fund is not subject to the budgetary controls of other State funds and

Whereas The Governor has investigated such charges and as a result thereof has dismissed the Secretary of Labor and Industry Mr. John Torquato and suspended the employes who were paid salaries from the fund and

Whereas This action of the Governor suggests that the Secretary of Labor and Industry has actually made unlawful use of the fund therefore be it

Resolved (the Senate concurring) That the Governor be hereby requested to submit through the Attorney General all information and evidence of criminal wrongdoing with respect to this fund which he may have to the District Attorney of Dauphin County for the purpose of submission to the Grand Jury.

Laid over for one day under the Rules.

BILLS INTRODUCED AND REFERRED

Messrs. BERGER, RUTH and FLEMING read in place and presented to the Chair, Senate Bill No. 116, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" providing for an open season for the hunting of all deer each year with bows and arrows.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. WAGNER read in his place and presented to the Chair, Senate Bill No. 117, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" raising the minimum hourly wage of certain teachers.

Which was committed to the Committee on Education.

Messrs. WAGNER and DENT read in place and presented to the Chair, Senate Bill No. 118, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" revising the school health program changing the duties of the Secretary of Health and the Superintendent of Public Instruction relating thereto and changing the basis for reimbursement therefor.

Which was committed to the Committee on Education.

Messrs. WAGNER, RUTH, SARRAF, and KOPRIVER, JR. read in place and presented to the Chair, Senate Bill No. 119, entitled:

An Act providing for the protection of the public safety by regulating the sale, offering or exposing for sale at retail, and the use of air rifles, defining air rifles, imposing duties on the Pennsylvania State Police, Sheriffs, police officers and constables, and providing penalties.

Which was committed to the Committee on Law and Order.

Messrs. WALKER, KROMER and ELLIOTT read in place and presented to the Chair, Senate Bill No. 120, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for compensation for school directors.

Which was committed to the Committee on Education.

Messrs. WALKER, WHALLEY, KROMER, and BLASS read in place and presented to the Chair, Senate Bill No. 121, entitled:

An Act making an appropriation to the Pennsylvania Fish Commission for replacing destroyed fish.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. STEVENSON, MALLERY, KOPRIVER, JR., and LANE read in place and presented to the Chair, Senate Bill No. 122, entitled:

An Act amending the act of May 4, 1937 (P. L. 519) entitled "The Borough Code" permitting borough council to hold its organization meeting on first day after a holiday.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair, Senate Bill No. 123, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," permitting county commissioners to hold their organization meeting on the day after a holiday.

Which was committed to the Committee on Local Government.

Messrs. MALLERY, McGINNIS, STEVENSON, and BLASS read in place and presented to the Chair Senate Bill No. 124, entitled:

An Act amending the act of July 13, 1953 (P. L. 431) entitled "The Pennsylvania Civil Procedural Support Law," further providing a procedure for enforcement of the act.

Which was committed to the Committee on Judiciary General.

Messrs. HARNEY and PROPERT read in place and presented to the Chair Senate Bill No. 125, entitled:

An Act requiring the determination of value of property taken and amount allowed for delay in payment as separate items in eminent domain proceedings.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, one of the bills which I am about to introduce increases the jurisdiction of the Municipal Court of Philadelphia. Our dockets, like all over the Country, are so crowded that sometimes it takes more than a year to have a case tried.

We had hoped, during the last Session, we would get additional Courts of Common Pleas, and that we would

get additional Judges of the Municipal Court. However, it was lost in the jam of the last days of the General Assembly.

Therefore, Mr. President, I am now trying to create remedial actions. One of these is to increase the jurisdiction of the Municipal Court from $2,500 to $5,000, and, accordingly, I am placing this bill before the Senate.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 126, entitled:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia . . .," enlarging the jurisdiction of the municipal court.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 127, entitled:

An Act amending the act of May 22, 1945 (P. L. 849) entitled "Vocational Rehabilitation Act of 1945," extending vocational rehabilitation to disabled persons who have sustained injuries or incurred occupational diseases in the course of their employment.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 128, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" creating the Pennsylvania Consumer Commission and defining its powers and duties.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 129, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" requiring milk and packaged meat sold at retail to be dated.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 130, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the intimidation of judges by threats of bodily harm.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, last week after I left the Senate, I went home to York and I listened to one of my favorite television programs which, I believe, is known as Capitol Correspondents. You may remember that we had ended the Session that day in a bit of confusion, and I found that that confusion was extended on this particular evening to the television program in question. I found that Senator Pechan was transferring his confusion in the Senate to his confusion on the television program. It must have been a confused day for the Senator.

Anyhow, in the course of that program—and I do not know whether this particular part was confusion or lack of information—the Senator was asked by one of the panelists the following question. The question, incidentally, was concerned with the well-known bill which Senator Pechan sponsored in 1951, one of the stormy bills of recent years, known at that time as the Pechan Bill. The question asked by the panelist was, "How many subversives have been detected and removed by the operation of the Pechan Bill?" Then we had the beginnings of the Pennsylvania numbers game. The Senator replied that twenty Philadelphia teachers, who were members of the Teachers' Union, as he recalled, had been removed. They had been detected and removed by this Act.

The panelists asked Senator Pechan whether there had been any others who had failed to sign and he said that he thought that was it. "That happened," he said, "at the original signing, under the terms of the Act."

Well, now whether this was confusion or misinformation, as I said, I do not know but the answer was definitely not correct, and I would like to get the record straight.

A very good study of the operations of the Pennsylvania Loyalty Act, during its first year, has been made by Mr. Clark Byse, of the University of Pennsylvania Law School, and it was published in the University of Pennsylvania Law Review. The study covered the operations of the Act in the first year of its operations.

Since that time, to my knowledge, and after some research on the question, no persons have refused to sign nor have any been detected or prosecuted under the Act. Instead of twenty, there was a total of exactly eight persons who were affected by the Pechan Bill. One of them, who was an employee of the Philadelphia Planning Commission, took the oath, signed the oath, and subsequently resigned because he felt it was an indignity to which he should not have been subjected as a loyal person, and also because he objected to it in principle. Seven other persons did not sign the loyalty oath and hence lost their employment.

Instead of twenty, three of these were teachers. According to Senator Pechan, there were twenty teachers from the city of Philadelphia who were members of the Teachers' Union. None of the three teachers I mentioned were members of the Teachers' Union. One of the teachers was from the city of Philadelphia, but he was not a regular teacher. He was a part time, substitute teacher. Of the other two, one teacher was from Nazareth, in Northampton County, and the other from Millville, in Montour County. As a matter of fact, of all the eight persons who were affected by this Act and the seven who did not sign, none of them were even alleged, at any time, to be in any way subversive. All of them declined the signing because of religious scruples; because they belonged to religious groups which did not approve the signing or because they had other, let us say, political scruples. That is, they just did not believe that they should be subjected to this indignity.

In addition to the three teachers, one social worker in the Department of Public Instruction did not sign. Then, at the Philadelphia General Hospital, there was one resi-

dent physician, two interns and one nurse. Even if there had been twenty people who refused to sign, and even twenty people such as I have named, this would be no glorious achievement for the great Pechan Act.

All of these people, whom I have named, were above suspicion as far as I have been able to determine, and as far as Doctor Byse has been able to determine. They were respected members of their communities; they were in no way dangerous. Therefore, if all twenty had been of that kind—however, there were not twenty. There certainly were not twenty teachers; only three of them were teachers. Of those, only one was from Philadelphia and he was part time.

I want to set the record straight, Mr. President. I know that Senator Pechan would want to have the correct information so that he could set the record straight if he is ever in the position again to talk to perhaps 1,000,000 or 1,500,000 potential television audience, and then he can tell the facts as they are. The Senator may have been confused by the fact that subsequent to this time there were some teachers from Philadelphia who were discharged. However, Mr. President, they were not discharged under the Pechan Act. They were discharged under the terms of the Teacher Tenure Act which had been in existence long before Senator Pechan thought of this bill or before whoever thought of it gave him this bill.

The Teacher Tenure Act had been in operation for a long time. As a matter of fact, we weakened the Tenure Bill when we put in the Pechan Bill, because we repealed the provision that had to do with subversives and with loyalty.

The only prosecutions that I know of—and this was the case of the Philadelphia teachers—were not done under the Pechan Act. This indicates, in the minds of the people of Philadelphia who wanted to prosecute these teachers, that the Pechan Act was not the sort of instrument they needed to do an effective job.

Therefore, Mr. President, in the light of the information I have just cited for the benefit of Senator Pechan, and in the light of the fact that this Act has not done any good, that it has done a certain amount of harm; that every day it is on the books it acts as an inhibiting force on the minds of people who are dealing with social science; that it inhibits them from speaking and from thinking, and following the truth to whatever ends it may lead them; that many quite honest teachers and other people who would like to investigate the truth and speak the truth and who believe that one of the important things to be done is to let our people have the full information about the competing systems in the world in order for them to judge and see the superiority of our own, and, incidentally, Mr. President, I notice that the American Legion, a stalwart organization, a patriotic organization, has come out for this point of view.

In view of those facts, Mr. President, I am proposing at this time a bill which would repeal the Pennsylvania Loyalty Act. At the same time, Mr. President, on behalf of two of my colleagues, Senator Hays and Senator Kalman, I am introducing another bill which has no connection with the subject about which I have been talking.

BILLS INTRODUCED AND REFERRED

Mr. SEYLER read in his place and presented to the Chair Senate Bill No. 131, entitled:

An Act repealing the act of December 22, 1951 (P. L. 1726) entitled "The Pennsylvania Loyalty Act."

Which was committed to the Committee on Judiciary General.

Messrs. SEYLER, HAYS and KALMAN read in place and presented to the Chair Senate Bill No. 132, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," requiring the employment of supervising principals in districts of the third class which have no district superintendents.

Which was committed to the Committee on Education.

Messrs. LANE, DENT, CAMIEL, KALMAN and YOSKO read in place and presented to the Chair Senate Bill No. 133, entitled:

An Act fixing standards and specifications for articles, materials, supplies, furnishings and equipment purchased by the Pennsylvania Turnpike Commission and by authorities.

Which was committed to the Committee on State Government.

Messrs. LANE, CAMIEL, KALMAN and YOSKO read in place and presented to the Chair Senate Bill No. 134, entitled:

An Act requiring general and special meetings of the Pennsylvania Turnpike Commission or any authority to be open to the public.

Which was committed to the Committee on State Government.

Messrs. MULLIN, KOPRIVER, JR. and KALMAN read in place and presented to the Chair Senate Bill No. 135, entitled:

An Act to select and adopt the Great Dane as the official State dog of Pennsylvania.

Which was committed to the Committee on Law and Order.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 136, entitled:

An Act to provide State scholarships for the medical education of a limited number of persons; . . . and making an appropriation.

Which was committed to the Committee on Education.

Mr. WOLFE read in place and presented to the Chair Senate Bill No. 137, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Evangelical Community Hospital, Lewisburg.

Which was committed to the Committee on Public Health and Welfare.

Messrs WOLFE and CHAPMAN read in place and presented to the Chair Senate Bill No. 138, entitled:

An Act providing for the publication of the names and records of Pennsylvania volunteers who served in the Spanish-American War and making an appropriation.

Which was committed to the Committee on Military Affairs and Aeronautics.

Messrs. FLEMING and KOPRIVER, JR. read in place and presented to the Chair Senate Bill No. 139, entitled:

An Act amending the act of January 14, 1952 (P. L. 2015) entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (Pamphlet Laws 1043) entitled 'An act establishing a public school school employes' retirement system, . . ' by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," extending the time for applying for certain retirement credits after military service.

Which was committed to the Committee on Education.

Messrs. FLEMING and DENT read in place and presented to the Chair Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

Which was committed to the Committee on Appropriations.

Messrs. FLEMING, WHALLEY, HARNEY and DENT read in place and presented to the Chair Senate Bill No. 141, entitled:

An Act requiring that meetings of the governing body of authorities be open to the public.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. WATSON asked and obtained unanimous consent to address the Senate.

Mr. WATSON. Mr. President, on behalf of my overworked colleague from Delaware County, I present the following bill.

BILLS INTRODUCED AND REFERRED

Mr. WATSON, on behalf of Mr. WATKINS, read in place and presented to the Chair Senate Bill No. 142, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route in Delaware County.

Which was committed to the Committee on Highways.

Messrs. MAHANY, DENT and WHALLEY read in place and presented to the Chair Senate Bill No. 143, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," authorizing unnaturalized foreign-born residents to own or possess dogs.

Which was committed to the Committee on Forests and Waters, Game and Fish.

They also read in place and presented to the Chair Senate Bill No. 144, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," further regulating pedestrians' right of way upon highways in business or residence districts.

Which was committed to the Committee on Highways.

Messrs. FLACK and PECHAN read in place and presented to the Chair Senate Bill No. 145, entitled:

An Act amending the act of June 19, 1931 (P. L. 589) entitled, as amended, "Barbers' License Law," changing the required number of hours for schools of barbering.

Which was committed to the Committee on Education.

PETITIONS AND REMONSTRANCES

Mr. PECHAN. Mr. President, my distinguished colleague from York said that he was looking and listening to a television program on which I appeared last week.

The Loyalty Oath Bill, which was passed in 1951, I would like to forget about as much as I can, but I want to keep the record straight, too. Senator Seyler said that I said I was confused. Well, I certainly had every reason in the world to be confused that day because I think that was the day we were talking about the Justice of the Peace from Apollo, whose name had been sent over here the day following Secretary Torquato's firing and many other things, and I was wondering why all of this was happening. However, the question was asked me as to how many people the Loyalty Oath Bill was responsible for their retiring, and I think maybe I did say it was twenty teachers from the Philadelphia Teachers' Union.

I do not know what the record is. I read the Philadelphia papers and at one time I saw where eighteen teachers were being indicted and some of them questioned, but I do not know whether it was a result of the Loyalty Oath Bill or whether it was the Loyalty Oath Bill itself that was responsible. We do know that as a result of the Loyalty Oath Bill, a great many people,—the people he is talking about who thought that their rights were being taken away from them—some of them refused to sign it. I do not say that they are subversives. Maybe deep down in their hearts, because of their religious beliefs, they do not believe in taking the loyalty oath. Nevertheless, if you will recall in 1951, this Nation was being infiltrated and this bill was not directed at schoolteachers. This bill was directed at people who were working not only in our schools, in our colleges, in our municipalities but also for the State. That was the reason the bill was introduced.

If you will recall, that bill, when I first introduced it, was inspired by the American Legion. As Chairman of the American Legion Legislative Committee, I introduced the bill. It contained four pages when it was introduced, and in order to be fair to teachers and everybody concerned, we wound up with a bill that was thirty-four pages long.

Under the Loyalty Oath Bill, nobody, and I mean nobody, is denied his day in court. Before the bill was introduced, a child could come home who didn't like his teacher and say that professor so-and-so was teaching communism. This ten year old child would tell his parent, the parent would tell the school director and the school director could say, "Well, now you are not teaching communism," and it would be character assassination. Those of you who were in the Senate at that time know how I worried, how I struggled, so that no one's character would be assassinated.

He forgot to mention the gentleman at Penn State who refused to sign it. I think it was Dr. McCrae who caused a great furor about his rights being taken away. I do not think he was a teacher; he had something to do with a publication.

The only reason I came up to defend my statement is

because I was afraid the Senator from York was getting to the point where he wanted me to co-sponsor the repeal of the Loyalty Act.

Another statement that he made left the impression that the American Legion was now for the repeal of this Act. Let me just say this. I go along one hundred per cent with the American Legion's thinking that communism should be taught in our schools. I think that our children have the right to know what communism is, what it has done to Russia, what it has done to Yugoslavia and the other communistic nations; but I think that it should be taught at its face value, as it really exists, and not as some teacher who has a philosophy of his own tries to bend this young twig, this young child, to his thinking.

If we are not going to teach Americanism when this child is just a little fellow, and respect for the American Flag when he is just a young child and growing up, when is he going to learn to be a good American?

I still say, as I said in 1951, I do not see why any American is afraid to stand up and say that he is an American and sign his name and say that he is loyal to this Nation.

Mr. SEYLER. Mr. President, I am not going to reply at length here. I am just going to reply very briefly.

Just to give you an example of the confusion that was rampant on that particular program, which I said before is one of my favorite programs, the announcer of the program, who is usually a suave, smooth talking fellow, had Senator Pechan promoted to Majority Leader of the Senate, so that the Senator had to correct him on that. One of the newsmen, the one who usually starts the questioning and who is another very fluent and very suave gentleman on television, asked Senator Pechan whether it was true that he was going to run for Lieutenant-Governor in 1958. This just gives you a small idea.

Then the program closed with another one of the newsmen, who writes for a Pittsburgh newspaper, asking Senator Pechan why it was that, in spite of the fact that he knows that the Senator bets on the races, the Senator always votes against the horse racing bill. Well, you can imagine the confusion that resulted there. I mean, the gentleman's answers were confused. Finally, the poor master of ceremonies had to close the program.

I just give that example, Mr. President, to show that Senator Pechan really was heckled and harried on that program, and I could not blame him if he was a little bit confused.

To get to the subject we are talking about, as I understood the Senator, he said first of all he started out with a simple bill of four pages and it left here with, I forget how many pages he said. He neglected to mention when it got in the House, they left nothing but the title and completely rewrote it so that it had even more pages. I assume by that the Senator is saying. "Do not blame this whole thing on me."

The second thing he said was, as I understand it, that the situation then was bad, it has changed now and if that is so, of course, this would be another reason for repeal.

The third thing he said, he is implying that I said the American Legion is in favor of this repeal. I did not say that. I am a member of the American Legion, but I do not presume to speak for the American Legion in this Commonwealth. Apparently, however, the Senator agrees with the American Legion's duly enunciated policy that we should encourage our secondary schoolteachers to teach about communism and other isms so that the contrast may be made plain, and I am telling the Senator right now that one of the things that inhibits this, and one of the reasons possibly why an organization like the Legion has to come out and make this sort of plea right now, is partly due to the inhibition of legislation such as we have now on the books.

Now for all the reasons that the Senator unconsciously gives us, although he consciously says he is still against the bill, it seems to me he has given us a lot of reasons from deep down in his subconscious why perhaps he should be for the bill.

SENATE RESOLUTION

REFERRED TO COMMITTEE

CONTINUING SENATE TURNPIKE INVESTIGATING COMMITTEE OF 1955

Messrs. FLEMING and DENT offered the following resolution which was twice read and referred to the Committee on Rules:

In the Senate, February 4, 1957.

It has recently been revealed that certain activities of the Pennsylvania Turnpike Commission have allegedly been performed in an illegal manner. It is entirely possible that there are other functions and activities of the Commission which are not being carried out in the best interests of the Commonwealth or the purpose for which the Turnpike Commission was created; therefore be it

Resolved, That the committee which was appointed by the President pro tempore of the Senate during the 1955 Session of the General Assembly to investigate activities of the Pennsylvania Turnpike Commission continue and extend its investigation to all functions and activities of the Turnpike Commission; and be it further

Resolved, That the committee make a report of their findings and recommendations to the Senate at this Session of the Legislature.

SENATE CONCURRENT RESOLUTIONS

JOINT SESSION

Mr. EHRGOOD offered the following resolution which was twice read, considered and agreed to:

In the Senate, February 4, 1957.

Resolved (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Tuesday, February 5, 1957, at two o'clock p. m., E.S.T. in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, February 4, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 11, 1957, at three o'clock p. m., E.S.T., and when the House of Representatives adjourns this week, it reconvene Monday, February 11, 1957, at four-thirty o'clock p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

JOINT SESSION

In the Senate, February 4, 1957.

Resolved (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Tuesday, February 5, 1957, at two o'clock p. m., E.S.T. in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth.

SENATE CONCURRENT RESOLUTION

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. KROMER offered the following resolution which was twice read, considered and agreed to:

In the Senate, February 4, 1957.

Resolved (the House of Representatives concurring), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency the Governor to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

In the Senate, February 4, 1957.

Resolved (the House of Representatives concurring), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency the Governor to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

COMMITTEE APPOINTED TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee, pursuant to the resolution just adopted by the Senate and the House of Representatives: the gentleman from Bucks, Mr. Watson; the gentleman from Delaware, Mr. Watkins; and the gentleman from York, Mr. Seyler.

SENATE RESOLUTION

REFERRED TO COMMITTEE

MEMORIALIZING CONGRESS TO APPROPRIATE MONEY FOR THE FEDERAL INDEPENDENCE HALL PARK

Messrs. STIEFEL, CHAPMAN and CAMIEL offered the following resolution, which was twice read as follows:

In the Senate, February 4, 1957.

As the slipping years of paucity of action round out a full decade of inadequacy and in some instances of abject inaction, the rapid completion of both the Independence Hall Park and the Independence Hall Mall should become a "must" of compelling urgency on the agenda of the current session of the United States Congress and the General Assembly of Pennsylvania.

Acquisition of land by purchase or condemnation, for the creation of the Park and the Mall, could have been accomplished at a minimum of cost in the late forties when prices then prevailing were low compared with the inevitable increases of the land and building values resulting from inflation and other causes that are swelling current prices.

Additional delays in the completion of the Independence Hall Park and Independence Hall Mall or paucity of appropriations would further retard the development of the entire area of Old Philadelphia that could become a Mecca of Tourism and thus slow up the influx of visitors from all over the United States, whose annual number now exceeds 1,300,000 and is expected by the National Park Service to exceed 2,000,000 by 1960.

Therefore, Be It Resolved that the Senate of the General Assembly of Pennsylvania in the name of the People of Pennsylvania, memorialize the Congress of the United States to appropriate during its current session not less than the sum of seven and a quarter million dollars which is needed for the acquisition of the remaining land and buildings in the area designated for the Federal Independence Hall Park.

And Be It Further Resolved that upon the passage of the instant Resolution, copies thereof be forwarded by the Secretary of the Senate to the Speaker of the House of Representatives, the President of the United States Senate and to each member of Pennsylvania's Congressional delegation, as well as the United States Senators from Pennsylvania, Edward Martin and Joseph S. Clark, Jr.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. STIEFEL. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, I note that the resolution memorializes Congress for a $7,250,000 appropriation for this purpose and there may be some doubt as to whether we need more or less than that amount.

Therefore, I suggest that it go to a committee and I object to its immediate consideration.

The PRESIDENT. There being objection, the resolution is referred to the Committee on Constitutional Changes and Federal Relations.

SENATE RESOLUTION

REQUESTING THE UNITED STATES ARMY CORPS OF ENGINEERS TO CONSIDER MAKING A CHANGE IN THE DESIGN OF THE BEAR CREEK DAM

Messrs. YOSKO, SCOTT, VAN SANT, FLACK and

MURRAY offered the following resolution, which was twice read as follows:

In the Senate, February 4, 1957.

Whereas, it is important for the industrial and recreational development of the Commonwealth of Pennsylvania that all of its water resources be conserved and properly developed for the needs of the future; and

Whereas, there is every indication that in coming years there will be an increasing need for large water reservoirs for water supply recreation, and the retention of ground water; and

Whereas, the U. S. Army Corps of Engineers is planning to build a single purpose flood control dam on the upper Lehigh River, called the Bear Creek Dam; and

Whereas, the present design of the Bear Creek Dam can be changed to provide for a larger base so that additional height could be added when required at some time in the future; and

Whereas, this design change would make the Bear Creek Dam adaptable at some future time to providing a much larger permanent reservoir, with a much greater storage capacity for water supply, recreation, and ground water retention; and

Whereas, this change would cost a moderate amount of money, and would not hamper its flood control function,

Now, Therefore, It Is Resolved That this Body request that the U. S. Army Corps of Engineers give careful consideration to making such change in the design of the Bear Creek Dam as would give it the capacity for having additional height added to it at some time in the future, for the benefits enumerated above; and

Resolved That this Body request that the U. S. Army Corps of Engineers study this problem as expeditiously as possible so that no time will be lost.

And Be It Further Resolved That a copy of this resolution be forwarded to the U. S. Army Corps of Engineers, as well as the following:

Congressman FRANCIS E. WALTER
Congressman DANIEL J. FLOOD
Congressman GEORGE M. RHODES
Senator EDWARD MARTIN
Senator JOSEPH S. CLARK, JR.
Chairman FRANCIS A. PITKIN,
Interstate Commission of the
Delaware River Basin.

RULE 39 SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

SENATE RESOLUTION, SERIAL No. 4, TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Resolution, Serial No. 4.

The resolution was read by the Clerk as follows:

AMENDING SENATE RULE 39 AND SENATE RULE 34

In the Senate, January 29, 1957.

Resolved, That Rule 39 of the Senate be amended by adding a new paragraph at the end thereof as follows:

Resolutions except congratulatory, condolence, adjournment (except sine die), recalling bills from Governor and procedural resolutions shall be printed in the Senate History.

and be it further

Resolved, That Rule 34 be amended by striking out "Jeffersons Manual" and inserting in lieu thereof "Mason's Manual of Legislative Procedure."

and be it further

Resolved, That two (2) new rules be added as follows:

48. All bills shall be examined by the Legislative Reference Bureau for correctness as to form and shall be imprinted with the stamp of the Bureau, before being accepted by the President for introduction.

49. All bills reported or rereported from committee, if amended by the committee, shall be reprinted on white paper and a printer's number assigned thereto.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 4, ADOPTED

Mr. MAHANY. Mr. President, I move that the Senate adopt the resolution just read by the Clerk.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

SENATE RESOLUTION, SERIAL No. 5, TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Resolution, Serial No. 5.

The resolution was read by the Clerk as follows:

AMENDING SENATE RULE 2

In the Senate, January 29, 1957.

Resolved, That Rule 2 of the Senate of Pennsylvania is hereby amended to read as follows:

Order of Business

2. The order to be observed in taking up business shall be as follows:

First—Call to order.
Second—Prayer by the Chaplain of the Senate.
Third—Reading of the Journal of the preceding day.
Fourth—The asking of leave of absence.
Fifth—Reading of communications.
Sixth—The receiving of the reports of committees.
Seventh—The reading of bills in place. The President commencing on his left and recognizing all in their order from left to right, and all bills in place shall be accompanied by two copies of the same.
Eighth—The offering of original resolutions.
Ninth—The consideration of Executive Nominations.
Tenth—Consideration of the Calendar.
Eleventh—The reading of bills reported from committee the first time, and in that state shall not be subject to amendment or a vote thereon.
Twelfth—Introduction of petitions and remonstrances.
Thirteenth—The reading of announcements by the Secretary.
Fourteenth—Adjournment.

Referred to Committee on Rules, January 29.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 5, ADOPTED

Mr. MAHANY. Mr. President, I move that the Senate adopt the resolution just read by the Clerk.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION No. 1 TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table House Concurrent Resolution No. 1.

The resolution was read by the Clerk as follows:

JOINT COMMITTEE TO CONDUCT AN INVESTIGATION OF THE BOARD OF PARDONS

In the House of Representatives, January 7, 1957.

David K. Darcy, Harold Foster and Harry Zietz were convicted by a jury for the slaying of William Kelly an innocent bystander during a holdup of a tavern in Bucks County. The jury fixed the punishment at death in the electric chair.

The conviction and sentence was appealed to the Supreme Court of Pennsylvania and the case reached the Supreme Court of the United States four times.

On September 29, 1956 the Board of Pardons acting on Darcy's third application for executive clemency recommended that the sentences of death be commuted to sentences of life imprisonment.

The commutations granted by the Governor have aroused public interest and indignation. The action of a non judicial body in substituting its judgment for that of the jury which heard the case and of the many jurists who studied the case has been criticized throughout the State. The opinion prevails in many quarters that political considerations influenced the action of the Board of Pardons in this and in other recent cases.

It is imperative, therefore, that a complete and thorough investigation be made of the action of the Board of Pardons to determine whether or not any abuses have occurred with respect to the powers entrusted to it; therefore be it

Resolved (The Senate concurring), That the Speaker of the House of Representatives appoint three members of the House and the President pro tempore of the Senate appoint three members of the Senate who together shall constitute a joint committee and be authorized and directed to make an immediate investigation of all actions since January 4, 1950 of the Board of Pardons in connection with the pardon, parole or commutation of sentence of persons convicted of crime. The committee shall have the power to issue subpoenas under its hand and seal, requesting and commanding any person or persons to appear before it and answer questions touching matters properly being inquired into and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of courts of this Commonwealth. The committee shall have power to administer oaths and affirmations to witnesses appearing before it. Any person who shall wilfully neglect or refuse to testify before the committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases, and be it further

Resolved, That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed sixty days.

RULE 39 SUSPENDED

A motion was made by Mr. MAHANY and Mr. DENT,

That Rule 39, which requires resolutions reported from committee to lie over for one day, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate concur in the same?

Mr. SEYLER. During the last Session, Mr. President, I consistently opposed those investigations which, it seemed to me, did not lead to sufficient legislative action to warrant the expense, both of the Commonwealth's money and of the time and energy of the Members of the Senate. We lived through that Session and we had a number of investigations. It is my studied conviction that none of the investigations that were held during the last Session, which in some cases cost the health of the Members and, in all cases, cost time and energy and a lot of money, justified the expense of those investigations.

For that reason, Mr. President, it is my intention, for the same reasons, to vote "no" on this motion.

And the question recurring,

Will the Senate concur in the same?

(A voice vote having been taken, the question was determined in the affirmative and the resolution was concurred in.)

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDED HOUSE CONCURRENT RESOLUTION NO. 5 TAKEN FROM TABLE AND CONCURRED IN

Mr. MAHAY. Mr. President, I ask unanimous consent to call from the table House Concurrent Resolution No. 5.

(The Senate was at ease.)

Mr. MAHANY. Mr. President, I am told that I am premature in this request and inasmuch as the resolution was amended in committee, it will have to be reprinted.

The PRESIDENT. The Senator from Crawford, Mr. Mahany, withdraws his request concerning House Concurrent Resolution No. 5.

Mr. MAHANY. Mr. President, the Minority Leader and I have agreed now that we should act upon this resolution if we have the unanimous consent of the rest of our colleagues.

The PRESIDENT. The Senator from Crawford, Mr. Mahany, has requested unanimous consent to call from the table House Concurrent Resolution No. 5, which was reported from committee today. Will the Senate give its unanimous consent? The Chair hears no objection.

This resolution was amended in committee, and the Clerk will read the amendment first and will then read the resolution as amended.

The Clerk read the amendment and the resolution as follows:

Amend Resolution page 2, line 3 by inserting after the word "of" and before the word "wrongdoing": "criminal."

GOVERNOR REQUESTED TO SUBMIT ALL INFORMATION OF WRONGDOING WITH RESPECT TO THE MISUSE OF MONEY FROM THE SPECIAL FUND IN THE BUREAU OF EMPLOYMENT SECURITY.

In the House of Representatives, January 28, 1957.

Whereas, It has been alleged in the public press that there has been a misuse of money from the 1.7 million dollar Administrative Fund in the Bureau of Employment Security, and

Whereas, This fund is under the personal control of the Secretary of Labor and Industry as are these personnel and the conduct of the Bureau of Employment Security itself, and

Whereas, The fund is made up of fines and penalties collected from Pennsylvania employers who fail to make prompt payment for unemployment compensation benefits, and

Whereas, The personnel of the Bureau are charged with the duties inter alia of investigating charges of fraud in jobless benefit surveys, labor surveys and allied activities, and

Whereas, The funds are actually remitted to the Department by the U. S. Government out of the fines and penalties collected as heretofore referred to, and

Whereas, The fund is not subject to the budgetary controls of other State funds, and

Whereas, The Governor has investigated such charges and as a result thereof has dismissed the Secretary of Labor and Industry, Mr. John Torquato, and suspended the employes who were paid salaries from the fund, and

Whereas, This action of the Governor suggests that the Secretary of Labor and Industry has actually made unlawful use of the fund; therefore be it

Resolved (the Senate concurring), That the Governor be hereby requested to submit through the Attorney General all information and evidence of criminal wrongdoing with respect to this fund which he may have to the District Attorney of Dauphin County for the purpose of submission to the Grand Jury.

On the question,

Will the Senate concur in the resolution?

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DENT. Is it your interpretation of this resolution that the resolve clause which says, "That the Governor be hereby requested to submit through the Attorney General, all information and evidence of wrongdoing with respect to this fund, which he may have, to the District Attorney of Dauphin County for the purpose of submission to the Grand Jury," means any criminal wrongdoing at any time during the lifetime of the fund?

Mr. MAHANY. Mr. President, it is my understanding that this resolution would instruct the Governor that if he knows of any criminal wrongdoing on the part of anybody in connection with this particular fund, he should submit his findings to the Grand Jury.

I want to further state that perhaps this fund is misnamed. I think what they meant was the Special Fund that has been subject to this controversy and which is under the supervision of the Secretary of Labor and Industry and not the Administrative Fund. However, we feel that the Governor will know what fund we are referring to.

Mr. DENT. Then, if it is the understanding of the Legislature that there are no restrictions as to the time element in this matter, I see no objection to the resolution.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. LANE. Senator Mahany, in listening to Senator Dent's interrogation, I take it then that it is your opinion that under the provisions of this resolution, the Governor could instruct the Attorney General to go back to 1945. Is that correct?

Mr. MAHANY. Senator Lane, I shall be frank and say that the resolution is more or less innocuous. Any citizen of Pennsylvania has the right to present any evidence which they have relative to wrongdoing to the Grand Jury, regardless of who the wrongdoing is done by. All we are doing is saying to the Governor of Pennsylvania, "If you know that Mr. Torquato committed any crime, then we suggest to you that you submit what evidence you have of that crime to the Grand Jury of Dauphin County." We do not mean to limit the investigation to just the Democrats, of course.

If the Governor knows of any criminal acts which have been committed by anyone in connection with the previous Administration, then I also suggest to the Governor that he submit his findings to the Grand Jury of Dauphin County in relation to that. In other words, it will give these people a chance to have their day in court and not be subjected to these accusations, counter accusations and malignments in the newspapers.

I would say that if the Governor knows of any criminal acts which these men are guilty of, then it is up to him to present his findings to the Grand Jury the same as he did in connection with the Turnpike. We did not have any legislative investigation relative to that; yet the Governor found a way to, as he says, "clean up" certain things which were done in connection with the Turnpike Commission. We want him to do the same thing with the Labor and Industry Secretary or anybody else in connection with this fund.

Mr. LANE. Thank you, Senator Mahany. I more or less agree with your statement that everyone should have his day in court. I agree with you in saying that the resolution is innocuous and that any taxpayer could take the same action. However, there is one other point I would like to make.

Since you are a very prominent member of the Bar, probably you can answer this question. What is the limitation of action on this? That is, what is the term, five, seven or what in regard to the misuse of public moneys? What is the limitation of action under the Penal Code?

Mr. MAHANY. Senator Lane, I usually charge for advice such as this.

Mr. LANE. Since you gave us a little free advice before, perhaps you could give us a little more.

Mr. MAHANY. Offhand, I would say that there is a two-year statute of limitations.

Mr. LANE. There is a two-year statute of limitations. That is just what I thought. As a matter of fact, if any skulduggery is uncovered by the Grand Jury, they could not be presecuted, is that correct, after the two years have expired?

Mr. MAHANY. I think it is up to the defendant to claim the protection of the statute of limitations. I have had clients who were indicted and they did not get off the hook until I got into court and plugged the statute.

Mr. LANE. I am quite sure that if any of those who were indicted would secure the services of a prominent attorney, they would not be subjected to any criminal prosecution. The point I want to make, and the point I want all the Members of the Senate to know about, is this. There is a limitation of action on this which actually is two years. There cannot be any prosecution after the two years have expired. That means that you will just investigate the past term, which I agree we should investigate and give everyone his place in court.

Mr. President, I am going to vote for this resolution. However, it means that we Democrats are going to investigate Democrats. I am in favor of that and if they are dishonest, they should be investigated.

Mr. SCHMIDT. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. SCHMIDT. Mr. President, is it the intention of the Majority Party, in the event that the resolution now under discussion is adopted, to then forget about Senate Resolution, Serial No. 1, which would be a thorough investigation of the fund from its inception by this Senate Body?

Mr. MAHANY. Mr. President, we do not have that resolution before us. However, I would say that if this resolution were adopted, then we would see no reason to adopt Senate Resolution, Serial No. 1.

Mr. SCHMIDT. Thank you.

Mr. President and Members of the Senate, I intend to vote for the resolution which is before us this afternoon However, I do not feel that this is a solution to the situation in which this Senate finds itself by reason of this so-called scandal in this Special Fund being administere by the recent Secretary of Labor and Industry.

The purpose behind the investigation, as I understand it, Mr. President, is to find out what the system was in its entirety, from the inception of this fund, in administering this fund and what use was made of those moneys.

As was stated in the interrogation between Senato Lane and Senator Mahany, it is possible from the resolution which is before us that there may have been person who mishandled this fund more than two years prior t the time when this matter was brought out into the open. Therefore, there would be no Grand Jury investigation in so far as anything that happened two years prior to this date. What we are trying to find out, for the benefit of the people of Pennsylvania and in order that the shall be no repetition of such a situation, is what has happened since the inception of this fund.

If it is the intention of this Body merely to pass the resolution now before us and to forget Senate Resolution Serial No. 1, which would be an over-all investigatio then I think that the Members of this Senate are ducking in plain words, a responsibility that they owe to the citizens of Pennsylvania.

Mr. SEYLER. Mr. President, I intend to vote for the resolution in all consistency with my previous position. Of course, I should. However, I wish to state for the record that I feel this is a useless piece of action.

I know the Governor of the Commonwealth and I know that in due time if he uncovers any evidence that should be presented, he will present it to the proper authorities I do not know quite as well the Attorney General of the Commonwealth, but from what I have heard, I have great faith in his integrity and I believe it would be his advice to the Governor to do just that.

Therefore, while I vote for this, any invidious connotations which may attach to this, I will divorce myself from. I think this is useless but, nevertheless, I will vote for it as a proper move.

And the question recurring,

Will the Senate concur in the resolution?

It was concurred in.

Ordered, That the Clerk return the same to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

CALENDAR

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 10, entitled:

An Act amending the act of June 24 1939 (P. L. 872) entitled "The Penal Code" changing penalties for removal of bodies from burial places for destruction injury or removal of cemetery property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 11, on second reading, entitled:

An Act relating to and regulating atomic development activities within the Commonwealth; providing for the appointment of a Coordinator of Atomic Development Activities and fixing his duties and salary; and requiring certain departments and agencies to make continuing studies and recommendations relative to atomic industrial development.

be recommitted to the Committee on State Government.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, most of the Members will recall that last year I co-sponsored about five different pieces of legislation in regard to the utilization of atomic energy for peacetime purposes. The bills failed to pass, due to the fact that they were quite expensive and they were going to cost a lot of money. So, I agreed that they die in committee.

This year I wrote to the Council of State Governments, after receiving their booklet in regard to a uniform act covering State operations concerning the utilization of atomic energy for peacetime purposes. They sent me a copy of the act, and I had Mr. Glidden over there write the legislation up. I sent a copy of it to the Governor, I talked with various Members of the Senate and I have on this bill a number of Republicans; namely, Senator Mallery, Senator Wade, Senator Pechan and Senator Stevenson.

I feel that if the bill is recommitted, we are going to be left out in the cold because, according to the information I have received from the Council of State Governments, there are now eight eastern States that have adopted this kind of legislation, and have used the outline of this particular bill. The bill had to be changed a little bit to comply with the Constitution of Pennsylvania, and I think most of us will agree that Mr. Glidden is a very able man when it comes to drafting legislation.

I feel that it is a mistake to recommit the bill because we are going to let this drag along and one of these days —we are not going to pass anything like we did two years ago—we in Pennsylvania are going to be behind the times again. Therefore, I respectfully request that if there are any questions on this, if any of the Members on the other side feel that the bill is not just proper, maybe we could amend the bill on the floor. I would like to keep it on the calendar. Not that I have any personal pride in

sponsorship because this bill is co-sponsored by Senator Dent, Senator Wolfe, Senator Yosko, Senator Seyler, Senator Weiner, Senator Donolow, Senator Stiefel, Senator Mallery, Senator Wade, Senator Pechan, Senator Stevenson and Senator Camiel; it is not that. I would just like to get something done because everyone talks about the trouble we have in Pennsylvania with industry. I feel that once we get something working and have a co-ordinator set up whereby we can amend our laws and study our laws to conform with the problems of utilizing atomic energy for peacetime purposes, we will be getting somewhere.

If we recommit this bill, I think we are making a very grave mistake.

Mr. MAHANY. Mr. President, I am advised that on February 27 of this year the National Association of Public Utility Commissioners is going to have a meeting. They are going to get together on a uniform bill relative to this subject. It was for this reason that I asked that this bill be referred back to committee, awaiting the outcome of this conference so that after they have the conference, we may have the advantage of their findings and their suggestions relative to the uniform bill.

It was not for the purpose of having the bill killed in committee, Senator, that I made this motion.

Mr. LANE. Mr. President, may I say to Senator Mahany that as of today and tomorrow, Rear Admiral Kitts—K-i-t-t-s—Retired, of the United States Navy, is conducting a forum on peacetime atomic energy uses in New York City. As a matter of fact, I was supposed to be there today but due to other circumstances, I could not make it. He has written me letters in regard to this. As a matter of fact, they are using the same type of bill that we have before us right now.

The Public Utility Commissioners might be having a meeting, but this is the bill that is used and recommended by the Council of State Governments, and I do not see why it should be committed anyway. Keep it on the calendar and wait and get their report. Why should we recommit the bill, because I do not think there will be any improvements on it?

The only question I can see in the bill is the $20,000 a year salary for the co-ordinator. There might be a question on that, but that is all I can see. I think it should be on the calendar, Senator Mahany.

Mr. MAHANY. Senator, it may be some time before we are ready to act on this bill and rather than have it appear on the calendar day after day, I feel it should go back to committee. I feel that, perhaps, the committee may appoint a subcommittee to meet with these people to whom you refer, and get all this information so that we may have it available for our use when we finally consider the bill.

It was for that reason that I made my motion. I notice that we are getting beyond the curfew hour here and I would like to dispose of this so that we can put the rest of the calendar over in order.

Mr. LANE. Mr. President, I wish to state to the Membership that Senator Mahany has the majority of votes on the other side, and if that is the wish of the Republican Majority, there is not anything we can do about it.

I still believe it is a mistake and I ask my colleagues to vote "no," because there is not anything wrong with this bill. If it gets back in committee—I know how committees are. I have been on them for a long, long time; they lay everything aside and the first think you know, everything is dead.

And the question recurring,

Will the Senate agree to the motion?

Mr. LANE. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. LANE, and were as follows, viz:

YEAS—26

Berger,	Harney,	Mallery,	Van Sant,
Blass,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Propert,	Walker,
Ehrgood,	Kromer,	Scott,	Watkins,
Elliott,	Madigan,	Stevenson,	Watson,
Flack,	Mahany,	Taylor,	Whalley,
Fleming,			Wolfe,

NAYS—17

Camiel,	Lane,	Murray,	Seyler,
Dent,	McGinnis,	Ruth,	Stiefel,
Derk,	Miller,	Sarraf,	Weiner,
Hays,	Mullin,	Schmidt,	Yosko,
Kalman,			

So the question was determined in the affirmative.

ANNOUNCEMENT BY MAJORITY LEADER CONCERNING TIME OF ADJOURNMENT

Mr. MAHANY. Mr. President, last Session several members became ill by reason of being held up for their dinner and staying out too late here on the business of the Session. I remember that Senator Holland suggested that we try to close our business for the day at six o'clock and we did. We found that as a result of that, many of us were more happy and better contented and had better health, so I hope that we can continue on with that six o'clock closing during the balance of this Session. I see now that it is ten after six, so we are ten minutes late today.

REMAINING BILLS ON TODAY'S CALENDAR OVER IN ORDER

Mr. MAHANY. Mr. President, under the circumstances, I ask unanimous consent that the remainder of the bills on today's calendar be passed over in order so that we may adjourn.

The PRESIDENT. Without objection, it is so ordered.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. KALMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 5, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 87, entitled:

An Act reenacting certain parts of the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," clarifying provisions relating to magistrates sending notices by registered or certified mail

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, February 5, 1957, at 1:30 o'clock, p.m., Eastern Standard Time.

Mr. SARRAF. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:11 o'clock, p.m., Eastern Standard Time, until Tuesday, February 5, 1957, at 1:30 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 4, 1957.

The House met at 4:30 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

The SPEAKER. The Speaker announces with profound sorrow the death of our beloved Chief Clerk of this House, The Honorable William E. Habbyshaw, on Sunday morning, February third, one thousand nine hundred and fifty-seven.

Following Prayer by the Chaplain, as a mark of respect to his memory, the Chair requests the Members to stand in silence with bowed heads until the sound of the gavel.

PRAYER

Dr. Dwight R. Guthrie, Professor of Bible at Grove City College, Grove City, Mercer County, Pennsylvania, a brother of a Member of this House, the Honorable W. Mack Guthrie, offered the following prayer:

Almighty and Everlasting God, who by Thy Son revealed the perfect way of Truth and Righteousness, vouchsafe, we pray Thee, unto those assembled here Thy gracious presence. May Thy blessings of wisdom and understanding drop as from the windows of heaven and may these minds and hearts be ready to receive them when they come. As we bow in Thy presence we ask for nobility of purpose, the desire to pursue the common good and the willingness to decrease, if need be, that Thou mayst increase. May this Assembly never lose sight of the fact that our great Commonwealth is the Keystone State—that the arch of Liberty, Justice and Equality for all is literally held in place by its decisions. Attend Thou these deliberations and guide the hearts, the lips and the feet of all who walk in these Halls.

We pause today, O Father, in honor and respect for one who was for a time a member of this elected body and who for a dozen years was the Clerk of this House. We thank Thee for his twenty-five years of service to the Commonwealth. Bless all who loved him and cherished his friendship. Thou knowest that he was capable and that his work was well done. May each of us here present do our work in such a way that we will some day hear the words addressed to us "Well done, thou good and faithful servant . . . enter thou in to the joy of thy Lord."

In Jesus' name we pray. Amen.

RESOLUTION

CONDOLENCE

Mr. OGILVIE. Mr. Speaker and Members of the House, speaking for the Members of the Dauphin County delegation, Messrs. Hocker, Moody and Bowman, and with a heavy heart, a feeling that I know is borne by all the Members of this House, I present on behalf of the Dauphin County delegation the following privileged resolution.

The resolution was read as follows:

In the House of Representatives, February 4, 1957.

In the early morning of February third, 1957 our good friend "Uncle Bill" Habbyshaw, breathed his last and took leave from our earthly life.

William E. Habbyshaw dedicated his entire life to the service of his fellow men and it is our great good fortune that more than two decades of his life was spent among us. He was first elected to the House of Representatives in 1932 and remained a members during five sessions of the legislature. While Member of the House, he was Chairman of the State Government Committee and a Member of the Joint State Government Commission. In 1943 he became our Chief Clerk and his tenure in that office is marked with competence, devotion to duty, and genuine affection for every member. We learned to respect his ability, admire his integrity, and enjoy his friendship.

But his life of service encompassed more than his work here. He was a member of the Hummelstown School Board, the Dauphin County Board of School Directors, and clerk to the Dauphin County Commissioners. He was active in all civic and community affairs, the Masonic organization and in other worthwhile lodges. He was a member of the Advisory Board of the Harrisburg Hospital, the Cemetery Board of Hummelstown, a member of Brownstone Lodge No. 666, F. & A. M. of Hummelstown; Elks Lodge No. 1092 of Middletown; the Harrisburg Consistory; Tall Cedars of Lebanon of Harrisburg; Zembo Temple, the Jester Club and the Republican Club.

He was Secretary of the Dauphin County Republican Committee and was many years active in the affairs of the Republican Party.

He was born in Hummelstown, educated in the Derry Township public schools and lived in that area during the remainder of his life.

He was a devoted husband and father, a loving grandfather and God granted him the rare privilege of enjoying a great grandchild.

His family and friends will be ever conscious of the loss they have suffered, for he is a man who cannot be forgotten. Truly good men are too few and the loss of one is a tragedy for all of us. Therefore be it

Resolved, That the members of the House of Representatives pause in memory of our beloved colleague and friend and extend our since sympathy to the loved ones of William E. Habbyshaw, his wife, Media, his son Kenneth, his grandchildren and great grandchild, his sister and brothers and his nieces and nephews and bid them the courage in this sorrowful hour, which marked his every living day. And be it further

Resolved, that a copy of this resolution be forwarded to Mrs. Media Habbyshaw and his son Kenneth Habbyshaw.

The resolution was unanimously adopted by a rising vote.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, January 28 and Tuesday, January 29, 1957? If not, and without objection, the Journals are approved.

QUESTION OF PERSONAL PRIVILEGE

Mr. JENKINS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. JENKINS. Mr. Speaker, I have noticed in the Legislative Journal my vote on Resolution No. 5 is recorded as "nay" and it was cast as "yes." I wish to have that corrected.

The SPEAKER. Will the gentleman state the date?

Mr. JENKINS. I believe it was January 28th, Mr. Speaker.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

BILLS INTRODUCED AND REFERRED

By Mr. SHERMAN. HOUSE BILL No. 199.

An Act imposing penalties on parents of children who commit certain crimes.

Referred to the Committee on Judiciary Special.

By Mr. EILBERG. HOUSE BILL No. 200.

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt blind paraplegic and double or quadruple amputee veterans from the payment of personal and property taxes.

Referred to the Committee on Military Affairs.

By Mr. READINGER. HOUSE BILL No. 201.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31 1949 (P. L. 372), permitting certain of the Authority to designate other persons to act on their behalf.

Referred to the Committee on State Government.

By Mr. READINGER. HOUSE BILL No. 202.

An Act amending the "State Public School Building Authority Act," approved July 5 1947 (P. L. 1217) permitting certain members of the Authority to designate other persons to act on their behalf.

Referred to the Committee on Education.

By Messrs. READINGER and JOHNSON. HOUSE BILL No. 203.

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) providing for guaranteed arrest bond certificates issued by automobile club or associations and for sureties thereon; and defining the use and effect thereof.

Referred to the Committee on Insurance.

By Messrs. NAUGLE, ADAMS, KORNS and GOODRICH. HOUSE BILL No. 204.

An Act amending the "Public Utility Law" of May 28, 1937 (P. L. 1053), excluding buses owned by, or under contract with school districts, private or parochial schools for the transportation of school children to and from extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle.

Referred to the Committee on Education.

By Messrs. NAUGLE, PIPER, STROUP and ESHLEMAN. HOUSE BILL No. 205.

An Act repealing section 502.1, act of May 1, 1929 (P. L. 905) removing limitations upon the operation of commercial motor vehicle for carriage of pasesngers.

Referred to the Committeeon Motor Vehicles.

By Mr. CIANFRANI. HOUSE BILL No. 206.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), requiring pedestrians in cities of the first class to identify themselves when charged with summary violations thereof.

Referred to the Committee on Motor Vehicles.

By Mr. DUNN. HOUSE BILL No. 207.

An Act amending the act of April 3, 1956 (P. L. 1382) entitled "An act making the offices of constable and justice of the peace or alderman incompatible" making the offices of constable and councilman incompatible.

Referred to the Committee on Judiciary Special.

By Messrs. MAHAN and STROUP. HOUSE BILL No. 208.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), limiting the nature of contracts made by the commissioners which do not require adevrtising.

Referred to the Committee on Counties.

By Messrs. VARNER and VAUGHAN. HOUSE BILL No. 209.

An Act amending the "Unemployment Law," approved December 5, 1936 (1937, P. L. 2897), prescribing additional compensation to be paid eligible employes with three or more dependents.

Referred to the Committee on Labor Relations.

By Mr. BELL. HOUSE BILL No. 210.

An Act relating to the bonding of collection agencies doing business in the Commonwealth.

Referred to the Committee on Judiciary Special.

By Mr. BELL. HOUSE BILL No. 211.

An Act relating to condemnation proceedings; requiring the filing of plans and imposing duties on the recorder of deeds.

Referred to the Committee on Judiciary.

By Messrs. WEIDNER, PIPER and DAVIS HOUSE BILL No. 212.

An Act prohibiting attorneys-at-law who are employed by the Commonwealth from representing a client in any matter in which the Commonwealth has adverse interest.

Referred to the Committee on State Government.

By Messrs. VARNER and VAUGHAN. HOUSE BILL No. 213.

A Act amending "The Pennsylvania Workmen's Com-

pensation Act," approved June 2, 1915 (P. L. 736) increasing maximum amount payable as compensation.

Referred to the Committee on Labor Relations.

By Messrs. BELL, ISAACS, and Mrs. KERNAGHAN.
HOUSE BILL No. 214.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing the maximum aggregate number of officers and men in the State Police Force and fixing the compensation of the members.

Referred to the Committee on State Government.

By Mr. AMARANDO. HOUSE BILL No. 215.

An Act prohibiting the properties of motion picture theatres in first class cities from exhibiting first run pictures for a period longer than six weeks making exemptions thereto and imposing penalties.

Referred to the Committee on Cities—Counties, First—Second and Second Class A.

By Mr. AMARANDO. HOUSE BILL No. 216.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), changing penalties for failure to stop in the event of an accident.

Referred to the Committee on Motor Vehicles.

By Mr. AMARANDO. HOUSE BILL No. 217.

An Act amending "The Game Law," approved June 3, 1937, (P. L. 1225), removing the prohibition against the owning or posessing of dogs by unnaturalized foreign-born residents.

Referred to the Committee on Game and Conservation.

By Mr. AMARANDO. HOUSE BILL No. 218.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) requiring the submission of a certain certificate by certain applicants, requiring admission or release reports on certain persons by certain superintendents or medical directors or other competent authorities and imposing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. GELFAND, SHERMAN and KRAKOW.
HOUSE BILL No. 219.

An Act amending the "Mechanics Lien Law" approved June 4, 1901 (P. L. 431) requiring public notice of intent to file as a prerequisite to a lien of certain claims; further limiting the time within which certain claims for liens may be filed and imposing duties on prothonotaries.

Referred to the Committee on Judiciary.

By Messrs. GOLDSTEIN, THOMAS H. W. JONES and TOLL. HOUSE BILL No 220.

An Act to prevent unfair discrimination, unfair methods of competition, and destructive trade practices in the production, manufacture, distribution or sale of petroleum products.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. PURSLEY, H. P. MURRAY, HORST and RENWICK. HOUSE BILL No. 221.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905) defining hand and arm signals on turning, stopping or decreasing speed.

Referred to the Committee on Motor Vehicles.

By Mr. AMARANDO. HOUSE BILL No. 222.

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) excluding from taxation transfers of property to or by religious groups.

Referred to the Committee on Ways and Means.

By Mr. AMARANDO. HOUSE BILL No. 223.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) excluding from taxation property conveyed by or to religiius groups.

Referred to the Committee on Municipal Corporations.

By Mr. AMARANDO. HOUSE BILL No. 224.

An Act making certain warrants for the confession of judgment executed in connection with contracts relating to repairs, alterations, additions or improvements to buildings invalid and unenforceable and restricting the right to enter judgment by confession upon warrants executed in connection with contracts relating to repairs, alterations, additions or improvements to buildings.

Referred to the Committee on Judiciary.

By Messrs. STROUP and MAGEE.
HOUSE BILL No. 225.

An Act authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles; authorizing the suspension of operators' licenses or permits of persons refusing to submit to a chemical test and making the results of the chemical tests admissible in evidence.

Referred to the Committee on Judiciary Special.

By Messrs. RAGOT, IDE and MOYER.
HOUSE BILL No. 226.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), excluding from the tax certain school building contracts.

Referred to the Committee on Ways and Means.

By Messrs. SHERMAN and GELFAND.
HOUSE BILL No. 227.

An Act imposing duties on builders of dwelling and housing units prohibiting the issuance of building permits by local governments in certain cases and prescribing penalties.

Referred to the Committee on Municipal Corporations.

By Mr. FINEMAN and Mrs. VARALLO.
HOUSE BILL No. 228.

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), imposing upon the Commonwealth the liability for costs of patients convicted of crime who are institutionalized for care during their term of sentence.

Referred to the Committee on Welfare.

By Messrs. AMARANDO, FINEMAN and GELFAND.
HOUSE BILL No. 229.

An Act making certain warrants for the confession of judgments executed in connection with contracts relating to buildings unenforceable.

Referred to the Committee on Judiciary.

By Mr. GROSS. HOUSE BILL No. 230.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), fixing the standard of time for daily sessions between the last Sunday in September to December.

Referred to the Committee on Education.

By Messrs. WEIDNER and ADAMS.
HOUSE BILL No. 231.

A Joint Resolution proposing an amendment to article two, section three of the Constitution of the Commonwealth of Pennsylvania, by providing for four year terms for representatives.

Referred to the Committee on State Government.

By Messrs. McGEE and DOUGHERTY.
HOUSE BILL No. 232.

An Act providing for a referendum to determine the will of the electorate in regard to horse racing with legal wagering within the State.

Referred to the Committee on Law and Order.

By Messrs. McGEE and DOUGHERTY.
HOUSE BILL No. 233.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) requiring applicants for operators' privileges to submit information with respect to eye examinations and prohibiting the operation of motor vehicles on highways without corrective glasses when required.

Referred to the Committee on Motor Vehicles.

By Messrs. MILLS, TRUSIO and WHEELER.
HOUSE BILL No. 234.

An Act amending the "Pennsylvania Election Code" of June 3, 1937 (P. L. 1333), increasing the compensation of election officers in third to eighth class counties.

Referred to the Committee on Elections and Apportionment.

By Messrs. MILLS and WHEELER.
HOUSE BILL No. 235.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the coloring or dyeing of chickens, ducks, or rabbits and prohibiting the sale of colored or dyed chickens, ducks and rabbits.

Referred to the Committee on Judiciary Special.

By Mr. GOLDSTEIN. HOUSE BILL No. 236.

An Act declaring the office of Senator and member of the House of Representatives to be incompatible with any appointive office under any city, county, borough or township.

Referred to the Committee on State Government.

By Messrs. FETTEROLF, WILLAREDT and BRENNINGER. HOUSE BILL No. 237.

An Act amending the act of March 26, 1925 (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars, and providing penalties," exempting school districts from the payment of license fees.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FINEMAN and GELFAND.
HOUSE BILL No. 238.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), authorizing housing projects; increasing the borrowing capacity of the Authority; providing for approval of plans.***

Referred to the Committee on State Government.

By Messrs. NAUGLE and MAGEE.
HOUSE BILL No. 239.

An Act amending the "Consumer Discount Company Act" of April 8, 1937 (P. L. 262), changing provisions relating to licenses, bonds, fees, reports, powers of licensees and penalties.

Referred to the Committee on Banking and Building and Loan Associations.

By Mr. McCORMACK. HOUSE BILL No. 240.

An Act providing for the determination of negligence and contributory negligence in actions of tort.

Referred to the Committee on Judiciary.

By Messrs. MILLS and JIM. HOUSE BILL No. 241.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), providing for the issuance of temporary registration plates and markers by aldermen, justices of the peace and magistrates.

Referred to the Committee on Motor Vehicles.

By Mrs. MARKLEY and Mr. AMMARANDO.
HOUSE BILL No. 242.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) changing the requirements regarding use of different types of danger and caution signals.

Referred to the Committee on Motor Vehicles.

By Mr. EILBERG and Mrs. PASHLEY.
HOUSE BILL No. 243.

An Act making an appropriation to the Department of Highways for the payment of certain moral claims against the Commonwealth and the department.

Referred to the Committee on Appropriations.

By Messrs. MOSCRIP and JOHNSON.
HOUSE BILL No. 244.

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242) authorizing the Department of Highways to construct and maintain cattle passes under State highways and rural State highways.

Referred to the Committee on Highways.

By Mr. READINGER. HOUSE BILL No. 245.

An Act amending the "State Highway and Bridge Authority Act," approved April 18, 1949 (P. L. 604), permitting certain members of the "Authority" to designate other persons to act on their behalf.

Referred to the Committee on Highways.

By Messrs. STROUP and STRAUSSER.
HOUSE BILL No. 246.

An Act amending the act of July 25, 1917 (P. L. 1195), entitled "An act for the encouragement of agriculture and

the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof," increasing the amount of aid to agricultural associations and counties.

Referred to the Committee on Agriculture and Dairy Industries.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MULDOWNEY, FRASCELLA, McKEEVER and AMARANDO. RESOLUTION No. 10.

In the House of Representatives, January 29, 1957.

On Wednesday, January 23, at 9:27 o'clock, A. M. Prince Rainier III and Princess Grace were blessed with the birth of their first-born child, Princess Caroline. The whole world rejoices because of the happiness and joy that will fill the hearts of the Prince and our beloved Princess Grace with the arrival of their new-born child.

While the baby-like sounds which the infant gave forth were like a whisper in a storm in the face of the booming twenty-one gun salute in honor of her arrival, the justly proud Prince and Princess will long remember and cherish them in their hearts; therefore be it

Resolved, That the members of the House of Representatives congratulate Prince Rainier III and Princess Grace on the birth of their first child; and be it further

Resolved, That a copy of this resolution be forwarded to Prince Rainier and Princess Grace.

Referred to the Committee on Rules.

By Mr. STECKEL, Mrs. MARKLEY and Mr. STIMMEL RESOLUTION No. 11

In the House of Representatives, January 29, 1957.

The present northern terminus of the Northeastern Extension of the Pennsylvania Turnpike is at Emerald Interchange at the convergence of Pennsylvania routes 29, 45 and 145 in Lehigh County.

The present plans of the Turnpike Commission are to eliminate this interchange after March 15 of this year, when the new section to Scranton will be opened.

The interchange at Emerald is of vital importance to all traffic approaching the turnpike from route 29, 45 or 145, because the only alternate route is over a hazardous road in extremely poor condition.

The maintenance of the Emerald interchange would promote safety for persons using our roads, convenience and expedite traffic approaching the turnpike from that area, and provide needed revenue to the Turnpike Commission; therefore be it

Resolved, That the House of Representatives of Pennsylvania respectfully request the Pennsylvania Turnpike Commission, to alter its present plans so as to make the Emerald Interchange a permanent part of the Pennsylvania Turnpike system; and be it further

Resolved, That copies of this resolution be forwarded to each member of the Pennsylvania Turnpike Commission.

Referred to the Committee on Rules.

By Mr. JENKINS. (Concurrent) RESOLUTION No. 12.

In the House of Representatives, January 29, 1957.

The movement to encourage special attention to the sick and shut-ins is being sponsored by Shut-In Clubs and various other organizations throughout the Commonwealth and the Nation.

Few people deserve or appreciate kindness and attention more than those confined in homes, hospitals and institutions because of illness or infirmities.

Neighbors and relatives most frequently provide the solace therapy of friendliness to these shut-ins, but there are many who are denied these comforts.

Earl Rutter, the founder of Shut-In Day for the past 18 years, has energetically and humanely visited these shut-ins, bringing them the joy and attention and the pleasure of thoughtfulness.

In this activity, which is done as a hobby just to bring a little laughter and sunshine into the lives of the shut-ins, Earl Rutter has traveled more than 134,000 miles and visited and entertained 150,000 persons in private homes, hospitals, institutions, orphanages and old folk's homes; therefore be it

Resolved (the Senate concurring), That the Governor of this Commonwealth is hereby requested and authorized to proclaim September 19, this year and annually thereafter, as "Earl Rutter Day" in appreciation by the people of this Commonwealth for his efforts as Pennsylvania's No. 1 Shut-In Entertainer; and be it further

Resolved, That the Chief Clerk of the House of Representatives be directed to send a copy of this resolution to Earl Rutter, Turtle Creek, Pennsylvania.

Referred to the Committee on Rules.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 4, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 11, 1957, at three o'clock p.m., EST, and when the House of Representatives adjourns this week, it reconvene Monday, February 11, 1957, at four-thirty p.m., EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence No. 4.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 7, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), making it unlawful to knowingly listen into deliberations of juries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 10, entitled:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," providing for minority party presentation in council.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 60, entitled:

An Act amending "The Vehicle Code" approved May 1,

1929 (P. L. 905) further regulating the speed of certain commercial vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 61, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), changing existing maximum gross weights and annual registration fees and establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 78, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) requiring that summary offenses under the act be commenced before certain specified magistrates, aldermen or justices of the peace.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 80, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448), requiring that violations of the act or rules and regulations promulgated thereunder be prosecuted before certain specified magistrates, aldermen or justices of the peace.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESOLUTION

SECRETARY OF HOUSE TO ACT AS CHIEF CLERK

Messrs. JOHNSON and READINGER offered a resolution and aksed and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, February 4, 1957.

Resolved, That during the present vacancy in the office of Chief Clerk of the House of Representatives, and until a Chief Clerk is elected, the Secretary of the House of Representatives, the Honorable W .W. Waterhouse, shall have all the powers of the Chief Clerk of the House of Representatives conferred on him by law or the Rules of the House, including but not limited to, the signing of documents and administrative papers.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session tomorrow, February 5, 1957.

GEORGE M. LEADER.

GOVERNOR INVITED TO ADDRESS JOINT ASSEMBLY

Mr. BREON. Mr. Speaker, I move that His Excellency the Governor of the Commonwealth, the Honorable George M. Leader, be invited to the Hall of the House of Representatives to address the General Assmbly in Joint Session at a time to be fixed by concurrent resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 4, 1957.

Resolved, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Tuesday, February 5, 1957, at two o'clock, p. m., EST in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
It was concurred in.
Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

COMMITTEE TO ESCORT GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 4, 1957.

Resolved, (the House of Representatives concurring), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor to the Hall of the House of Representatives to address the members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
It was concurred in.
Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED TO ESCORT GOVERNOR

The SPEAKER. The Chair appoints as a committee on the part of the House to escort the Governor to the Hall of the House Messrs. JONES, GEORGE and AMARANDO.

RESOLUTION

COMMITTEE TO ESCORT SENATE

Mr. KELLER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, February 4, 1957.

Resolved, That the Speaker appoint a committee of two Members of the House to escort the officers and the Members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE APPOINTED TO ESCORT SENATE

The SPEAKER. The Chair appoints as a Committee to escort the Senate to the Hall of the House Messers. KELLER and KAMYK.

COMMITTEE MEETINGS

COUNTIES, Mr. Erb, Chairman, Room 323, Tuesday, February 5, at 10:00 a. m.

EDUCATION, Mrs. Markley, Chairman, Room 324, Tuesday, February 5, at 9:30 a. m.

INSURANCE, Mr. P. G. Murray, Chairman, Room 330, Tuesday, February 5, at 12:00 noon.

JUDICIARY, Mr. Tompkins, Chairman, Room 145, Tuesday, February 5, at 10:00 a. m.

MOTOR VEHICLES, Mr. Guthrie, Chairman, Room 522, Tuesday, February 5, at 10:30 a. m.

MUNICIPAL CORPORATIONS, Mr. Blair, Chairman, Room 521, Tuesday, February 5, at 11:00 a. m.

STATE GOVERNMENT, Mr. Keller, Chairman, Room 324, Tuesday, February 5, at 11:30 a. m.

WAYS and MEANS, Mr. Breisch, Chairman, Room 522, Tuesday, February 5, at 11:45 a. m.

The Legislative Service Club will meet in the Capitol Cafeteria, Tuesday, February 5, at 8:30 a. m.

ADJOURNMENT

Mr. STROUP. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 5, 1957 at 1:00 p. m.

The motion was agreed to, and (at 5:11 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, FEBRUARY 5, 1957. No. 9.

SENATE

TUESDAY, February 5, 1957.

The Senate met at 1:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. IRA O. REED, Pastor of The Presbyterian Church, Bedford, offered the following prayer:

Let us pray.

Our Father in Heaven, Thou hast promised us that when we seek Thy Spirit for our lives, Thou wouldst send it. So, our prayer now is that before these men begin the routine activities of this new day, they seek Thy guidance.

Thou hast been the guide of men in high positions in the past; be their guide today. At every desk, may there be a whisper of wisdom that will be carried out and echoed in the decisions which are made, through Christ. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. DONOLOW, further reading was dispensed with, and the Journal was approved.

REPORT FROM COMMITTEE

Mr. BLASS, from the Committee on State Government, reported as committed, Senate Bill No. 141, entitled:

An Act requiring that meetings of the governing body of authorities be open to the public.

PERMISSION TO ADDRESS SENATE

Mr. Blass. Mr. President, Senate Bill No. 97, which I am about to report from the Committee on Judiciary General, is being reported with the distinct understanding on the part of the Judiciary General Committee that this particular bill, Senate Bill No. 97, remain on the Calendar for a period of a week or so in order to determine public reaction to the bill.

After the expiration of that time, under agreement of the committee, this bill is to be recommitted to committee for the purpose of a public hearing.

REPORTS FROM COMMITTEE

Mr. BLASS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 97, entitled:

An Act to define and prohibit unauthorized interception, divulgence or use of telephone and telegraph communications; providing criminal penalties and civil damages, including attorneys' fees, for the violation thereof and limiting the admissibility of evidence.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 124, entitled:

An Act amending the act of July 13, 1953 (P. L. 431) entitled "The Pennsylvania Civil Procedural Support Law," further providing a procedure for enforcement of the act.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 130, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," prohibiting the intimidation of judges by threats of bodily harm.

BILLS RE-REFERRED

Mr. PECHAN, from the Committee on Public Health and Welfare, returned to the Senate, Senate Bill No. 90, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia, Pennsylvania.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on Public Health and Welfare, returned to the Senate, Senate Bill No. 105, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Harrisburg Hospital.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on Public Health and Welfare, returned to the Senate, Senate Bill No. 106, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Harrisburg Polyclinic Hospital.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on Public Health and Welfare, returned to the Senate, Senate Bill No. 107, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Children's Home of Harrisburg.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on Public Health and Welfare, returned to the Senate, Senate Bill No. 137, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Evangelical Community Hospital, Lewisburg.

Which was re-referred to the Committee on Appropriations.

BILLS INTRODUCED AND REFERRED

Messrs. ELLIOTT, WALKER, and EHRGOOD read in place and presented to the Chair Senate Bill No. 146, entitled:

An Act amending the act of June 12, 1931 (P. L. 512) entitled "Industrial Farms and Workhouses Law," permitting any county to commit inmates to any industrial farm and workhouse in the Commonwealth; and providing for payment of their upkeep.

Which was committed to the Committee on Local Government.

Messrs. SILVERT and SCOTT read in place and presented to the Chair Senate Bill No. 147, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled, as amended, "The Realty Transfer Tax Act," exempting from the tax the transfer of real property by certain holders in escrow.

Which was committed to the Committee on Judiciary General.

Messrs. DONOLOW and WEINER read in place and presented to the Chair Senate Bill No. 148, entitled:

An Act making an appropriation to the Department of Labor and Industry for the purpose of providing job counsellors and interviewers to aid persons over forty-five years of age.

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 149, entitled:

An Act declaring the policy of the State with regard to discriminatory practices in educational institutions, based upon race, religion, color or national origin; prohibiting such discriminatory practices; creating the Pennsylvania Fair Educational Opportunities Commission in the Department of Public Instruction and defining its functions, powers and duties.

Which was committed to the Committee on Labor and Industry.

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 150, entitled:

An Act making an appropriation to Carnegie Institute of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SEYLER read in his place and presented to the Chair Senate Bill No. 151, entitled:

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district.

Which was committed to the Committee on Judiciary General.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 152, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing for the election of school directors in school districts of the second, third and fourth classes by nonpartisan ballots at special elections subject to local option.

Which was committed to the Committee on Education.

SENATE RESOLUTION

SENATE COMMITTEE TO ATTEND FUNERAL SERVICES OF THE LATE WILLIAM E. HABBYSHAW

Messrs. TAYLOR and DENT offered the following resolution which was twice read, considered and agreed to:

In the Senate, February 5, 1957.

Whereas, the Members of the Senate upon returning to the Session this week were shocked to learn of the death of the Chief Clerk of the House of Representatives, the Honorable William E. Habbyshaw whose congenial personality, devotion to the duties of his office and unselfish interest in the welfare of others endeared him to all of us, and who, throughout the five sessions that he was a member of the House of Representatives and throughout the years that he served as Chief Clerk of the House of Reprsentatives gave untiring effort in advancing good legislation and improving legislative procedure; and

Whereas, the Members of the Senate regardless of political affiliation will miss his kindly smile, his helping hand, and his wise counsel:

Therefore, Be It Resolved, that the President pro Tempore is hereby directed to appoint a Committee of Members of this Senate to attend the funeral services and pay the last respects of all of the Members of this Senate to our friend, the Honorable William E. Habbyshaw.

HOUSE NOTIFIES SENATE IT IS READY TO CONVENE IN JOINT SESSION

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presenting a committee on behalf of the House of Representatives.

The PRESIDENT. The Sergeant-at-Arms will escort the committee to the Bar of the Senate.

Mr. KELLER. Mr. President, we are a committee appointed by the House of Representatives to inform the Senate that the House is ready to receive the Officers and Members of the Senate in Joint Session, and to escort them to the Hall of the House.

The PRESIDENT. The Chair thanks the committee on the part of the House of Representatives.

RECESS

Mr. PECHAN. Mr. President, I move that the Senate do now recess until 2:30 o'clock, p. m., in order that the Members of the Senate may attend the Joint Session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

SENATE PROCEEDS TO HOUSE TO HEAR GOVERNOR'S MESSAGE

The hour of one forty-five o'clock, p. m., having arrived, Messrs. KELLER and KAMYK, a committee on the part of the House of Representatives, being introduced, in-

formed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate for the purpose of listening to an address by His Excellency, the Governor, and the submission of the Eighteenth Biennial Budget of the Commonwealth of Pennsylvania for the fiscal biennium, June 1, 1957 to May 31, 1959.

The President and Members of the Senate proceeded to the Hall of the House of Representatives.

SENATE RETURNS FROM THE HOUSE

The President and Members of the Senate then returned to the Senate Chamber.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

BUDGET MESSAGE TO THE GENERAL ASSEMBLY OF PENNSYLVANIA BY GEORGE M. LEADER, GOVERNOR OF PENNSYLVANIA

The PRESIDENT. Copies of this Budget are now being placed on the desks of each Member of the Senate.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE LUZERNE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 5, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Russel E. Gardner (Democrat), R. D. 3, Mountaintop, Wilkes-Barre, Luzerne County, for appointment as a member of the Luzerne County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 5, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William J. Mitchell, 606 St. Clair Street, Latrobe, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of Latrobe, Westmoreland County, to serve until the first Monday of January 1958, vice Robert E. Householder, resigned.

GEORGE M. LEADER.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 5, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William J. Purcell, 812 Mahantongo Street, Pottsville, Schuylkill County, for appointment as Alderman in and for the Third Ward of the City of Pottsville. Schuylkill County, to serve until the first Monday of January 1958, vice W. Ellsworth Gregory, deceased.

GEORGE M. LEADER.

MEMBERS OF BUTLER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 5, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Butler County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Joseph H. Cochran, Esq. (Democrat), Mounted Route 12, Butler, Butler County.

Charles McCarren (Democrat), 522 Fifth Street, Butler, Butler County.

GEORGE M. LEADER.

MEMBER OF CENTRE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary B. Mianulli (Democrat), Bellefonte, Centre County, for reappointment as a member of the Centre County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF CLARION COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Morrow Campbell (Democrat), Clarion, Clarion County, for reappointment as a member of the Clarion County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF CLINTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carl H. Bower (Democrat), R. D. 1, Salona, Clinton County, for reappointment as a memebr of the Clinton County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF CUMBERLAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Cumberland County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Josephine Hobart Myers (Democrat), 249 North 27th Street, Camp Hill, Cumberland County.

Mrs. Rebecca S. McCrea (Democrat), Newville, Cumberland County.

GEORGE M. LEADER.

MEMBERS OF THE DELAWARE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as memebrs of the Delaware County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Elizabeth M. McGlynn (Democrat), 107 Wyndmoor Road, Springfield, Delaware County.

Mrs. Charlotte Snyder (Democrat), 40 Sycamore Road, Wallingford, Delaware County.

GEORGE M. LEADER.

MEMBER OF THE ERIE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Marian Schmid Zurn (Democrat), 1850 South Shore Drive, Erie, Erie County, for reappointment as a member of the Erie County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE GREENE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Brenda McClure Donley (Democrat), Mt. Morris, Greene County, for reappointment as a member of the Greene County Board or Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE LEHIGH COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary E. Herbert (Democrat), R. D. 3, Bethlehem, Lehigh County, for reappointment as a member of the Lehigh County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE JEFFERSON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Jefferson County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Paul Caylor (Democrat), Ringgold, Jefferson County.

Mark McDevitt (Democrat), 204 Beyer Avenue, Punxsutawney, Jefferson County.

GEORGE M. LEADER.

MEMBERS OF THE POTTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Potter County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Miss J. Elizabeth Burt (Democrat), 306 North Main Street, Coudersport, Potter County.

C. M. McGinnis (Democrat), McGinnis Apartments, Genesee, Potter County.

GEORGE M. LEADER.

MEMBER OF THE LUZERNE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 5, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph M. Rava (Democrat), 104 Main Street, Duryea, Luzerne County, for appointment as a member of the Luzerne County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Dr. Maurice J. Regan, Kingston, resigned.

GEORGE M. LEADER.

NOMINATIONS TAKEN FROM THE TABLE

Mr. WATSON. Mr. President, I call from the table all of the Executive Nominations which were reported from the Committee on Executive Nominations at yesterday's Session, with the exception of the nomination of Mrs. Elizabeth G. Zeidman as a Member of the Pennsylvania Securities Commission. I ask that this nomination remain on the table.

The PRESIDENT. The Clerk will read the nominations.

The Clerk read the nominations as follows:

MEMBERS OF THE BOARD OF TEACHERS OF CLARION STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Clarion State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Edgar S. Hugus, Knox, Clarion County.

H. Orland Payne, 11 North Seventh Street, Clarion, Clarion County.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the the following person for reappointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1963, and until her successor is appointed and qualified:

Miss Florence F. Murrin, Butler, Butler County.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE DENTAL COUNCIL AND EXAMINING BOARD

Carl M. Graul, Philadelphia, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Perry Swanson, Pittsburgh, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Harry K. Willits, Reading, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

Charles S. Gaige, Lancaster, from September 27, 1956, for a term of six years and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE CIVIL SERVICE COMMISSION

Elmer D. Graper, Edgewood, from May 24, 1956, until April 9, 1960, and until his successor is appointed and qualified.

(Miss) Susan H. Baker, Lancaster, from August 6, 1956, until April 9, 1958, and until her successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE INDIANA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Reverend Richard H. Bartley (nonpartisan), Blairsville, Indiana County, for appointment as a member of the Indiana County Board of Assistance, until December 31, 1959, and until his succesors is duly appointed and qualified, vice John T. Peace, Sr., Blairsville, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary Piroch (Democrat), Kerr Avenue, Emlenton, Venango County, for appointment as a member of the Venango County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Lorine Shaffer, Oil City, whose term expired.

GEORGE M. LEADER.

ASSOCIATE JUDGE IN AND FOR THE COUNTY OF WYOMING

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest M. Pinnock, Meshoppen, Wyoming County, for appointment as Associate Judge in and for the County of Wyom-

ing, until the first Monday of January 1958, vice Hon. Milton Stang, deceased.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF CHEYNEY STATE TEACHERS' COLLEGE

Paul Comly French, Yardley, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

Orville R. Walls, Kennett Square, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

William M. Maier, Bryn Mawr, from December 28, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

James M. Brittain, Bryn Mawr, from December 28, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Alfred H. Williams, Wallingford, from December 28, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

(Mrs.) Verona E. Beckett, Germantown, from December 28, 1956, until the third Tuesday of January 1961, and until her successor is appointed and qualified.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EMBREEVILLE STATE HOSPITAL

Herbert D. Cressman, Coatesville, from December 28, 1956, for a term of four years and until his successor is appointed and qualified.

(Mrs.) Doris B. Lyons, Ithan, from December 14, 1956, for a term of four years and until her successor is appointed and qualified.

GEORGE M. LEADER.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. SCOTT,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations read by the Clerk.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to the nominations just read.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. The Chair wishes to make an announcement. The Speaker of the House of Representatives has advised the Chair that the House will have buses tonight at 7:45 p. m., at the front entrance of the Capitol to take any Member of the Senate who wishes to go to the funeral parlor in Hummelstown to view the late Clerk of the House of Representatives, the Honorable William E. Habbyshaw.

The Speaker further advised if any Member desires transportation, they advise Mr. Waterhouse in the House of Representatives.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing penalties for removal of bodies from burial places for destruction injury or removal of cemetery property.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 5, Printer's No. 18, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 24, Printer's No. 5, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 29, entitled:

An Act amending the act of May 9, 1949 (P. L. 908) entitled "An act relating to public records of political subdivisions other than cities and counties of the first class . . ." authorizing county controllers to destroy or dispose of certain records and papers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 30, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" providing for the disposition of certain unused Commonwealth license forms tags buttons and certificates in the possession of county treasurers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 31, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 32, Printer's No. 9, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eighth Class County Assessment Law" providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 1, (Sec. 702.1), page 3, line 13, by striking out "at any time prior to October first" and inserting in lieu thereof: "within ten days after receipt of notice required to be given to property owners by this section."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 48, entitled:

An Act amending the act of May 6, 1929 (P. L. 1551), entitled "An act authorizing cities of the first class to adopt and enforce zoning ordinances . . ." regulating appeals based on invalidity of zoning ordinances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 57, Printer's No. 12; and

Senate Bill No. 65, Printer's No. 13.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceed to the second reading and consideration of Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceed to the second reading and consideration of Senate Bill No. 87, entitled:

An Act reenacting certain parts of the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code" clarifying provisions relating to magistrates sending notices by registered or certified mail.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Bill, page 3, by inserting after line 10, the following: "Section 2. This act shall take effect immediately."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 93, on second reading, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania

be re-referred to the Committee on Appropriations.

Mr. STIEFEL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908) entitled "An act relating to public records of political subdivisions other than cities and counties of the first class . . ." authorizing county commissioners to destroy or dispose of certain records and papers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. ELLIOTT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ELLIOTT, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 75, entitled:

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during the Korean Conflict; providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation and providing penalties.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BERGER. Mr. President, I second the motion

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 75, entitled:

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during the Korean Conflict; providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 97, entitled:

An Act to define and prohibit unauthorized interception, divulgence or use of telephone and telegraph communications; providing criminal penalties and civil damages, including attorney's fees, for the violation thereof and limiting the admissibility of evidence.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 124, entitled:

An Act amending the act of July 13, 1953 (P. L. 431) entitled "The Pennsylvania Civil Procedural Support Law," further providing a procedure for enforcement of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 130, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," prohibiting the intimidation of judges by threats of bodily harm.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 141, entitled:

An Act requiring that meetings of the governing body of authorities be open to the public.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, February 6, 1957, at 9:30 o'clock, a. m., Eastern Standard Time.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:56 o'clock, p. m., Eastern Standard Time, until Wednesday, February 6, 1957 at 9:30 o'clock a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, February 5, 1957

The House met at 1:00 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Dr. Dwight R. Guthrie, Professor of Bible at Grove City College, Grove City, Pennsylvania, guest Chaplain, offered the following prayer:

O Eternal God and Lord of all mankind, we give Thee thanks for the kind providence that permits us to assemble again in this historic place. As Thou, in Thy goodness, hast been pleased to let the light of Thy countenance fall upon the Assembly Fathers of other days, so do Thou become a lamp and a light unto this Assembly's pathway. May the folks back home be represented in such a way that their high hopes and desires will find expression in the decisions which are made in this legislative chamber. O merciful Father, stoop to our weaknesses, mighty as Thou art, and not only make us strong but give us courage to stand for the right at all times—though the foundations of the earth may shake about us. May these Representatives remember, as they face the difficult and seemingly insoluble problems of this biennium, that Thou are an ever present help to all who call upon Thee—Through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, February 4, 1957, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. FOSTER, ASHTON and WHEELER.

HOUSE BILL No. 247.

An Act amending "The Game Law," approved June 3, 1937, (P. L. 1225), changing the definition of "unprotected birds" to exclude hawks.

Referred to the Committee on Game and Conservation.

By Mr. SCHWARTZ. HOUSE BILL No. 248.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the use of loaded firearms in certain games and imposing penalties.

Referred to the Committee on Law and Order.

By Mr. SCHWARTZ. HOUSE BILL No. 249.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) requiring all motor vehicles and combinations of motor vehicles to be constructed or equipped to prevent throwing of road surface substances from their rear wheels beyond certain limits.

Referred to the Committee on Motor Vehicles.

By Mr. STONER. HOUSE BILL No. 250.

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448) excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsman's shows.

Referred to the Committee on Fisheries.

By Mr. MAXWELL. HOUSE BILL No. 251.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing an increase in the personnel of the State Police Force.

Referred to the Committee on State Government.

By Mr. MAXWELL. HOUSE BILL No. 252.

An Act providing for a referendum to determine the will of the electorate in regard to horse racing with legal wagering within the State.

Referred to the Committee on Law and Order.

By Mr. LIPPINCOTT. HOUSE BILL No. 253.

An Act amending the act of June 24, 1895 (P. L. 212), entitled "An act to establish an intermediate court of appeal, regulating its constitution, *** increasing the term of office of Superior Court judges to twenty-one years and limiting them to one term.

Referred to the Committee on Judiciary.

By Messrs. FOSTER, ISAACS, DENGLER and MURPHY. HOUSE BILL No. 254.

An Act amending "The Penal Code," approved June 24, 1939, (P. L. 872), prescribing penalties for furnishing false information to police officers in certain cases.

Referred to the Committee on Judiciary Special.

By Mr. WORLEY (By Request). HOUSE BILL No. 255.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), changing the eligibility requirements for tuition assistance to students in State Teachers' Colleges.

Referred to the Committee on Education.

By Mr. WORLEY (By Request). HOUSE BILL No. 256.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) further providing for an open season for antlerless deer.

Referred to the Committee on Game and Conservation.

By Mr. WORLEY (By Request). HOUSE BILL No. 257.

An Act regulating the sale or giving away of bread products, butter, canned foods; and imposing penalties.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. STROUP (by request) and WORLEY (by request). HOUSE BILL No. 258.

An Act relating to motion-picture films, reels or stereopticon views or slides; providing a system of examination, disapproval and regulation thereof, and of the banners, posters and other like advertising matter used in connection therewith; and providing penalties for the violation of this act.

Referred to the Committee on Law and Order.

By Messrs. HOCKER, DAVIS, McCANN and McLAUGHLIN. HOUSE BILL No. 259.

A Supplement to the act of June 12, 1931 (P. L. 588) entitled "An act authorizing the Department of Property and Supplies to acquire lands in Harris Township, Centre County for the use of the Department of Military Affairs; ***", transferring the control, supervision and management of the lands to the Penna. Historical and Museum Commisison; requiring the commission to complete the "Twenty-eighth Division Shrine" thereon ***.

Referred to the Committee on Military Affairs.

By Messrs. MURPHY and ISAACS. HOUSE BILL No. 260.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225) authorizing unnaturalized foreign-born residents to own or possess dogs.

Referred to the Committee on Game and Conservation.

By Messrs. LOVETT and GOODLING (by request). HOUSE BILL No. 261.

An Act amending "The Penal Code" of June 24, 1939 (P. L. 872), regulating the display of meat packaged with transparent material.

Referred to the Committee on Agriculture and Dairy Industries.

By Mrs. HENZEL and Mr. AGNEW. HOUSE BILL No. 262.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), extending the area in which school directors may attend meetings.

Referred to the Committee on Education.

By Mr. YATRON. HOUSE BILL No. 263.

An Act amending "The Vehicle Code," approved May 1, 1929, (P. L. 905), providing for an operator license period of three years and fixing fees relative thereto.

Referred to the Committee on Motor Vehicles.

By Messrs. EILBERG and MULDOWNEY. HOUSE BILL No. 264.

An Act amending "The Vehicle Code," approved May 1, 1929, (P. L. 905), changing penalties for operating motor vehicles under the influence of intoxicating liquors.

Referred to the Committee on Motor Vehicles.

By Mr. EILBERG. HOUSE BILL No. 265.

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853) subjecting real estate of public service companies to taxation.

Referred to the Committee on Municipal Corporations.

By Messrs. HAMILTON, WOOD, WESCOTT and McCANN. HOUSE BILL No. 266.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), permitting city council to hold its organization meeting on first day after a holiday.

Referred to the Committee on Cities—Third Class.

By Messrs. HAMILTON, WOOD, WESCOTT and McCANN. HOUSE BILL No. 267.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), permitting township commissioners to hold their organization meeting the day after a holiday.

Referred to the Committee on Townships.

By Messrs. HAMILTON, WOOD, WESCOTT and McCANN. HOUSE BILL No. 268.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), changing the dues payable by the township for membership in the State Association of Township Supervisors.

Referred to the Committee on Townships.

By Messrs. HAMILTON, WOOD, WESCOTT and McCANN. HOUSE BILL No. 269.

An Act amending "The Second Class Township Cade," approved May 1, 1933 (P. L. 103), further providing for the employment of a certified public accountant and the duties of the township auditors.

Referred to the Committee on Townships.

By Messrs. HAMILTON, WOOD, WESCOTT and McCANN. HOUSE BILL No. 270.

An Act amending "The Second Class Township Code," approved May 1, 1933, (P. L. 103), further prescribing the powers and duties of township supervisors and auditors, changing certain penalties, and regulating the acquisition of land and buildings for fire protection purposes.

Referred to the Committee on Townships.

By Messrs. STROUP and HAROLD G. MILLER. HOUSE BILL No. 271.

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania enabling the Legislature to prescribe qualifications for electors.

Referred to the Committee on Elections and Apportionment.

By Mr. HARVEY P. MURRAY. HOUSE BILL No. 272.

An Act declaring and adopting the song "Pennsylvania" by Jesta S. Steffen and Lew Tobin as the State song of the Commonwealth.

Referred to the Committee on State Government.

By Messrs. BELL and LIPPINCOTT. HOUSE BILL No. 273.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) authorizing the courts to determine and make orders with respect to visitation rights of parents.

Referred to the Committee on Judiciary Special.

By Messrs. DUNN and STRAUSSER.

HOUSE BILL No. 274.

An Act amending "The Second Class Townshp Code," approved May 1, 1933 (P. L. 1481), placing certain zoning restrictions upon the establishment of automobile grave yards and junk yards.

Referred to the Committee on Townships.

By Messrs. TOMPKINS, METZ and DAVIS.

HOUSE BILL No. 275.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) appropriating monies from the game fund to reimburse owners of motor vehicles for damages caused to the motor vehicles by wild life on the open highway.

Referred to the Committee on Game and Conservation.

By Mr. MAXWELL HOUSE BILL No. 276

An Act providing for and legalizing a State lottery to raise revenue for cancer research; creating the Cancer Research Lottery Commission in the Department of Welfare as a departmental administrative commission; providing penalties and making an appropriation.

Referred to the Committee on Law and Order.

By Mr. CURWOOD HOUSE BILL No. 277

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), eliminating the waiting period of one week and providing compensation for each day of unemployment.

Referred to the Committee on Labor Relations.

By Messrs. BRAND and WHITTAKER

HOUSE BILL No. 278

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), placing a limitation upon the collection of taxes.

Referred to the Committee on Municipal Corporations.

By Mr. DUNN HOUSE BILL No. 279

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), clarifying provisions relating to the commencement of summary proceedings.

Referred to the Committee on Judiciary.

By Mr. DUNN HOUSE BILL No. 280

An Act permitting the offices of any county to remain closed on Saturday.

Referred to the Committee on Counties.

By Mr. GRAMLICH HOUSE BILL No. 281

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149), permitting county commissioners to use liquid fuel tax funds for construction of airports.

Referred to the Committee on Ways and Means.

By Messrs. BROWN and WYND HOUSE BILL No. 282

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

Referred to the Committee on Elections and Apportionment.

By Mr. FRASCELLA HOUSE BILL No. 283

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), imposing regulations upon certain persons performing the service of securing registration plates for others; and providing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. WHEELER HOUSE BILL No. 284

An Act establishing a mode of selecting and drawing jurors for counties of the third and fourth classes, and imposing penalties.

Referred to the Committee on Judiciary.

By Mr. MAXWELL HOUSE BILL No. 285

An Act regulating horse racing with wagering on the results thereof; providing for the licensing of race tracks, race horse owners, riders, trainers, stewards, and officials for such racing; * * * and imposing penalties.

Referred to the Committee on Law and Order.

By Messrs. STIMMEL and DeLONG

HOUSE BILL No. 286

An Act making an appropriation from the General Fund to the Borough of Bellefonte in Centre County for the rehabilitation of the marine life of its streams.

Referred to the Committee on Appropriations.

By Messrs. HAUDENSHIELD, EWING, COOPER and THOMPSON HOUSE BILL No. 287

An Act abolishing the Pennsylvania Tunnel Commission, assuming its obligations, and appropriating money from the Motor License Fund.

Referred to the Committee on Highways.

By Messrs. HAUDENSHIELD, EWING, COOPER and THOMPSON HOUSE BILL No. 288

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge and the Saw Mill Run Interchange of the Parkway-West.

Referred to the Committee on Highways.

By Messrs. VARNER and DENNISON

HOUSE BILL No. 289

An Act amending the act of May 21, 1937 (P. L. 774), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; * * *," reorganizing and changing the membership of the commission.

Referred to the Committee on Highways.

By Mr. VARNER HOUSE BILL No. 290

An Act authorizing and directing the State Highway and Bridge Authority, with the approval of the Governor to erect and maintain a high level bridge over the Clarion River, * * *.

Referred to the Committee on Highways.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 4.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

Referred to the Committee on Military Affairs.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. GRAMLICH, DAVIS and VARNER.

RESOLUTION No. 13

In the House of Representatives, February 4, 1957

The death of the Honorable John H. McKinney, a former member of this House of Representatives, on December 2, 1956, is a great loss to his family, his friends and his community.

Mr. McKinney was a life long resident of Venango County. A lawyer by profession, he was active throughout most of his life in the oil production industry and operated leases in the Bredinsburg area. He was a veteran of the First World War.

His long service in the Pennsylvania Legislature spanned eleven terms in the House of Representatives, and he completed his long legislative career in 1952. While a member of the Legislature, he was chairman of the judiciary committee from 1939 to 1952, and was a member of the Joint State Government Commission in 1951 and 1952.

He was an active member of the Bredinsburg Methodist Church for many years. He belonged to the Franklin Post No. 476, American Legion, and was a past chef de garde of the 40 and 8. He was a member of the Venango County Bar Association.

Mr. McKinney's public spirited activities and long service to government marked him as an exemplary citizen whose memory will long be cherished by those who knew him and benefitted from his association; therefore, be it

Resolved, That each member of this House of Representatives hereby extend his personal sympathy to the surviving members of Mr. McKinney's family upon their recent loss and bereavement; and be it further

Resolved, That a copy of this resolution be sent to Mrs. Helen I. Humes McKinney, at her home in R. D. 2, Franklin, Pennsylvania.

Referred to the Committee on Rules.

By Mr. PIPER. RESOLUTION No. 14.

In the House of Representatives, February 4, 1957.

The State Sanatorium at Hamburg, Pennsylvania has long been known to the residents of the immediate area and of the entire county as the Hamburg State Sanatorium; and

The residents of the county and immediate area have made the designation a part of the common parlance and mode of speaking in their daily life; and

The name was recently changed by administrative action without regard to local sentiment to the Dr. Charles H. Miner Sanatorium; therefore be it

Resolved, That the House of Representatives requests the Secretary of Health to have necessary measures taken to designate the State Sanatorium at Hamburg, Pennsylvania as the Hamburg State Sanatorium; and be it further

Resolved, That a copy of this resolution be sent to the Secretary of Health.

Referred to the Committee on Rules.

By Messrs. MULDOWNEY and WARGO. (Concurrent) RESOLUTION No. 15.

In the House of Representatives, February 4, 1957.

In a small way, the General Assembly accorded our Pennsylvania National Guard much deserved recognition by adopting the following concurrent resolution:

"The 28th Infantry Division is the holder of a proud record. Some units are direct descendants of Benjamin Franklin's 'Battalions of Associations' organized in 1746, while others trace unbroken lineage from the Revolutionary War.

Some units of this famous division were engaged in every war in which we, as a nation fought.

Pennsylvania is justly proud of the 28th Division, which was referred to by General Pershing as the 'Iron Division' and called by the Germans of World War II the 'Bloody Bucket Division' in acknowledgment of the fury with which the division fought.

Because of its background, the service it rendered its country and the honor it has brought to Pennsylvania, it is fitting and appropriate that legislative recognition be accorded the 28th Infantry Division; therefore be it

Resolved (the House of Representatives concurring), That United States Highway Route No. 322, extending from Chester, Pennsylvania through Meadville and Jamestown, Pennsylvania, to the Pennsylvania and Ohio boundary line be dedicated as a memorial to the 28th Infantry Division and that this portion of the highway be known as the '28th Division Highway'; and be it further

Resolved, That the Department of Highways shall erect along the highway suitable tablets and markers and shall carry out suitable landscape development to perpetuate this resolution, but shall not replace the officially designated route number of the highway hereby designated as the '28th Division Highway'."

Unthinking persons in high government positions have made statements which could be construed to be derogatory to our National Guard; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania reaffirms its faith in the Pennsylvania National Guard for the feeling of security it affords us and is proud and honored that our National Guard is our first line of National defense.

Referred to the Committee on Rules.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION NO. 1

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, January 7, 1957.

David K Darcy Harold Foster and Harry Zietz were convicted by a jury for the slaying of William Kelly an innocent bystander during a holdup of a tavern in Bucks County The jury fixed the punishment at death in the electric chair

The conviction and sentence was appealed to the Supreme Court of Pennsylvania and the case reached the Supreme Court of the United States five times

On September 29 1956 the Board of Pardons acting on Darcy's twenty-sixth application for executive clemency recommended that the sentences of death be commuted to sentences of life imprisonment

The commutations granted by the Governor have aroused public interest and indignation The action of a non judicial body in substituting its judgment for that of the jury which heard the case and of the many jurists who studied the case has been criticized throughout the State The opinion prevails in many quarters that political considerations influenced the action of the Board of Pardons in this and in other recent cases

It is imperative therefore that a complete and thorough investigation be made of the action of the Board of Pardons to determine whether or not any abuses have occurred with respect to the powers entrusted to it therefore be it

Resolved (The Senate concurring) That the Speaker of the House of Representatives appoint four members of the House and the President Pro Tempore of the Senate appoint four members of the Senate who together shall constitute a joint committee and be authorized and directed to make an immediate investigation of all actions of the Board of Pardons in connection with the pardon parole

or commutation of sentence of persons convicted of crimes The committee shall have the power to issue subpoenas under its hand and seal requesting and commanding any person or persons to appear before it and answer questions touching matters properly being inquired into and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of courts of this Commonwealth The committee shall have power to administer oaths and affirmations to witnesses appearing before it Any person who shall wilfully neglect or refuse to testify before the committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases and be it further

Resolved That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed sixty days

SENATE MESSAGE

AMENDED HOUSE RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows, viz:

In the House of Representatives, January 28, 1957.

Whereas It has been alleged in the public press that there has been a misuse of money from the 1.7 million dollar Administrative Fund in the Bureau of Employment Security and

Whereas This fund is under the personal control of the Secretary of Labor and Industry as are these personnel and the conduct of the Bureau of Employment Security itself and

Whereas The fund is made up of fines and penalties collected from Pennsylvania employers who fail to make prompt payment for unemployment compensation benefits and

Whereas The personnel of the Bureau are charged with the duties inter alia of investigating charges of fraud in jobless benefit surveys labor surveys and allied activities and

Whereas The funds are actually remitted to the Department by the U S Government out of the fines and penalties collected as heretofore referred to and

Whereas The fund is not subject to the budgetary controls of other State funds and

Whereas The Governor has investigated such charges and as a result thereof has dismissed the Secretary of Labor and Industry Mr John Torquato and suspended the employes who were paid salaries from the fund and

Whereas This action of the Governor suggests that the Secretary of Labor and Industry has actually made unlawful use of the fund therefore be it

Resolved (the Senate concurring) That the Governor be hereby requested to submit through the Attorney General all information and evidence of criminal wrongdoing with respect to this fund which he may have to the District Attorney of Dauphin County for the purpose of submission to the Grand Jury

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. OGILVIE from the Committee on State Government, reported as committed, House Bill No. 17, entitled:

An Act amending the act of July 12, 1935 (P. L. 677) entitled "An act to fix the status of officers and employes of the Commonwealth and political subdivisions thereof while in training with the armed forces of the United States," including members of the United States Coast Guard Reserve.

Mr. DOWN from the Committee on Counties, reported as Committed, House Bill No. 62, entitled:

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017) authorizing the granting of financial assistance, by deferred loans or otherwise to political subdivisions or municipality authorities for construction of water supply system with service available to an institution of the district.

Mr. AGNEW from the Committee on State Government, reported as committed, House Bill No. 76, entitled:

An Act reenacting and amending the act of July 7, 1955 (P. L. 256), entitled "An act creating a temporary advisory commission to examine, report upon and recommend reorganizations of agencies and functions of the State government; * * *" reactivating and extending the life of the commission.

Mr. PURSLEY from the Committee on Counties, reported as committed, House Bill No. 109, entitled:

An Act relating to the recovery of damages for injuries to property in consequence of mobs and riots, and imposing duties and liabilities on counties, county commissioners, sheriffs, aldermen, constables and justices of the peace.

Mr. LIPPINCOTT from the Committee on Municipal Corporations, reported as amended, House Bill No. 130, entitled:

An Act providing for the reassessment of properties for tax purposes where new improvements have been made and the addition thereof to existing tax duplicates of political subdivisions.

Mr. GELFAND from the Committee on Municipal Corporations, reported as amended, House Bill No. 143, entitled:

An Act amending the "Municipal Authorities Act of 1945," approved May 2, 1945 (P. L. 382), providing for "Authorities" to submit copies of audits to the Bureau of Municipal Affairs in the Department of Internal Affairs.

Mr. STRAUSSER from the Committee on Motor Vehicles, reported as committed, House Bill No. 144, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), reducing annual registration fee for certain two-wheeled semi-trailers.

Mr. STUART from the Committee on Municipal Corporations, reported as committed, House Bill No. 159, entitled:

An Act reenacting and amending the act of July 20, 1953 (P. L. 550) entitled "An act providing for and regulating the annexation of parts of a second class township to boroughs, cities and townships," eliminating from the provisions of the act cities of the second and second class A, * * *.

Mr. STUART from the Committee on Municipal Cor-

porations, reported as committed, House Bill No. 161, entitled:

An Act amending the act of May 2, 1949 (P. L. 873), entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs * * *," clarifying the provisions of the act as to its application in townships.

Mr. LAFORE from the Committee on Ways and Means, reported as committed, House Bill No. 162, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providng a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs * * *," further defining the formula used to determine the amount of payments to be made to the political subdivisions.

Mr. WILLAREDT from the Committee on Insurance, reported as committed, House Bill No. 203, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) providing for guaranteed arrest bond certificates issued by automobile clubs or associations and for sureties thereon; and defining the use and effect thereof.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 7, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), making it unlawful to knowingly listen into deliberations of juries.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendments:

Amend Section 1 (Sec. 305.1), page 2, line 4, by striking out "felony" and inserting in lieu "misdemeanor."

Amend Sec. 1, (Sec. 305.1), page 2, line 6, by striking out "five" and inserting in lieu "one."

Amend Sec. 1, (Sec. 305.1), page 2, line 6, by striking out "($5000)," and inserting in lieu "($1,000)."

Amend Sec. 1, (Sec. 305.1), page 2, line 7, by striking out "five years" and inserting in lieu "one year."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

Te House proceeded to the second reading and consideration of House Bill No. 60, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), further regulating the speed of certain commercial vehicles.

The first section was read.

On the question,

Will the House agree to the section?

Mr. MERRY offered the following amendment:

Amend Sec. 1, (Sec. 1002), page 3, line 8, by striking out "class" and inserting in lieu "and S Classes."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 61, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), changing existing maximum gross weights and annual registration fees and establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. GUTHRIE offered the following amendment:

Section 2. Notwithstanding any of the provisions of this amending act, the class, maximum gross weight allowed, and annual registration fee shall remain as heretofore for any commercial motor vehicle or truck tractor originally titled in this Commonwealth on or before December 31, 1956.

It was agreed to.

The section was agreed to as amended.

Mr. GUTHRIE offered the following amendment to the bill.

Amend the bill adding a new section as follows:

Section 3. This act shall be effective retroactively to January 1, 1957 as to any commercial motor vehicle or truck tractor originally titled on or after that date.

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 18, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), requiring that summary offenses under the act be commenced before certain specified magistrates, aldermen or justices of the peace.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 80, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448), requiring that violations of the act or rules and regulations promulgated thereunder be prosecuted before certain specified magistrates, aldermen or justices of the peace.

The first section was read

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendment:

Amend Sec. 1, (Sec. 271), page 2, line 6, by inserting after "nearest" "available"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

ANNOUNCEMENT

The SPEAKER. The Chair recognizes the Secretary of the House.

Mr. WATERHOUSE. Ladies and gentlemen of the House, tonight at 7:45 we will have buses at the foot of the Capitol steps on Third Street. These buses will leave at 8:00 o'clock sharp for Hummelstown. So do not plan on being there at 8:00 but plan on being there at 7:45 please. We do want to leave on time and will leave on time because we have to be in Hummelstown by 8:30. If there is any change, I wish you would let us know as to the number who are going. We do not care if more go, but we hope all those who indicated they would go will go, because we do not want to take two busses if we only need one. The way it stands now we need two buses.

Further, if those who are driving their own automobiles will let us know, we will arrange to get together in Hummelstown so that we can all go in together.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I am sure the membership would like to know now what the plans are for next week.

It is the feeling on the majority side that we will have the Governor's budget today. We will have important committee meetings next week and we plan to get the session well under way. We therefore inform the Members that we intend to have three full working days next week. So please come prepared to stay in Harrisburg, Monday, Tuesday and Wednesday of next week for a full three-day session.

COMMITTEE REPORT

Mr. KELLER. Mr. Speaker, your Committee appointed to wait upon the Senate and escort that body to the Hall of the House has performed that duty and reports that the Senate is now in attendance.

The SPEAKER. The Escort Committee is discharged with the thanks of the Chair.

The Lieutenant Governor, the Honorable Roy E. Furman, is invited to preside over the Joint Session of the General Assembly.

The President pro tempore of the Senate, the Honorable M. Harvey Taylor, and the Secretary of the Senate, the Honorable A. H. Letzler, are invited to be seated on the rostrum.

The Members of the Senate will please be seated.

JOINT SESSION OF THE GENERAL ASSEMBLY

LIEUTENANT GOVERNOR ROY E. FURMAN PRESIDING

The LIEUTENANT GOVERNOR. The Joint Session will be at ease awaiting the arrival of His Excellency, the Governor of the Commonwealth.

Mr. WATSON. Mr. President, I have the honor to present to you the Governor of Pennsylvania, the Honorable George M. Leader.

The LIEUTENANT GOVERNOR. Members of the General Assembly, I have the honor and privilege of presenting His Excellency, George M. Leader, Governor of the Commonwealth of Pennsylvania.

ADDRESS OF GOVERNOR GEORGE M. LEADER

GOVERNOR LEADER. Mr. Lieutenant Governor, Mr. Speaker, Members of the General Assembly:

The Governor of Pennsylvania has only two opportunities to come before the General Assembly with a budget—the thick document which, in its maze of figures, determines the course of government in this Commonwealth.

The Governor's first budget must come early in his experience, fresh with the hopes of a new administration, eager to take up new causes and right old wrongs.

That was the pattern of the budget submitted to you two years ago. The General Assembly, while it disagreed with my recommendations as to taxes, agreed so fullheartedly with the recommendations as to appropriations that the full program which we urged was substantially adopted.

In his second last budget, the Governor has the benefit of his two years of responsibility. Program decisions have been reached; the lights and shadings which play upon the fundamental structure of state government have taken the color of the administration and its purposes. Such a process is as natural as growth itself. I trust it is reflected in this budget.

Let me say that I would have been the happiest public officer in the United States if I could have brought you today a budget less burdensome than the appropriations for the 1955-57 biennium. I dare say that President Eisenhower would have been equally happy a few weeks ago if his budget for the National Government could have been something less than a peace-time record in its demand for 71 billion, eight hundred million dollars for a single Federal year.

But the hard facts of life prevented him, as they prevent me, from accomplishing such wishful thinking. The rising economy, the rising population, our rising standards of living and of humanitarian care, the lessening value of the dollar itself—all of these compel every chief executive, President or Governor, Mayor, or School Board President, to ask for budgets that are records in dollar terms.

I have already cut almost $175 million of dollars from the budget requests of the state departments and agencies and the state-aided institutions for all of which there was a very good case. I found I could not cut more deeply and remain in compliance with existing law and with the existing responsibilities that the Commonwealth assumes on behalf of its people. There is scarcely a trace of new program in this budget.

My submission today deals only with the General Fund of the Commonwealth. I will submit separate messages and budgets for the special funds, principally because it is important to us all that the highway program, which

has reached such enormous size, be given the special consideration which is its due.

The budget as submitted, confined to programs authorized and to increased expenditures directed by existing law, comes to a total of $1,476,849,102.

This is $172,677,292 more than the appropriations enacted or required as deficiencies for the biennium of 1955-57.

Of this increase, $103,656,652—more than half—are increases in the subsidies which the state pays to its school districts for education, to its municipalities for pure streams, to its counties for public health units, and many others, all under formulas and policies which the Legislature has adopted and which the Executive has no choice but to include. This includes an increase of $6,400,000 for payments to sufferers from occupational diseases—one of the state's obligations which is increasing at a rate which is positively alarming.

These are the true "mandated" increases, in the sense of the term as we have come to use it in discussion of the state's finances. They cannot be reduced unless the Legislature is willing to change the provisions of existing law and policy. They are not spent by the state itself. They are distributed to others.

The state's payments for debt service and authority rentals are fixed still more firmly in that they are binding contractual commitments. The combined cost of such debt service in the 1957-59 biennium will be $99,915,020—an increase of $4,270,000.

Other increases, while not mandated as subsidies, are in fact compulsory as operations of the state itself. As an illustration, the Legislature in the past session directed the Department of Health to assume the operation of the Leech Farm Tuberculosis Hospital in Pittsburgh as of January 1, 1957. That will cost the Commonwealth an additional $2,071,040 in the coming biennium.

By way of further illustration, the Legislature increased judges' salaries. That largely explains an increase of $1,047,646 in appropriations to the judicial branch.

The Legislature, very properly, also approved a modern program of mental health for Pennsylvania. This will cost us an additional $23,895,383 to operate on a 24-month basis in the next biennium, and, even at that, the Secretary of Welfare believes he has been very harshly dealt with.

The budget likewise contains increases of $4,430,448 for the state-aided universities and $1,434,125 for the Teachers' Colleges.

I could cite many other similar illustrations, but it is not my intention to make this budget message a lengthy exposition of every item in the budget. The budget itself, in its new program type of presentation does that. It is merely my intention here to show how, for the most part, the budget increases consist of inescapable obligations.

This is not a "fat" budget, swollen for bargaining with the Legislature or for creating new payroll.

To the best of my ability and judgment, it is a nonpolitical statement of the Commonwealth's needs for the next two years. I hope the General Assembly will receive it in that spirit.

I invite the Legislature to go over the budget with a fine-toothed comb. The executive branch will cooperate with a full heart in every honest attempt to reduce the total of our expenditures. But I must quickly add that I will necessarily oppose any attempt to cut back services vital to the people of our state, particularly in our program for mental health and for the decent care of our retarded children. We have made tremendous strides in the past two years, compensating for the neglect of a life-time. As Governor, I am proud that this administration has brought a sense of urgency to these problems. As long as I am charged with responsibility in the state's affairs, that awakening of our public conscience will be my great concern. We must never return to the cruel and thoughtless days when a dollar in state expenditure was given a higher priority than the rescue of a tortured soul.

I am happy to report that the budget provides for the continuance of our industrial development program without any sizeable increase in funds. It appropriates $5,000,000 to the Industrial Development Authority, as in the appropriations for the last biennium, and $5,000,000 for assistance in slum clearance and urban redevelopment, again as in the last biennium.

I would suggest, so that future planning may be assisted, that the Legislature declare it a matter of state policy that we will agree to pay one-half of the non-Federal cash requirements of redevelopment projects undertaken by Pennsylvania communities. The biennial appropriation of $5,000,000 is geared to such a program, based upon an assumption of $100,000,000 in Federal funds to become available for Pennsylvania's use in the next ten years.

As further aids to urban redevelopment, the budget contains appropriations of $1,196,000 for the continued progress of Point Park in Pittsburgh and $1,050,000 for the continuance of the Independence Mall project in Philadelphia. If it is desirable to achieve greater speed in these two projects than the state's current revenues can provide, I suggest to the Legislature that they be transferred to the General State Authority with its larger capacity to make immediate funds available.

It would be proper to comment in this message on the recommended appropriations for the six medical schools in Pennsylvania which receive state aid. This aid is measured by a reimburseemnt formula of $2,000 per year per student. It totals in this budget $10,834,000, a figure that is close to the previous appropriation of $10,816,052.

We had hoped that the appropriations to the medical schools could have been reduced by the sum of $2,040,000 which the state was instrumental in securing for them from the Longwood Foundation. In the final event, it developed that this could not be done without jeopardizing the Foundation grants and the balanced programs of the schools. Medical education in the Commonwealth has been the gainer by the school's fortunate action of funds, but the Commonwealth will gain also because the executives of the six schools have agreed that the medical schools, far more than in the past, will assist the medical specialties required by the Commonwealth itself.

Another budget item which requires explanation is the provision in the Department of Property and Supplies of $6,455,848, to buy the motor vehicles—cars and trucks—which the state needs to put its fleet replacement on an annual basis. This is a case of spending money to save money. A wholly new fleet is far more economical to operate; and we have learned that the state can sell year-old cars at auction at a price equivalent to the price which the state, as a large buyer, pays for them when new.

To recapitulate:

The total appropriations requested in the budget as submitted come to $1,476,849,102. That is the amount required, as I stated earlier, for existing program and existing commitments.

Some additions must properly be considered.

There is an amount, now calculated at $33,547,200, which the school districts in the state expect to received as reimbursement for teachers' salary increases approved by the last session of the General Assembly.

We must expect a payment of approximately $5,600,000 by the state, as the employer, to the social security of its own employees and to public school employees throughout the state. In the past, such employees were not eligible for membership in the Federal social security system.

I would most strongly urge the Legislature to correct the gross unfairness in the present law which makes Philadelphia alone, of all the state's communities, ineligible for state reimbursement of a portion of its public health costs. This will add $3,100,000 to our budget needs. The budget recognizes that the Philadelphia General Hospital, operated by the City of Philadelphia, should receive the same reimbursement for its care for indigent patients as voluntary hospitals throughout the state.

This administration has tried to be scrupulously fair to every region in Pennsylvania. We do not believe in upstate versus downstate, or the East versus the West, or in county versus city. We recognize the tremendous and growing problems of our great metropolitan centers in the Philadelphia and Pittsburgh districts, and we are insisting that they receive the same sympathetic consideration as other areas in the state.

Finally, I recommend that the Legislature add $3,000,000 to the budget for state aid to airport development. Our program for the next biennium would contemplate such assistance to airports in: DuBois, Erie, Williamsport, Wilkes-Barre-Scranton, Greater Pittsburgh, Reading, Philadelphia, St. Mary's, Bradford, Allentown-Bethlehem-Easton, York, and Pottsville.

If the Legislature adopts these recommendations and adds them to the budget, the total appropriations for the next biennium will come to $1,522,096,302.

To that great sum, we must still add the anticipated deficit from our 1955-57 operations, now estimated at $82,242,433.

The total revenue need for a balanced budget in the next biennium will therefore come to $1,604,338,735.

To make the need less, the Legislature can do only one thing—cut the budget.

To meet the need, the Legislature can do only one thing—enact legislation which will provide the necessary funds.

I would say this to you at the very beginning of our discussion of revenue needs. In my responsibility as Governor, I will approve any tax program which this General Assembly enacts which "will support the services to which the State is committed, be fair in its application to the people of this state, contain a basic measure of adjustment to the inflationary economy in which we live, and be stimulating to the economic development of Pennsylvania." The quotation is from my directive to the Tax Policy Advisory Committee, with whose report, I am sure, you are familiar.

Further, I do not believe it is right to hold either of the political parties to sole responsibility for taxation, even when so tempted by a turn of politics which has vested overwhelming control of the General Assembly in the party which is not my own. I will therefore urge the Democratic members of the House and Senate to search their consciences equally with their Republican colleagues, and assume their share of responsibility for financing the government of their state.

It seems strange, does it not, that the Federal Government, no matter how divided politically between the President and Congress, can find each year a solution to its fiscal problems without an enormous amount of partisan rancor and delay.

Our task, it is clear, is not quite so difficult as the Federal Government's. Indeed, Pennsylvanians alone will pay to the National Government five times as much as they will contribute to the support of their state this coming fiscal year. I would suggest, however, that our standards of performance in Pennsylvania can be so raised that we too can finance our state with a relatively nonpartisan program.

This issue of taxes, if I may venture a political observation to many who are far wiser in politics than I, this issue has been beaten to death in Pennsylvania.

In our own case, the revenue estimates for the next biennium as shown in this budget, based on the existing tax structure, total $1,488,725,504. It seems reasonable to transfer to the General Fund $7,000,000 from the Special Disaster Relief Fund because the revenues will have exceeded the appropriations by that amount at the end of the biennium. The $108,613,231 still needed to balance the General Fund requirements as stated in this message can be found in the recommendations of the Tax Policy Advisory Committee.

The Legislature may find other and better ways to achieve a balanced budget.

Certainly, however, the example before us of a program unanimously adopted by the representatives of labor and management, local government and the two parties who served on the tax policy advisory committee, should prove to us that reasonable men—resistant to special interest pressures—can work out a fiscal program by which the state can live.

I would most strongly urge, as I did in 1955, that the Legislature repeal the Excise Tax on Foreign and Domestic Corporations, which is a definite handicap to economic growth within the state. I would urge further that we repeal the Corporation Loans Tax as well, and permit the Manufacturers' Exemption from the Capital Stock Tax to take effect on its due date—January 1, 1958.

We would all like to see, I am sure, the full strength of this state's magnificient industrial and financial structure aligned solidly with its government in a great drive for economic growth. A change in tax emphasis, as I have here suggested and as the Committee unanimously recommended, would be the signal for such an alignment.

I would also again ask the Legislature not to insist on the Stamp Plan as a part of the Sales Tax. The benefits of the Stamp Plan are temporary in that is gives us some additional cash in the first biennium of its adoption; ever after, it would cost the state at least $12,500,000 a biennium in the cost of the stamps themselves, their redemption, and the payment made to the banks which will distribute them.

Because the Stamp Plan is included in existing law, the budget for the Revenue Department contains $2,500,000 for the printing and handling of the stamps. That is one budget reduction which the Legislature can make with ease.

It should be pointed out that legislation requiring monthly deposits of the Sales Tax would bring an acceleration of revenue of about $17,500,000, or a sum only $7,500,000 below the acceleration estimated under the stamp plan. There simply is no reason, even of temporary convenience, why we should have the troublesome, expensive and wasteful stamps.

I think we are all thoroughly conscious of the magnitude of our task. These are huge sums we speak of; and the burden of raising them and spending them for the services which they purchase is a great one.

In the beginning of this message, I talked of a governor's budget.

That is what it is, and I take full blame or praise for it.

But in its great scope and range and cost, it is not a governor's budget. It is the Commonwealth's budget, built according to the structure which the people, through the action of many elected Legislatures, over many, many years, have determined for their state.

As an enduring structure, the budget and the government it represents have foundations in service which cannot be ripped out without damaging the whole—without risking collapse in our society.

The state government pays half of the cost of public education in the Commonwealth.

It provides the only tax funds in Pennsylvania which go to higher education, the college and university training which gives us the ability to manage and direct this vastly intricate economy.

The state government pays the full cost in Pennsylvania for the treatment of mental illness.

The state government pays very nearly the full cost of the treatment of tuberculosis.

The state government provides practically all the public funds which go toward the operation of our voluntary private hospitals.

The state government has the full burden of relief and public assistance, which now, in a period of relatively full employment, must be society's conscience fund for the subsistence of the unemployable.

In much of Pennsylvania the state government provides the only public health service, the only effective police service, the only park and recreation service.

The state is the partner of local government in a score of tasks from urban redevelopment to the care of delinquent and dependent children. The state government is the associate of the Federal Government in a multitude of labors, from flood control to mine drainage.

These things, and a hundred more in every locality and in every occupation, are the expression in human life of the cold type and rows of figures in this budget.

The budget itself is far more than a budget for the operations of the state. It is as truly a budget for thousands of school districts, Penn State University, 14 Teachers Colleges, the 67 counties, the cities, boroughs and townships —large and small—in the Commonwealth.

The budget and this message carry the enormous sum of $864,327,794 for distribution in subsidies—more than 57 cents out of every dollar which we expect to disburse from the General Fund.

It carries a rigid amount of $99,915,020 for debt service and authority rentals—almost 7 cents out of every General Fund dollar.

Public assistance, another form of subsidy, this time to individuals, will cost $150,000,000—about 10 cents out of every General Fund dollar.

From the remaining 26 cents, we must pay over 15 cents for the institutions which the state itself operates—mental, correctional, medical and surgical hospitals, tuberculosis sanatoria.

A Governor, as you can see, is not left much room for choice. Much of his budget is foreordained.

But it is not foreordained that we act so that the trust reposed in us is fully executed. That is a matter for our own wills.

As I conclude this message, and as you take up your difficult task in the General Assembly, perhaps we should all restate our belief that we owe to the people of Pennsylvania something more than a selfish exploitation of power or a perfunctory discharge of responsibility.

No one likes to pay taxes, I am sure, but I am equally sure that the objections melt away when it is realized that a good purpose is served, that the government which the taxes support functions honestly and efficiently within the limits of human error.

A budget such as Pennsylvania now requires must be supported by something more than revenues. It must be supported by an affirmative faith in the rendering of service. It must be supported by energy and dedication; by a fierce belief in good government. I do not see how we can be for anything less, and still live with ourselves and our constituents.

It must seem strange to others that an insistence on high standards should provoke so much startled comment, such wide-eyed astonishment, here in the Capitol of Pennsylvania. It must be that all of us, Democrats and Republicans, have been lax too long over too many years.

I will tell you now that I intend to support this budget by an unceasing effort through the next two years to give this state the best government it has yet received. My ambition as Governor, Ladies and Gentlemen of the Legislature, is a very simple one. I want to leave to my successor a state without a deficit—a state without a deficit either in money at the biennium's end, or, more important still, a state without a deficit in its moral values as to what its government should be.

I am confident that the 210 members of the House and the 50 members of the Senate will share equally in my hope.

GEORGE M. LEADER.

The LIEUTENANT GOVERNOR. Governor Leader, on behalf of the General Assembly I want to thank you for your excellent address.

The Committee on the part of the Senate and the House will escort the Governor to his Chambers.

The business for which the Joint Session has been assembled having been transacted, the Joint Session is now adjourned. The Senators will please reassemble immediately in the Senate Chambers.

The Chair returns the gavel to the Speaker of the House.

The SPEAKER (W. Stuart Helm) IN THE CHAIR.

The SPEAKER. The Chair has been requested to announce that copies of the Governor's Message and the Budget are available for the Members of the House in the Secretary's Office.

PROCEEDINGS OF JOINT SESSION PRINTED IN JOURNAL

Mr. HEFFNER. Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House of Representatives held this day be printed in full in the Legislative Journal.

The motion was agreed to.

ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjourn until Wedenesday, February 6, 1957 at 10:00 a. m.

The motion was agreed to, and (at 2:35 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., WEDNESDAY, FEBRUARY 6, 1957 No. 10.

SENATE

WEDNESDAY, February 6, 1957.

The Senate met at 9:30 o'clock, a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

O God, our help in ages past, our hope for years to come, our guide in life, our strength in strife, our inspiration in love, our guide in all the things that Thou hast allotted unto us to do, we pray that in this devotion to service which Thou hast called us to, we may continually give our best.

We thank Thee that somewhere, sometime, some devoted parent or teacher has sowed the seed of this faith in our hearts, that Thy spirit hast watered and nurtured it, and we pray we may continue humbly to try to exemplify it in our life, so that Thy Name may have all the glory, all the honor and all the praise in a world without end. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. PROPERT, further reading was dispensed with, and the Journal was approved.

BILL INTRODUCED AND REFERRED

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 153, entitled:

A Joint Resolution proposing an amendment to section twenty-five, article five of the Constitution of the Commonwealth of Pennsylvania establishing a method for the selection of judges of the appellate courts and the courts of record of First and Fifth Judicial Districts, and the adoption of the same method for other courts of record upon approval of the electors.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50

Fleming,	Harney,	McMenamin,	Stevenson,
Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Kessler,	Murray,	Van Sant,
Camiel,	Kopriver, Jr.,	Pechan,	Wade,
Chapman,	Kromer,	Propert,	Wagner,
Dent,	Lane,	Ruth,	Walker,
Derk,	Madigan,	Sarraf,	Watkins,
DiSilvestro,	Mahany,	Schmidt,	Watson,
Donolow,	Mallery,	Scott,	Weiner,
Ehrgood,	McCreesh,	Seyler,	Whalley,
Elliott,	McGinnis,	Silvert,	Wolfe,
Flack,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 29, entitled:

An Act amending the act of May 9 1949 (P. L. 908) entitled "An act relating to public records of political subdivisions other than cities and counties of the first class . . ." authorizing county controllers to destroy or dispose of certain records and papers.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 30, entitled:

An Act amending the act of April 9 1929 (Pamphlet Laws 343) entitled "The Fiscal Code" providing for the disposition of certain unused Commonwealth license forms tags buttons and certificates in the possession of county treasurers

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 31, entitled:

An Act amending the act of June 25 1951 (Pamphlet Laws 159) entitled "Municipal Borrowing Law" defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Reprsentatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eighth Class County Assessment Law" providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 48, entitled:

An Act amending the act of May 6, 1929 (P. L. 1551), entitled "An act authorizing cities of the first class to adopt and enforce zoning ordinances * * *" regulating appeals based on invalidity of zoning ordinances.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 82, Printer's No. 15, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 87, entitled:

An Act reenacting certain parts of the act of May 1, 1929 P. L. 905), entitled "The Vehicle Code" clarifying provisions relating to magistrates sending notices by registered or certified mail.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Repreesntatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908) entitled "An act relating to public record of political subdivisions other than cities and counties of the first class . . ." authorizing county commissioners to destroy or dispose of certain records and papers.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 5, Printer's No. 18, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 24, Printer's No. 5, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 32, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 57, Printer's No. 12,
Senate Bill No. 65, Printer's No. 13,
Senate Bill No. 75, Printer's No. 20,
Senate Bill No. 97, Printer's No. 21,
Senate Bill No. 124 (Pink)
Senate Bill No. 130 (Pink) and
Senate Bill No. 141 (Pink).

The PRESIDENT. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. VAN SANT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VAN SANT, from the Committee on State Government, reported as amended, Senate Bill No. 25, entitled:

An Act amending the act of May 8, 1919 (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll-bridges over the Delaware River," providing members of the "Commission" shall serve without compensation.

BILL INTRODUCED AND REFERRED

Mr. YOSKO. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. YOSKO read in place and presented to the Chair Senate Bill No. 154, entitled:

An Act repealing the act of March 6, 1956 (P. L. 1228) entitled, as amended, "Selective Sales and Use Tax Act."

Which was committed to the Committee on Finance.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. MURRAY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 25, entitled:

An Act amending the act of May 8, 1919 (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll-bridges over the Delaware River," providing members of the "Commission" shall serve without compensation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RECESS

Mr. MAHANY. Mr. President, I request that the Senate be in recess for a period of twenty minutes awaiting communications from the House.

The PRESIDENT. Without objection, the Chair declares a twenty minute recess.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 8

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators.

HOUSE CONCURS IN AMENDMENTS TO HOUSE CONCURRENT RESOLUTION No. 5

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Concurrent Resolution No. 5.

BILL SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, February 11, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:28 o'clock, a. m., Eastern Standard Time, until Monday, February 11, 1957, at 3:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 6, 1957

The House met at 10:00 a. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Dr. Frank W. Ruth, Pastor of the Bernville Evangelical and Reformed Charge, a former Member of the House and now a member of the State Senate, guest Chaplain, offered the following prayer:

What a friend we have in Jesus,
All our griefs and sins to bear;
What a privilege to carry everything to God in prayer.
O what peace we often forfeit,
O what needless pain we bear;
All because we do not carry everything to God in prayer.

Our dear God, today as many of us will for the last time on this earth look upon the face of one who was a friend to many, help us to realize the uncertainties of life and the certainties of that which we call death. Help us so to live that we can say,

O love that will not let us go, I give Thee back the life I owe,

That from Thine ocean depth its flow, may richer, fuller be.

Guide us in our work today that it may honor and glorify Thy name, we ask it in the Master's name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, February 5, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. BRUCKER. HOUSE BILL No. 291.

An Act amending "The Realty Transfer Tax Act," approved Dec. 27, 1951 (P. L. 1742) exempting from the tax transfers between brothers and sisters.

Referred to the Committee on Ways and Means.

By Mr. BRUCKER. HOUSE BILL No. 292.

An Act amending the act of June 20, 1919 (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; ***," changing the tax rate on property transferred to husbands and surviving husbands of daughters.

Referred to the Committee on Ways and Means.

By Mr. THOMAS H. W. JONES. HOUSE BILL No. 293.

An Act amending the act of June 16, 1836 (P. L. 715), entitled "An act relating to Reference and Arbitration," increasing the amount in controversy which may be referred to arbitration.

Referred to the Committee on Judiciary.

By Mr. STIMMEL. HOUSE BILL No. 294.

An Act proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, changing residence requirements for voting.

Referred to the Committee on Elections and Apportionment.

By Messrs. MURPHY and BELL. HOUSE BILL No. 295.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736) removing time limitation for filing petitions when disability increases or recurs.

Referred to the Committee on Labor Relations.

By Messrs. BELL and MURPHY. HOUSE BILL No. 296.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) providing for display of the American Flag at all polling places on any primary, general or special election day.

Referred to Committee on Elections and Apportionment.

By Messrs. McLAUGHLIN and KAMYK. HOUSE BILL No. 297.

An Act amending the "Motion Picture Censorship Law," approved May 15, 1915 (P. L. 534) authorizing the disapproval of any reel, film or view which is obscene, lewd, lascivious, indecent, filthy or vile and by repealing certain sections of the act.

Referred to Committee on Law and Order.

By Messrs. TOMPKINS, HORST and STROUP. HOUSE BILL No. 298.

An Act concerning gifts of securities to minors, providing for custodians of such gifts and their powers and duties ***.

Referred to Committee on Judiciary.

By Messrs. MOODY and ISAACS. HOUSE BILL No. 299.

An Act amending the act of July 20, 1917 (P. L. 1158), entitled "An act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth," increasing the mileage fees.

Referred to Committee on Judiciary Special.

By Messrs. H. P. MURRAY, PURSLEY and BOWER. HOUSE BILL No. 300.

An Act regulating rights and duties of teachers in

schools for the teaching and training of the mentally retarded functioning within the Department of Welfare and in schools for the teaching and training of the physically handicapped functioning within the Department of Health.

Referred to Committee on Education.

By Mr. GRAMLICH. HOUSE BILL No. 301

An Act amending "The Fourth to Eighth Class Assessment Law," approved May 21, 1943 (P. L. 571) providing for travel expenses of assessors.

Referred to the Committee on Municipal Corporations.

By Mr. NAUGLE. HOUSE BILL No. 302.

A Supplement to "The Pennsylvania Workmen's Compensation Act," of June 2, 1915 (P. L. 736), providing for the payment of compensation to persons employed or associated in any capacity in certain civil defense organizations.

Referred to the Committee on Labor Relations.

By Mr. NAUGLE. HOUSE BILL No. 303.

An Act authorizing persons eighteen years of age or over to enter into contracts and to execute any instruments affecting personal and property rights, and fixing the rights of parties with respect thereto.

Referred to the Committee on Judiciary.

By Messrs. RAGOT, MOYER and IDE.
HOUSE BILL No. 304.

An Act amending the act of April 4, 1925 (P. L. 1225), entitled "An act relating to Adoption," authorizing the filing of foreign adoption records in the orphans' court and information relating thereto with the Department of Welfare.

Referred to the Committee on Judiciary.

By Messrs. WELSH, TOLL and GAILEY.
HOUSE BILL No. 305.

An Act repealing the "Pennsylvania Loyalty Act" of December 22, 1951 (P. L. 1726).

Referred to the Committee on State Government.

By Mr. BLAIR. HOUSE BILL No. 306.

An Act clarifying the ownership of streets, lanes, alleys, lakes, park commons and squares in recorded plans when not used or accepted by the public.

Referred to the Committee on Judiciary.

By Mrs. VARALLO and Mrs. MARKLEY.
HOUSE BILL No. 307.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) requiring the birth date of operator on operator's license card.

Referred to the Committee on Motor Vehicles.

By Mrs. MARKLEY and Mrs. VARALLO.
HOUSE BILL No. 308.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) further regulating the examinations of permittees.

Referred to the Committee on Motor Vehicles.

By Mr. PRICE. HOUSE BILL No. 309.

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448) providing for the issuing of life-long free resident fishing licenses to persons sixty-five years of age or over.

Referred to the Committee on Fisheries.

By Mr. PRICE. HOUSE BILL No. 310.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing the granting of free licenses to residents over sixty-five years of age.

Referred to the Committee on Game and Conservation.

By Mr. GOODLING (By Request).
HOUSE BILL No. 311.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), changing registration fees for certain motor buses and motor omnibuses.

Referred to the Committee on Motor Vehicles.

By Mr. BLAIR. HOUSE BILL No. 312.

An Act amending the "Dog Law of 1921," approved May 11, 1921 (P. L. 522) providing for the appointment, bonding and compensation of additional agents by the Department of Revenue to facilitate the issuance of dog licenses and kennel certificates; defining their powers and duties and making an editorial correction in a penalty.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. GELFAND and FINEMAN.
HOUSE BILL No. 313.

An Act providing for the establishment, maintenance and administration of an unsatisfied claim and judgment fund for the payment of damages for injury to or death of certain persons and for damages to property arising out of the ownership, maintenance or use of motor vehicles and imposing certain duties upon State and insurance company officials.

Referred to the Committee on Motor Vehicles.

By Messrs. GOLDSTEIN and FILO.
HOUSE BILL No. 314.

An Act requiring the erection and maintenance of medial barriers or guards on existing turnpikes and imposing duties on the Department of Highways.

Referred to the Committee on Highways.

By Messrs. JUMP, PARRY, DIETTERICK and MUSTO.
HOUSE BILL No. 315.

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the borough of Kingston and Plains Township, both situate in Luzerne County.

Referred to the Committee on Highways.

By Mr. SNIDER. HOUSE BILL No. 316.

An Act directing the Department of Highways to transfer the Searights Toll House to the Pennsylvania Historical and Museum Commission, ..., and making an appropriation.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. MULDOWNEY and Mrs. PASHLEY.
RESOLUTION No. 16.

In the House of Representatives, February 5, 1957.

It is the custom each year for the National Fire Protection Association, with headquarters in Boston, Massachusetts, to make awards to cities and towns throughout the United States on a basis of their participation in fire prevention activities.

During the four consecutive years of 1952, 1953, 1954 and 1955 the City of Philadelphia has received the highest award for cities in the United States having a population of 500,000 or more.

In two of the four years the city has won the Grand Award which is first place for cities and towns of all classes in the Nation.

Again on January 23, 1957 the National Fire Protection Association notified the city that it had again achieved first place in the United States for the year of 1956.

This record of achievements is unparalelled in the city's history and is indeed a great compliment not only to the brave men of the fire departments but to all citizens of Philadelphia who have cooperated in this great program of fire prevention; therefore be it

Resolved, That this House of Representatives hereby extends its hearty congratulations to the officers and men of the city's fire department and expresses its sincere appreciation to all the citizens of Philadelphia for the unheralded work and labor that must necessarily have been expended to achieve such distinguished national recognition.

Referred to the Committee on Rules.

By Messrs. CLEVELAND and STRAUSSER.

RESOLUTION No. 17.

In the House of Representatives, February 5, 1957.

During the past year we have seen all too many of our citizens die in the battle of the highways.

Many of the accidents causing death have involved the huge vehicles which are becoming more and more common on our highways. Recently in Monroe County five young people died in an accident involving an omnibus.

The frequency of these occurrences indicate that our traffic laws are not adequate to meet present day needs; therefore be it

Resolved, That the Joint State Government Commission be directed to make a study of our traffic laws giving particular attention to the practicality of traffic laws with respect to large vehicles; the adequacy of penalties; and the difficulties of enforcement and to make a report of its findings togther with its recommendations for legislation to the next General Assembly.

Referred to the Committee on Rules.

By Messrs. VARNER, PURSLEY, BRAND and WHITTAKER.

RESOLUTION No. 18.

In the House of Representatives, February 5, 1957.

Whereas, The District Engineer, of the U. S. Bureau of Public Roads has recommended that the U. S. Bureau of Public Roads construct the Keystone Shortway from Sharon, Pennsylvania, to Stroudsburg, Pennsylvania as part of the Federal Inter-State Highway System; and

Whereas, The Construction of the Keystone Shortway will provide the eastern United States with a modern defense highway in the event of another war; and

Whereas; The North Central Counties of Pennsylvania have no modern highway presently to the east or west for commercial and passenger vehicles; and

Whereas; The Construction of the Keystone Shortway will open up vast new areas of Pennsylvania for industrial and recreational development; and

Whereas, In the 1955 Session of the General Assembly, the House of Representatives voted 173 to 3 in favor of the Keystone Shortway and the Senate of Pennsylvania voted 39 to 0 in favor of the Keystone Shortway, as a Turnpike facility for the Commonwealth of Pennsylvania; and

Whereas, The Construction of the Keystone Shortway will be the most direct route across the State of Pennsylvania, thereby saving millions of dollars in construction costs; therefore be it

Resolved, That the House of Representatives recommends that the Keystone Shortway be constructed, and that the Governor of the Commonwealth, the Secretary of Highways and the United States Bureau of Public Roads be informed of the wishes of the House of Representatives in this vital matter, and be it further

Resolved, That copies of this resolution be forwarded by the Chief Clerk of the House of Representatives, to the Governor of the Commonwealth, the Secretary of Highways, and the United States Bureau of Public Roads.

Referred to the Committee on Rules.

By Messrs. GOLDSTEIN, WILT, VARNER and AGNEW.

RESOLUTION No. 19.

In the House of Representatives, February 5, 1957.

It has come to the attention of the House of Representatives that certain charges have been made to the effect that there are in the vicinity of six thousand more employes on the State payroll than there were in the previous administration. In view of the fact that the cost of running all levels of government has increased greatly, the issue of "economy in government" has become an extremely vital one for the taxpaying public; therefore be it

Resolved, (the Senate concurring), That the President pro tempore appoint three members of the Senate and the Speaker of the House of Representatives appoint three members of the House who together shall form a committee for the purpose of investigating all branches of the State government for the purpose of determining the validity of the above mentioned charges and if so validated to determine if such an increase in the number of State employes is justified; and be it further

Resolved, That the committee make a report of its findings together with its recommendations for all measures and appropriate legislation to alleviate existing conditions to His Excellency, the Governor, and to the President pro tempore of the Senate, and the Speaker of the House of Representatives.

Referred to the Committee on Rules.

By Messrs. FILO, KAMYK, RIGBY and AGNEW.

RESOLUTION No. 20.

In the House of Representatives, February 5, 1957.

The County of Allegheny, Pennsylvania, is served by only one television station of the VHF category, although television as a medium of communication and entertainment was introduced in Allegheny County on January 11, 1949, by the establishment of WDTV, which was owned by the Dumont interests.

After the passage of a period of eight years of such establishment, the Federal Communications Commission has failed to license the establishment of additional VHF television stations.

The County of Allegheny is a heavily populated area and a leading world center of industry, commerce, education, medicine, and the arts, and the County of Allegheny is now in the midst of a famed and world-renowned renaissance; and the failure of the Federal Communications Commission to grant additional VHF licenses has deprived the County of Allegheny of program choices for the benefit of its people, commerce and industry, thus discriminating against the County of Allegheny and favoring many small communities which do not have as great a need in this respect.

This discrimination has deprived the County of Allegheny of opportunities to employ the talent and technical ability of its people, and has impeded the growth of the television industry in the County of Allegheny.

Despite repeated applications and protests, the Federal Communications Commission has thus far ignored the rights and needs of the people of the County of Allegheny, and has, in fact, disregarded the recommendations of the

Commission's own staff to the effect that the Allegheny County area is entitled to the licensing of additional television stations; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania, acting on behalf of the people, commerce and industry of Allegheny County, insure that steps be taken immediately to bring the aforesaid grievances to the attention of all public officials and official public bodies concerned with such matters, in order that additional television station licenses may be granted in the County of Allegheny; and be it further

Resolved, That the foregoing resolution be transmitted by the Chief Clerk of the House of Representatives of the Commonwealth of Pennsylvania to:

Federal Communications Commission,
Washington, D. C.
Honorable Edward Martin, United States Senator.
Honorable Joseph S. Clark, United States Senator.
Honorable Herman P. Eberharter, Member of Congress.
Honorable Elmer J. Holland, Member of Congress.
Honorable James C. Fulton, Member of Congress.
Honorable Robert S. Corbett, Member of Congress.

Referred to the Committee on Rules.

By Mr. GROSS. RESOLUTION No. 21.

In the House of Representatives, February 5, 1957.

The Department of Highways has now under construction a bridge in Manchester Township, York County, on Township Route 839, known locally as the Memorial Bridge.

This bridge services one "hobby" farmer on a highway which according to Highway Department surveys is traveled by a total of two cars per day, and is located fifteen hundred feet south of another bridge and three thousand feet north of still another bridge.

The action of the Department of Highways is even more curious in that the department has refused to build bridges in the adjoining townships of Springettsbury and Spring Garden where they are desperately needed, as is attested by the vain pleading of nine civic organizations, fifty business establishments and fifteen thousand individuals. They have sought two over passes or underpasses to permit access across the highway, which is essential to their communities, but their requests and protests have been ignored; therefore be it

Resolved, That the Secretary of Highways report to the House of Representatives within thirty days his reasons for refusing to build these needed structures and his reasons for building this unnecessary bridge and include in such report all political pressure urged upon him, and the full extent that political considerations influenced his judgment; and be it further

Resolved, That a copy of this resolution be delivered to the Secretary of Highways.

Referred to the Committee on Rules.

By Mrs. KOOKER and Mr. KELLER.
(Concurrent) RESOLUTION No. 22.

In the House of Representatives, February 5, 1957.

Recent events have witnessed a surging rise in the price of gasoline and fuel oil. The rise in crude oil has been at thirty-five cents per barrel and the rise in gasoline prices has been one cent a gallon.

Considering the staggering effect these price increases will have on the outlay of American motorists, and the financial burden presented to those using oil for heating purposes, the Senate of the United States has proceeded to adopt measures necessary for the proper investigation of this matter.

The House of Representatives of Pennsylvania firmly believes that these price rises coming at this time creates a serious burden on our economy and that it is the responsibility of the Congress of the United States to protect the economy of the nation and the welfare of all the public directly concerned, therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to investigate the factors leading to the rise in the price of gasoline and fuel oil in order to determine if any such rise in prices has been unfair and to take such action it deems best for the protection of the American public and the economy as a whole and be it further

Resolved, That copies of this resolution be transmitted to presiding officers of each House of Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 8.

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and senators.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

THE SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, line one, page 1, by inserting after the word "Representatives" the words "and to the Senate"; line 2 of Title by inserting after the word "members" the words "and Senators."

Amend bill, page 2, by adding Section 2, as follows:

Section 2 In addition to any sums heretofore appropriated to the Senate for the purpose the sum of one hundred eighty nine thousand seven hundred and fifty dollars ($189,750) or so much thereof as may be necessary is hereby appropriated to the Senate for payment of expenses of Senators beginning July 1 1956 to the close of the fiscal biennium ending May 31 1957.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—209

Adams,	Fetterolf,	Lippincott,	Rigby,
Agnew,	Filo,	Lopresti,	Rovansek,
Amarando,	Fineman,	Lovett,	Royer,
Anderson, M. S.,	Floyd,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Magee,	Scarcelli,
Andrews,	Foster,	Mahan,	Schuster,
Ashton,	Fox,	Markley,	Schwartz,
Auker,	Frascella,	Marsh,	Seltzer,
Barton,	Galley,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Silverman,
Boles,	George,	McGee,	Smith,
Boory,	Gibb,	McInroy,	Snare,
Bower,	Gibson,	McKeever,	Snider,
Bowman,	Goldstein,	McLaughlin,	Spray,
Brand,	Goodling,	Merry,	Steckel,
Breisch,	Goodrich,	Metz,	Stevens,
Brennan,	Gramlich,	Mihm,	Stimmel,
Brenninger,	Gross,	Mikula,	Stone,
Breon,	Guthrie,	Miller, B. Z.	Stoner,
Breth,	Hamilton,	Miller, H. G.,	Strausser,
Brown,	Haudenshield,	Miller, W. H.,	Stroup,

Brucker,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Monroe,	Taylor,
Buchanan,	Henzel,	Moody,	Thompson,
Campano,	Hocker,	Moscrip,	Toll,
Carson,	Holt,	Moyer,	Tompkins,
Cianfrani,	Horst,	Muldowney,	Trusio,
Cioffi,	Ide,	Mullen,	Ujobai,
Cleveland,	Isaacs,	Munley,	Varallo,
Comer,	Jenkins,	Murphy,	Varner,
Cooper,	Jim,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Verona,
Curwood,	Johnston,	Musto,	Wall,
Dalrymple,	Jones, G. E.	Naugle,	Walsh,
Davis,	Jones, T. H. W.	O'Brien,	Wargo,
DeLong,	Jump,	O'Dell,	Weidner,
Dengler,	Kamyk,	Ogilvie,	Welsh,
Dennison,	Kehler,	Parry,	Wescott,
Devlin,	Keller,	Pashley,	Wheeler,
Dietterick,	Kernaghan,	Petrosky,	Whittaker,
Donahue,	Knecht,	Phillips,	Willard,
Donaldson,	Kooker,	Piper,	Willaredt,
Dougherty,	Krakow,	Polaski,	Williams,
Down,	Kornick,	Pomeroy,	Wilt,
Duffy,	Korns,	Post,	Wood,
Dunn,	Lafore,	Price,	Worley,
Edwards,	Lee, A. M.,	Pursley,	Wyatt,
Eilberg,	Lee, K. B.,	Ragot,	Wynd,
Erb,	Leonard,	Readinger,	Yatron,
Eshleman,	Light,	Reidenbach,	Zimmerman,
Ewing,	Limper,	Renwick,	Helm,
Farabaugh,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 8.

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of Members and Senators.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 17, entitled:

An Act amending the act of July 12 1935 (P. L. 677) entitled "An act to fix the status of officers and employees of the Commonwealth and political subdivisions thereof while in training with the armed forces of the United States" including members of the United States Coast Guard Reserve.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 62, entitled:

An Act amending the "County Institution District Law" approved June 24 1937 (P. L. 2017) authorizing the granting of financial assistance by deferred loan or otherwise to political subdivisions or municipality authorities for construction of water supply system with service available to an institution of the district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 76, entitled:

An Act reenacting and amending the act of July 7 1955 (P. L. 256) entitled "An act creating a temporary advisory commission to examine report upon and recommend reorganizations of agencies and functions of the State government * * *" reactivating and and extending the life of the commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 108, entitled:

An Act relating to the recovery of damages for injuries to property in consequence of mobs and riots and imposing duties and liabilities on counties county commissioners sheriffs aldermen constables and justices of the peace.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 130, entitled:

An Act providing for the reassessment of properties for tax purposes where new improvements have been made and the addition thereof to existing tax duplicates of political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 143, entitled:

An Act amending the "Municipal Authorities Act of 1945" approved May 2, 1945 (P. L. 382) providing for "Authorities" to submit copies of audits to the Bureau of Municipal Affairs in the Department of Internal Affairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 144, entitled:

An Act amending "The Vehicle Code" approved May 1 1929 (P. L. 905) reducing annual registration fee for certain two-wheeled semi-trailers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 159, entitled:

An Act reenacting and amending the act of July 30 1953 (P. L. 550) entitled "An act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships" eliminating from the provisions of the act cities of the second and second class A * * *.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 161, entitled:

An Act amending the act of May 2 1949 (P. L. 873) entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs * * *" clarifying the provisions of the act as to its application in townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 162, entitled:

An Act amending the act of June 1 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs * * *" further defining the formula used to determine the amount of payments to be made to the political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 203, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17 1921 (P. L. 682) providing for guaranteed arrest bond certificates issued by automobile clubs or associations and for sureties thereon and defining the use and effect thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 7, Printer's No. 18,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 60, entitled as follows:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) further regulating the speed of certain commercial vehicles.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—209

Adams,	Fetterolf,	Lippincott,	Rigby,
Agnew,	Filo,	Lopresti,	Rovansek,
Amarando,	Fineman,	Lovett,	Royer,
Anderson, M. S.,	Floyd,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Magee,	Scarcelli,
Andrews,	Foster,	Mahan,	Schuster,
Ashton,	Fox,	Markley,	Schwartz,
Auker,	Frascella,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Silverman,
Boles,	George,	McGee,	Smith,
Boory,	Gibb,	McInroy,	Snare,
Bower,	Gibson,	McKeever,	Snider,
Bowman,	Goldstein,	McLaughlin,	Spray,
Brand,	Goodling,	Merry,	Steckel,
Breisch,	Goodrich,	Metz,	Stevens,
Brennan,	Gramlich,	Mihm,	Stimmel,
Brenninger,	Gross,	Mikula,	Stone,
Breon,	Guthrie,	Miller, B. Z.	Stoner,
Breth,	Hamilton,	Miller, H. G.,	Strausser,
Brown,	Haudenshield,	Miller, W. H.,	Stroup,
Brucker,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Monroe,	Taylor,
Buchanan,	Henzel,	Moody,	Thompson,
Campano,	Hocker,	Moscrip,	Toll,
Carson,	Holt,	Moyer,	Tompkins,
Cianfrani,	Horst,	Muldowney,	Trusio,
Cioffi,	Ide,	Mullen,	Ujobai,
Cleveland,	Isaacs,	Munley,	Varallo,
Comer,	Jenkins,	Murphy,	Varner,
Cooper,	Jim,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Verona,
Curwood,	Johnston,	Musto,	Wall,
Dalrymple,	Jones, G. E.	Naugle,	Walsh,
Davis,	Jones, T. H. W.	O'Brien,	Wargo,
DeLong,	Jump,	O'Dell,	Weidner,
Dengler,	Kamyk,	Ogilvie,	Welsh,
Dennison,	Kehler,	Parry,	Wescott,
Devlin,	Keller,	Pashley,	Wheeler,
Dietterick,	Kernaghan,	Petrosky,	Whittaker,
Donahue,	Knecht,	Phillips,	Willard,
Donaldson,	Kooker,	Piper,	Willaredt,
Dougherty,	Kornick,	Polaski,	Williams,
Down,	Korns,	Pomeroy,	Wilt,
Duffy,	Krakow,	Post,	Wood,
Dunn,	Lafore,	Price,	Worley,
Edwards,	Lee, A. M.,	Pursley,	Wyatt,
Eilberg,	Lee, K. B.,	Ragot,	Wynd,
Erb,	Leonard,	Readinger,	Yatron,
Eshleman,	Light,	Reidenbach,	Zimmerman,
Ewing,	Limper,	Renwick,	Helm,
Farabaugh,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 61, entitled as follows:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), changing existing maximum gross weights and annual registration fees and establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—209

Adams,	Fetterolf,	Lippincott,	Rigby,
Agnew,	Filo,	Lopresti,	Rovansek,
Amarando,	Fineman,	Lovett,	Royer,
Anderson, M. S.,	Floyd,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Magee,	Scarcelli,
Andrews,	Foster,	Mahan,	Schuster,
Ashton,	Fox,	Markley,	Schwartz,
Auker,	Frascella,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Silverman,
Boles,	George,	McGee,	Smith,
Boory,	Gibb,	McInroy,	Snare,
Bower,	Gibson,	McKeever,	Snider,

Bowman,	Goldstein,	McLaughlin,	Spray,
Brand,	Goodling,	Merry,	Steckel,
Breisch,	Goodrich,	Metz,	Stevens,
Brennan,	Gramlich,	Mihm,	Stimmel,
Brenninger,	Gross,	Mikula,	Stone,
Breon,	Guthrie,	Miller, B. Z.	Stoner,
Breth,	Hamilton,	Miller, H. G.,	Strausser,
Brown,	Haudenshield,	Miller, W. H.,	Stroup,
Brucker,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Monroe,	Taylor,
Buchanan,	Henzel,	Moody,	Thompson,
Campano,	Hocker,	Moscrip,	Toll,
Carson,	Holt,	Moyer,	Tompkins,
Cianfrani,	Horst,	Muldowney,	Trusio,
Cioffi,	Ide,	Mullen,	Ujobai,
Cleveland,	Isaacs,	Munley,	Varallo,
Comer,	Jenkins,	Murphy,	Varner,
Cooper,	Jim,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Verona,
Curwood,	Johnston,	Musto,	Wall,
Dalrymple,	Jones, G. E.	Naugle,	Walsh,
Davis,	Jones, T. H. W.	O'Brien,	Wargo,
DeLong,	Jump,	O'Dell,	Weidner,
Dengler,	Kamyk,	Ogilvie,	Welsh,
Dennison,	Kehler,	Parry,	Wescott,
Devlin,	Keller,	Pashley,	Wheeler,
Dietterick,	Kernaghan,	Petrosky,	Whittaker,
Donahue,	Knecht,	Phillips,	Willard,
Donaldson,	Kooker,	Piper,	Willaredt,
Dougherty,	Kornick,	Polaski,	Williams,
Down,	Korns,	Pomeroy,	Wilt,
Duffy,	Krakow,	Post,	Wood,
Dunn,	Lafore,	Price,	Worley,
Edwards,	Lee, A. M.,	Pursley,	Wyatt,
Eilberg,	Lee, K. B.,	Ragot,	Wynd,
Erb,	Leonard,	Readinger,	Yatron,
Eshleman,	Light,	Reidenbach,	Zimmerman,
Ewing,	Limper,	Renwick,	Helm,
Farabaugh,			Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 78, Printer's No. 14 and

House Bill No. 80, Printer's No. 21

were passed over at the request of Mr. READINGER.

REPORT FROM COMMITTEE

Mr. STROUP from the Committee on Judiciary, reported as amended, House Bill No. 57, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting sales by publishers or distributors of magazines, newspapers, periodicals or other publications which require purchase of other such publications.

ANNOUNCEMENT

The SECRETARY. For the information of those desiring to attend, the funeral services for Mr. Habbyshaw will be held at the Bowser Funeral Home at Hummelstown at 2:00 o'clock this afternoon.

The funeral home is on the Square as you go into Hummelstown.

ADJOURNMENT

Mr. HOCKER. Mr. Speaker, as a further mark of respect to the memory of the Honorable William E. Habbyshaw, late Chief Clerk, I move that this House do now adjourn until Monday, February 11, 1957, at 4:30 p. m.

The motion was unanimously agreed to by a rising vote, and (at 10:30 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, FEBRUARY 11, 1957. No. 11.

SENATE

MONDAY, February 11, 1957.

The Senate met at 3:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. E. HAROLD MILLER, Pastor of The First Methodist Church, Duquesne, offered the following prayer:

May we pray?

Our Father and our God, these are days that try men's minds, depress their spirits and wear down their better judgments. These are days that, in spite of all our material prosperity, we find ourselves in many instances spiritually poverty-stricken. Much of this which faces us is in our own failure to realize and to measure what is the eternal good.

Give unto us then here gathered to measure life in the light of the actions and deeds as laid down for us in the biographies of the apostles and teachers of old, and consummated in the perfection in the deeds of Thy Son, so that even though what we do may not measure up to what He would have expected of us, we shall be given His approbation because we have nobly tried to make for this our day in the field of government one of which He would be justly proud over which to preside.

In the Name of Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. SCHMIDT, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUDGE OF THE SEPARATE ORPHANS' COURT OF THE ELEVENTH JUDICIAL DISTRICT OF PENNSYLVANIA, COMPOSED OF THE COUNTY OF LUZERNE

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur A. Maguire, 46 East Merritt Street, Plains, Luzerne County, for appointment as Judge of the Separate Orphans' Court of the Eleventh Judicial District of Pennsylvania, composed of the County of Luzerne, until the first Monday of January 1958, vice Hon. Benjamin R. Jones, resigned.

GEORGE M. LEADER.

SECRETARY OF LABOR AND INDUSTRY

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William L. Batt, Jr., Harrisburg, Dauphin County, for appointment as Secretary of Labor and Industry, to compute from March 4, 1957, to serve until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Bialogowicz, Noxen Road, Harveys Lake, Luzerne County, for appointment as Justice of the Peace in and for the Township of Lake, Luzerne County, to serve until the first Monday of January 1958, vice Ralph A. Davis, deceased.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edith B. Krohn, 1330 Oak Street, Lebanon, Lebanon County, for appointment as a member of the Board of Trustees of Wernersville State Hospital, for the term of four years and until her successor is appointed and qualified, vice Mrs. Stella Livingood, Rebosnia, resigned.

GEORGE M. LEADER.

MEMBER OF THE UNION COUNTY BOARD OF ASSISTANCE

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. MaDora M. Payne (Democrat), R. D. 1, New Columbia, Union County, for appointment as a member of the Union County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Margaret Stewart, New Columbia, whose term expired.

GEORGE M. LEADER.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 60, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehicle Code," further regulating the speed of certain commercial vehicles.

Which was committed to the Committee on Highways.

House Bill No. 61, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "Vehcile Code," changing existing maximum gross weights and annual registration fees and establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

Which was committed to the Committee on Highways.

GENERAL COMMUNICATIONS

RESOLUTION ON BEHALF OF THE BOROUGH OF HOLLIDAYSBURG

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

(SEAL)

THE BOROUGH OF HOLLIDAYSBURG
PENNSYLVANIA

COUNCIL-MANAGER GOVERNMENT

FOUNDED—1768.
Office of Borough Manager. INCORPORATED—1836.

February 6, 1957.

Mr. L. Letzler
Chief Clerk of Senate,
State Capitol,
Harrisburg, Pa.

Dear Mr. Letzler:

At the last meeting of Borough Council on January 21st the problem of Daylight Saving Time was discussed. Here as throughout the Commonwealth we have experienced confusion over the starting, duration and ending of Daylight Saving Time. Borough Council is of the opinion that if we are to avoid confusion the State must establish a policy. Therefore the following resolution was passed: "In order to avoid the confusion between boroughs, townships and cities regarding Daylight Saving Time: Be it here resolved we hereby petition the State Government of Pennsylvania, which includes our House of Representatives, Senate and Governor, to enact a law which shall govern the start, time of duration, and ending of Daylight Saving Time throughout the State of Pennsylvania."

We sincerely hope that you will do everything within your power to bring order out of confusion by working for the passage of such a measure.

Sincerely yours,

(s) ROBERT R. MITCHELL.

Robert R. Mitchell,
Borough Manager.

REPORT OF THE GRAND INQUEST OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE CITY AND COUNTY OF PHILADELPHIA

The PRESIDENT laid before the Senate, Report of The Grand Inquest of the Commonwealth of Pennsylvania for the City and County of Philadelphia, January Sessions, 1957.

(For Report see Appendix.)

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor.

MEMBERS OF THE BUCKS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Bucks County Board of Assistance:

(Rev.) Elwood W. Reitz (Nonpartisan), 328 Church Street, Sellersville, Bucks County, until December 31, 1958, and until his successor is duly appointed and qualified.

Edward G. Feehan (Democrat), 5 Nesting Rock Lane, Levittown, Bucks County, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE LUZERNE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 5, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Russell E. Gardner (Democrat), R. D. 3, Mountaintop, Wilkes-Barre, Luzerne County, for appointment as a member of the Luzerne County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBERS OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the

following persons for reappointment as members of the Allegheny County Board of Assistance:

(Dr.) W. R. Vivrett (Democrat), 256 South Evaline Street, Pittsburgh 24, Allegheny County, until December 31, 1959.

(Dr.) Florence L. Marcus (Democrat), 4733 Center Avenue, Pittsburgh 13, Allegheny County, until December 31, 1959, and until her successor is duly appointed and qualified:

GEORGE M. LEADER.

MEMBERS OF THE ADAMS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Adams County Board of Assistance:

(Rev.) Charles E. Held (Democrat), R. D. 1, Gettysburg, Adams County, until December 31, 1959, and until his successor is duly appointed and qualified.

Stanislaus E. Krichten (Democrat), 355 Ridge Avenue, McSherrystown, Adams County, until December 31, 1959.

GEORGE M. LEADER.

MEMBER OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel Burns (Democrat), Forest City, Susquehanna County, for reappointment as a member of the Susquehanna County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE SOMERSET COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Somerset County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Margaret Gilbert (Democrat), Box No. 33, Jennerstown, Somerset County.

Joseph P. Kepko (Democrat), Windber, Somerset County.

GEORGE M. LEADER.

MEMBERS OF THE SNYDER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Snyder County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Maye L. Kelly (Democrat), 414 North Market Street, Selinsgrove, Snyder County.

Mrs. Kathryn C. Mattern (Republican), McClure, Snyder County.

GEORGE M. LEADER.

MEMBERS OF THE SCHUYLKILL COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Schuylkill County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Joseph W. Campion (Democrat), Heckscherville, Schuylkill County.

Martin V. McGuire, Esq. (Democrat), Shenandoah, Schuylkill County.

GEORGE M. LEADER.

MEMBERS OF THE FRANKLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Franklin County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Kathleen W. Shoop (Democrat), Richmond Furnace, Franklin County.

Joseph W. Spangler (Democrat), 49 West Commerce Street, Chambersburg, Franklin County.

GEORGE M. LEADER.

MEMBERS OF THE ELK COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Elk County Board of Assistance:

Mrs. Jean Youngmark (Democrat), R. D. Weedville, Elk County, until December 31, 1959, and until her successor is duly appointed and qualified.

John I. Saalfield (Republican), 700 Hyde Avenue, Ridgway, Elk County, until December 31, 1959.

GEORGE M. LEADER.

MEMBER OF THE FAYETTE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James L. Ruane, Sr. (Democrat), 504 East Washington Avenue, Connellsville, Fayette County, for reappointment as a member of the Fayette County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Clearfield County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Fred E. Sweely (Democrat), 408 East Market Street, Clearfield, Clearfield County.

Eugene D. Vallely, Esq. (Democrat), 14 Hubert Street, DuBois, Clearfield County.

GEORGE M. LEADER.

MEMBERS OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Crawford County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Dr.) Lee D. McClean (Republican), 339 Woodland Place, Meadville, Crawford County.

E. E. Madigan (Democrat), Linesville, Crawford County.

GEORGE M. LEADER.

MEMBERS OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Columbia County Board of Assistance, until December 31, 1959:

Robert W. Coffman (Republican), 405 East Street, Bloomsburg, Columbia County.

Mrs. Hannah L. Groner (Republican), 3 East Fifth Street, Bloomsburg, Columbia County.

GEORGE M. LEADER.

MEMBERS OF THE PIKE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Pike County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Mabel G. Wade (Democrat), Matamoras, Pike County.

Mrs. Gene Anne Titus (Republican), Milford, Pike County.

GEORGE M. LEADER.

MEMBERS OF THE HUNTINGDON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Huntingdon County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Mary Elsie Madden (Democrat), Star Route, Orbisonia, Huntingdon County.

Fred A. Mills (Democrat), 401 South Jefferson Street, Mt. Union, Huntingdon County.

GEORGE M. LEADER.

MEMBERS OF THE FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Fulton County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Blanche S. Hollenshead (Democrat), Box 14, Needmore, Fulton County.

Mrs. Mary Lynch (Democrat), Box 461, McConnellsburg, Fulton County.

GEORGE M. LEADER.

MEMBERS OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Northumberland County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Ann Kaminsky (Democrat), 837 Pine Street, Kulpmont, Northumberland County.

Frank Ficca (Democrat), 241 West Saylor Street, Atlas, Northumberland County.

GEORGE M. LEADER.

MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Zelma R. Cox (Democrat), 216 Fourteenth Street, Franklin, Venango County, for reappointment as a member of the Venango County Board of Assistance, until December 31, 1959.

GEORGE M. LEADER.

MEMBER OF THE UNION COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles Reaser (Democrat), R. D., Allenwood, Union County, for reappointment as a member of the Union County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE WASHINGTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Presley N. Wrenshall (Democrat), 253 East Wheeling Street, Washington, Washington County, for reappointment as a member of the Washington County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE WARREN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Warren County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Marjorie B. Branch (Democrat), 32 Water Street, Warren, Warren County.

Anthony N. Valone (Democrat), 429 Hickory Street, Warren, Warren County.

GEORGE M. LEADER.

MEMBERS OF THE PERRY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Perry County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Col.) Edward L. Holman (Democrat), New Bloomfield, Perry County.

Mrs. Mildred A. Messinger (Democrat), P. O. Box 345, Marysville, Perry County.

GEORGE M. LEADER.

MEMBERS OF THE YORK COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the York County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Dorothy R. Amdur (Democrat), 138 North Rockburn Street, York, York County.

Mrs. Ruth M. Glatfelter (Republican), 247 Kurtz Avenue, York, York County.

GEORGE M. LEADER.

MEMBERS OF THE WYOMING COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Wyoming County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Kathryn Kiethline (Democrat), R. D., Laceyville, Wyoming County.

Mrs. Elizabeth Heistman (Democrat), R. D. 4, Tunkhannock, Wyoming County.

GEORGE M. LEADER.

MEMBERS OF THE WESTMORELAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Westmoreland County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Mary A. Noel (Democrat), 213 Park Street, Derry, Westmoreland County.

Dick W. Rhea (Democrat), New Stanton, Westmoreland County.

GEORGE M. LEADER.

MEMBERS OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Wayne County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Sarah K. Jones (Democrat), Lake Ariel, Wayne County.

Louis A. Carey (Democrat), R. D. 1, Lakewood, Wayne County.

GEORGE M. LEADER.

MEMBERS OF THE NORTHAMPTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Northampton County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Rev.) Stephen V. Ballek (Democrat), 1421 Lorain Avenue, Bethlehem, Northampton County.

Clifford A. Sebring (Democrat), Mt. Bethel, Northampton County.

GEORGE M. LEADER.

MEMBERS OF THE MONTOUR COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Montour County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Maxine N. Arnow (Democrat), 903 Bloom Road, Danville, Montour County.

Frank Appleman (Democrat), 21 East Center Street, Danville, Montour County.

GEORGE M. LEADER.

MEMBERS OF THE MERCER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Mercer County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Rev.) John Gallagher (Republican), R. D. 4, Mercer, Mercer County.

Merle Levine (Democrat), 632 New Castle Read, Farrell, Mercer County.

GEORGE M. LEADER.

MEMBERS OF THE McKEAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the McKean County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Harriette W. Maurey (Democrat), P. O. Box 300, Bradford, McKean County.

Miss Elizabeth O'Connor (Democrat), 317 Park Avenue Kane, McKean County.

GEORGE M. LEADER.

MEMBERS OF THE LANCASTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Lancaster County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Margaret C. Krimmel (Democrat), 427 West Vine Street, Lancaster, Lancaster County.

Joseph M. Flanagan (Democrat), 210 South Second Street, Columbia, Lancaster County.

GEORGE M. LEADER.

MEMBERS OF THE LACKAWANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following persons for reappointment as members of the Lackawanna County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Alvin H. Greenwald (Democrat), 523 Clay Avenue, Scranton, Lackawanna County.

Peter Putirskas (Democrat), 1828 North Main Avenue, Scranton, Lackawanna County.

GEORGE M. LEADER.

MEMBERS OF THE JUNIATA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of th Juniata County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

John G. Crawford (Democrat), Port Royal, Juniata County.

David G. Huchinson (Democrat), McAlisterville, Juniata County.

GEORGE M. LEADER.

MEMBER OF THE INDIANA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank T.Valeri (Democrat), 942 Philadelphia Street, Indiana, Indiana County, for reappointment as a member of the Indiana County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE CHESTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Chester County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Louise Atherton Dickey (Democrat), Oxford, Chester County.

Harry V. Barnett (Democrat), 159 Chestnut Street, Spring City, Chester County.

GEORGE M. LEADER.

MEMBERS OF THE CARBON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Carbon County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Lenore D. Moyer (Democrat), 112 Centre Avenue, Jim Thorpe, Carbon County.

Gilbert W. Hamm (Democrat), 403 Second Street, Weatherly, Carbon County.

GEORGE M. LEADER.

MEMBERS OF THE CAMERON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Cameron County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Trenna M. English (Democrat), 129 East Sixth Street, Emporium, Cameron County.

Charles A. Schwab, Sr. (Republican), East Sixth Street, Extension, Emporium, Cameron County.

GEORGE M. LEADER.

MEMBERS OF THE CAMBRIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Cambria County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Joseph K. Freeman (Democrat), 334 Main Street, Johnstown, Cambria County.

Harvey Younker (Democrat), 342 Walnut Street, Johnstown, Cambria County.

GEORGE M. LEADER.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. B. Crumm (Republican), 225 Sixth Avenue, Altoona, Blair County, for reappointment as a member of the Blair County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BERKS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Berks County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Leroy K. Lauck (Democrat), 221 West Penn Avenue, Robesonia, Berks County.

LeRoy Mohn (Democrat), 545 McKnight Street, Reading, Berks County.

GEORGE M. LEADER.

MEMBERS OF THE ARMSTRONG COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Armstrong County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Sam Ford (Democrat), 1335 Fifth Avenue, Ford City, Armstrong County.

Joseph G. Pesci (Democrat), 545 Franklin Street, Freeport, Armstrong County.

GEORGE M. LEADER.

BILL RE-REFERRED

Mr. STEVENSON, from the Committee on Local Government, returned to the Senate, Senate Bill No. 109, entitled:

An Act regulating the supplying of fluoridated water to the public; providing for a referendum to determine the will of the electorate with respect thereto; requiring Department of Health permits and prescribing penalties.

Which was re-referred to the Committee on Public Health and Welfare.

SENATE RESOLUTION, SERIAL No. 6, REPORTED FROM COMMITTEE AND LAID ON THE TABLE

Mr. RUTH, from the Committee on Rules, to which was referred resolution offered by Messrs. Fleming and Dent on February 4, 1957, reported the same without amendment as follows:

CONTINUING SENATE TURNPIKE INVESTIGATING COMMITTEE OF 1955

In the Senate, February 4, 1957.

It has recently been revealed that certain activities of the Pennsylvania Turnpike Commission have allegedly been performed in an illegal manner. It is entirely possible that there are other functions and activities of the Commission which are not being carried out in the best interests of the Commonwealth or the purpose for which the Turnpike Commission was created; therefore be it

Resolved, That the committee which was appointed by the President pro tempore of the Senate during the 1955 Session of the General Assembly to investigate activities of the Pennsylvania Turnpike Commission continue and extend its investigation to all functions and activities of the Turnpike Commission; and be it further

Resolved, That the committee make a report of their findings and recommendations to the Senate at this Session of the Legislature.

Laid over for one day under the Rules.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 155, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction of a field house and gymnasium at Slippery Rock State Teacher's College.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 156, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," authorizing hunting of deer or bear in dog training areas during open season.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," authorizing courts to suspend operating privileges in certain cases.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 158, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," authorizing the forfeiture and condemnation of motor vehicles used in the commission of felonies.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 159, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," prohibiting the use of electric shavers while operating a motor vehicle.

Which was committed to the Committee on Highways.

Messrs. VAN SANT, SCOTT, HAYS and SCHMIDT read in place and presented to the Chair Senate Bill No. 160, entitled:

An Act amending the act of March ten, one thousand nine hundred forty-nine, (P. L. 30), entitled "Public School Code of 1949," by providing for the payment of salaries of professional and temporary professional employes in cases of sickness or accidental injury.

Which was committed to the Committee on Education.

Messrs. PROPERT and WATKINS read in place and presented to the Chair Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742), entitled, as amended, "The realty Transfer Tax

Act," requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

Which was committed to the Committee on Finance.

Messrs. MALLERY, WAGNER, STEVENSON, BARR and MAHANY read in place and presented to the Chair Senate Bill No. 162, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," requiring that contractors' bonds cover equipment rentals.

Which was committed to the Committee on State Government.

Mr. WHALLEY read in his place and presented to the Chair Senate Bill No. 163, entitled:

An Act amending the act of May 31, 1945 (P. L. 1198), entitled "Bituminous Coal Open Pit Mining Conservation Act," further regulating the mining of coal by open pit mining method and changing bond provisions.

Which was committed to the Committee on Mines and Mining.

Messrs. WHALLEY and PECHAN read in place and presented to the Chair Senate Bill No. 164, entitled:

An Act to further amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," further providing for sabbatical leaves of absence and harmonizing the language of existing amendments.

Which was committed to the Committee on Education.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 165, entitled:

An Act amending the act of May 17, 1929 (P. L. 1798) entitled "Law Fixing Annual Charge on Forest Lands," fixing the time of payment of the charges.

Which was committed to the Committee on State Government.

Messrs. SILVERT and SEYLER read in place and presented to the Chair Senate Bill No. 166, entitled:

An Act amending the act of June 30, 1947 (P. L. 1154) entitled, as amended, "Oleomargarine or Butterine Law," redefining the terms "hotel, restaurant, dining-room and boarding-house" to exclude "public institutions" therefrom.

Which was committed to the Committee on Agriculture.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, one of the bills which I am about to introduce will attempt to relieve the congestion in our Courts of Common Pleas of Philadelphia County.

Recently, the newspapers presented it in the proper light and it dawned upon me that the buik of the cases which impede the progress of the Courts of Common Pleas are the appeals from administrative tribunals, like the Liquor Control Board, Department of Revenue and many others.

This bill, Mr. President, will attempt to shift the burden and place it upon the shoulders of the Municipal Court.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 167, entitled:

An Act creating in Philadelphia Court of Administrative Appeals and defining its powers and jurisdiction.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 168, entitled:

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

Which was committed to the Committee on Local Government.

Messrs. SEYLER, SILVERT and DONOLOW read in place and presented to the Chair Senate Bill No. 169, entitled:

An Act providing for the calling of a convention to propose a revision or amendments of the Constitution of Pennsylvania with certain limitations, the nomination and election of delegates thereto and the submission of the work of the convention to the voters for approval or rejection.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 170, entitled:

An Act authorizing the judges of the courts of common pleas to create medical clinics for the examination of persons charged with the commission of criminal offenses prior to trial, and of convicted persons prior to the imposition of sentence, and of children charged with delinquency; providing for the creation of joint medical clinics among the several counties, and imposing the costs of maintaining and operating such clinics upon the county or counties creating the same.

Which was committed to the Committee on Judiciary General.

Messrs. LANE, STEVENSON, MALLERY and KOPRIVER, JR. read in place and presented to the Chair Senate Bill No. 171, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," providing for the creation of capital reserve funds for capital expenditures.

Which was committed to the Committee on Local Government.

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A COMPREHENSIVE EVALUATION OF REVENUES, EXPENDITURES, LAPSES, AND PROPOSED APPROPRIATIONS FOR THE APPROPRIATE STANDING COMMITTEES OF THE SENATE

Messrs. MAHANY and DENT offered the following resolution which was twice read as follows:

In the Senate, February 11, 1957.

Whereas, on February 5, 1957, the Governor of the

Commonwealth submitted to the General Assembly the 18th Biennial Budget of the Commonwealth of Pennsylvania for the fiscal biennium June 1, 1957 to May 31, 1959; and

Whereas, the appropriate standing committees of the Senate are now engaged in studying the budget and require extensive technical services; therefore be it

Resolved, that the Joint State Government Commission is hereby directed to make a comprehensive evaluation of revenues, expenditures, lapses, and proposed appropriations, for the appropriate standing committees of the Senate.

RULE 39 SUSPENDED

Mr. MAHANY. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

SENATE CONCURRENT RESOLUTIONS
NATIONAL WILDLIFE WEEK

Mr. MAHANY offered the following resolution which was twice read, considered and agreed to:

In the Senate, February 11, 1957.

The week of March 17 to 23 will be observed throughout our Nation as National Wildlife Week. The purpose of the observance is to better acquaint our citizens with the need for conseravtion and good management of the natural resources of our great State and Nation.

Because the members of the General Assembly of Pennsylvania are in full accord with the noble purpose of the observance and desire for it the greatest success possible; therefore be it

Resolved (The House of Representatives concurring), That the General Assembly of Pennsylvania urge all of its citizens to cooperate with and take part in ceremonies and activities forming a part of the observance of National Wildlife Week and that the General Assembly congratulate those good citizens whose efforts in the past have resulted in having Pennsylvania four different times declared the best of all states in its observance of this worthwhile project, and be it further

Resolved, That a copy of this resolution be forwarded to the man in charge of Pennsylvania's observance, Seth L. Myers, at Sharon, Pennsylvania

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, February 11, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 18, 1957 at three o'clock p. m., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Monday, February 18, 1957 at four-thirty o'clock p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, in recent months the newspaper industry has been terribly hit by the increased cost of newsprint. Most of this newsprint comes from Canada. I do not know whether there is much that we can do about it; however, coming from a rural area where we have a great many weekly and small daily newspapers, I am becoming alarmed. I think there are some 338 of these small newspapers in Pennsylvania and, recently, some thirty of them have raised the price of their five-cent newspapers to seven cents. I am a little bit fearful that unless Congress investigates this matter, it will drive a great many of the small newspapers out of business and I, therefore, am presenting this resolution.

SENATE CONCURRENT RESOLUTION

MEMORIALIZING CONGRESS TO INVESTIGATE THE SHARP AND CONTINUOUS RISES IN THE PRICE OF NEWSPRINT

Mr. PECHAN offered the following resolution, which was twice read as follows:

In the Senate, February 11, 1957.

Certain producers of newsprint have announced an intended increase of $4.00 per ton in newsprint to be supplied to American newspapers.

It is of the utmost importance to the citizens of this Commonwealth as well as of the other States that the newspapers continue to be published in the small towns and cities as well as in the metropolitan areas.

Such continued publication of the newspapers is threatened by the intended rise in the price of newsprint.

This threat can only be met by congressional action following an investigation into the whole subject of the production of newsprint and the development of new sources of supply of newsprint in this country.

Congressional action in this regard is already being, or is about to be sponsored by members of Congress; therefore be it

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth memorialize the Congress of the United States to investigate the subject of the sharp and continuous rises in the price of newsprint and to follow such investigation by appropriate legislation to meet the threat of further intended rises in the price of newsprint in this country including action to promote the development of new sources of supply in this country of newsprint: and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

RULE 39 SUSPENDED

Mr. PECHAN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

MEMORIALIZING CONGRESS TO PROVIDE ADEQUATE SAFEGUARDS IN TARIFF AND TRADE LEGISLATION

Messrs. WAGNER, WALKER, KROMER, SCOTT, WHALLEY, FLACK and VAN SANT offered the following resolution which was twice read and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate, February 11, 1957.

The increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvania's industries, is a constant menace to the State's continuing economic stability.

The lower wages paid abroad make it impossible for many of our smaller and medium-sized producers to compete with imports without resorting to ruinous price cutting, which in turn would result either in financial losses or heavy pressure for wage reductions and outright unemployment.

Our National obligations have reached such extreme proportions that the National income must be maintained at its present unprecedented high level, or close thereto, lest we become insolvent.

Unemployment caused by the imports of residual oil, which represented 3.43 times the average of 45 million barrels imported in 1946, to approximately 154 million barrels in 1956, or the yearly equivalent of 36,640,000 tons of coal; and unemployment caused by imports of crude oil; various types of glass, steel, aluminum, brass and zinc products; pottery and chinaware; granite, tiles, cement, hardboard, plywood, hardware, plumbing, flat glass and other building supplies, lace, carpets and all kinds of woolen, cotton and synthetic fibre manufactured goods; leather and fabric gloves; bicycles; hydraulic turbines; machine tools and other machinery; heavy electrical equipment and other electrical industry products and electronics; watches, clocks and parts; optical industry products; cutlery; scientific apparatus; pencils and pens; pins, clips and fasteners; soft fibre; insulation board and manufactured cork products; chemicals; toys; mushrooms; farm, dairy and dried milk products, wallpaper, hats and millinery, printing industry products; ladies hand bags and leather goods; nails, wire, screws, bolts and nuts and many other commodities; will render the upholding of the economy at its high levels cost uncertain and difficult unless all import trade is placed on a fair competitive basis and the potential injury therefrom thus eliminated.

Agricultural products such as wheat, wheat flour, cotton, butter, cheese and peanuts enjoy the protection of import quotas.

A maximum of satisfactory trade results from a prosperous domestic economy freed from the threat of a breakdown resulting from unfair import competition: therefore be it

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to provide adequate safeguards in tariff and trade legislation, including import quotas and an effective prohibition against dumping of imports in the United States; against the destruction or lowering of our American standard of living, the labor standard of our workmen, and the stability of our economy by unfair import competition and that the existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the Speaker of the House of Representatives and each Senator and Representative from Pennsylvania in the Congress of the United States.

SENATE RESOLUTION, SERIAL No. 6, TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Resolution, Serial No. 6, which was reported from committee today.

The resolution was read by the Clerk as follows:

CONTINUING THE SENATE TURNPIKE INVESTIGATING COMMITTEE OF 1955

In the Senate, February 4, 1957.

It has recently been revealed that certain activities of the Pennsylvania Turnpike Commission have allegedly been performed in an illegal manner. It is entirely possible that there are other functions and activities of the Commission which are not being carried out in the best interests of the Commonwealth or the purpose for which the Turnpike Commission was created; therefore be it

Resolved, That the committee which was appointed by the President pro tempore of the Senate during the 1955 Session of the General Assembly to investigate activities of the Pennsylvania Turnpike Commission continue and extend its investigation to all functions and activities of the Turnpike Commission; and be it further

Resolved, That the committee make a report of their findings and recommendations to the Senate at this Session of the Legislature.

RULE 39 SUSPENDED

A motion was made by Mr. MAHANY and Mr. STEVENSON,

That rule 39, which requires resolutions reported from committee to lie over for one day be dispensed with, and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBERS OF THE BUCKS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to for the advice and consent of the Senate the following persons for reappointment as members of the Bucks County Board of Assistance:

(Rev.) Elwood W. Reitz (Nonpartisan), 328 Church Street, Sellersville, Bucks County, until December 31, 1958, and until his successor is duly appointed and qualified.

Edward G. Feehan (Democrat), 5 Nesting Rock Lane, Levittown, Bucks County, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE LUZERNE COUNTY BOARD OF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 5, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Russell E. Gardner (Democrat), R. D. 3, Mountaintop, Wilkes-Barre, Luzerne County, for appointment as a member of the Luzerne County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBERS OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Allegheny County Board of Assistance:

(Dr.) W. R. Vivrett (Democrat), 256 South Evaline Street, Pittsburgh 24, Allegheny County, until December 31, 1959.

(Dr.) Florence L. Marcus (Democrat), 4733 Center Avenue, Pittsburgh 13, Allegheny County, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE ADAMS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Adams County Board of Assistance:

(Rev.) Charles E. Held (Democrat), R. D. 1, Gettysburg, Adams County, until December 31, 1959, and until his successor is duly appointed and qualified.

Stanislaus E. Krichten (Democrat), 355 Ridge Avenue, McSherrystown, Adams County, until December 31, 1959.

GEORGE M. LEADER.

MEMBER OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel Burns (Democrat), Forest City, Susquehanna County, for reappointment as a member of the Susquehanna County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE SOMERSET COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Somerset County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Margaret Gilbert (Democrat), Box No. 33, Jennerstown, Somerset County.

Joseph P. Kepko (Democrat), Windber, Somerset County.

GEORGE M. LEADER.

MEMBERS OF THE SNYDER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Snyder County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Maye L. Kelly (Democrat), 414 North Market Street, Selinsgrove, Snyder County.

Mrs. Kathryn C. Mattern (Republican), McClure, Snyder County.

GEORGE M. LEADER.

MEMBERS OF THE SCHUYLKILL COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Schuylkill County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Joseph W. Campion (Democrat), Heckscherville, Schuylkill County.

Martin V. McGuire, Esq. (Democrat), Shenandoah, Schuylkill County.

GEORGE M. LEADER.

MEMBERS OF THE FRANKLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Franlin County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Kathleen W. Shoop (Democrat), Richmond Furnace, Franklin County.

Joseph W. Spangler (Democrat), 49 West Commerce Street, Chambersburg, Franklin County.

GEORGE M. LEADER.

MEMBERS OF THE ELK COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Elk County Board of Assistance:

Mrs. Jean Youngmark (Democrat), R. D. Weedville, Elk County, until December 31, 1959, and until her successor is duly appointed and qualified.

John I. Saalfield (Republican), 700 Hyde Avenue, Ridgway, Elk County, until December 31, 1959.

GEORGE M. LEADER.

MEMBER OF THE FAYETTE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James L. Ruane, Sr. (Democrat), 504 East Washington Avenue, Connellsville, Fayette County, for reappointment as a member of the Fayette County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Clearfield County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Fred E. Sweely (Democrat), 408 East Market Street, Clearfield, Clearfield County.

Eugene D. Vallely, Esq. (Democrat), 14 Hubert Street, DuBois, Clearfield County.

GEORGE M. LEADER.

MEMBERS OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Crawford County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Dr.) Lee D. McClean (Republican), 339 Woodland Place, Meadville, Crawford County.

E. E. Madigan (Democrat), Linesville, Crawford County.

GEORGE M. LEADER.

MEMBERS OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Columbia County Board of Assistance, until December 31, 1959:

Robert W. Coffman (Republican), 405 East Street, Bloomsburg, Columbia County.

Mrs. Hannah L. Groner (Republican), 3 East Fifth Street, Bloomsburg, Columbia County.

GEORGE M. LEADER.

MEMBERS OF THE PIKE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Pike County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Mabel G. Wade (Democrat), Matamoras, Pike County.

Mrs. Gene Anne Titus (Republican), Milford, Pike County.

GEORGE M. LEADER.

MEMBERS OF THE HUNTINGDON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Huntingdon County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Mary Elsie Madden (Democrat), Star Route, Orbisonia, Huntingdon County.

Fred A. Mills (Democrat), 401 South Jefferson Street, Mt. Union, Huntingdon County.

GEORGE M. LEADER.

MEMBERS OF THE FULTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Fulton County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Blanche S. Hollenshead (Democrat), Box 14, Needmore, Fulton County.

Mrs. Mary Lynch (Democrat), Box 461, McConnellsburg, Fulton County.

GEORGE M. LEADER.

MEMBERS OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Northumberland County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Ann Kaminsky (Democrat), 837 Pine Street, Kulpmont, Northumberland County.

Frank Ficca (Democrat), 241 West Saylor Street, Atlas, Northumberland County.

GEORGE M. LEADER.

MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Zelma R. Cox (Democrat), 216 Fourteenth Street, Franklin, Venango County, for reappointment as a member of the Venango County Board of Assistance, until December 31, 1959.

GEORGE M. LEADER.

MEMBER OF THE UNION COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles Reaser (Democrat), R. D., Allenwood, Union County, for reappointment as a member of the Union County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE WASHINGTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Presley N. Wrenshall (Democrat), 253 East Wheeling Street, Washington, Washington County, for reappointment as a member of the Washington County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE WARREN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Warren County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Marjorie B. Branch (Democrat), 32 Water Street, Warren, Warren County.

Anthony N. Valone (Democrat), 429 Hickory Street, Warren, Warren County.

GEORGE M. LEADER.

MEMBERS OF THE PERRY COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Perry County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Col.) Edward L. Holman (Democrat), New Bloomfield, Perry County.

Mrs. Mildred A. Messinger (Democrat), P. O. Box 345, Marysville, Perry County.

GEORGE M. LEADER.

MEMBERS OF THE YORK COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the York County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Dorothy R. Amdur (Democrat), 138 North Rockburn Street, York, York County.

Mrs. Ruth M. Glatfelter (Republican), 247 Kurtz Avenue, York, York County.

GEORGE M. LEADER.

MEMBERS OF THE WYOMING COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Wyoming County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Kathryn Kiethline (Democrat), R. D., Laceyville, Wyoming County.

Mrs. Elizabeth Heitsman (Democrat), R. D. 4, Tunkhannock, Wyoming County.

GEORGE M. LEADER.

MEMBERS OF THE WESTMORELAND COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Westmoreland County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Mary A. Noel (Democrat), 213 Park Street, Derry, Westmoreland County.

Dick W. Rhea (Democrat), New Stanton, Westmoreland County.

GEORGE M. LEADER.

MEMBERS OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Wayne County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Sarah K. Jones (Democrat), Lake Ariel, Wayne County.

Louis A. Carey (Democrat), R. D. 1, Lakewood, Wayne County.

GEORGE M. LEADER.

MEMBERS OF THE NORTHAMPTON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Northampton County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Rev.) Stephen V. Ballek (Democrat), 1421 Lorain Avenue, Bethlehem, Northampton County.

Clifford A. Sebring (Democrat), Mt. Bethel, Northampton County.

GEORGE M. LEADER

MEMBERS OF THE MONTOUR COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Montour County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Maxine N. Arnow (Democrat), 903 Bloom Road, Danville, Montour County.

Frank Appleman (Democrat), 21 East Center Street, Danville, Montour County.

GEORGE M. LEADER

MEMBERS OF THE MERCER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Mercer County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Rev.) John Gallagher (Republican), R. D. 4, Mercer, Mercer County.

Merle Levine (Democrat), 632 New Castle Road, Farrell, Mercer County.

GEORGE M. LEADER.

MEMBERS OF THE McKEAN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the McKean County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Harriette W. Maurey (Democrat), P. O. Box 300, Bradford, McKean County.

Miss Elizabeth O'Connor (Democrat), 317 Park Avenue, Kane, McKean County.

GEORGE M. LEADER.

MEMBERS OF THE LANCASTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the

following persons for reappointment as members of the Lancaster County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Margaret C. Krimmel (Democrat), 427 West Vine Street, Lancaster, Lancaster County.

Joseph M. Flanagan (Democrat), 210 South Second Street, Columbia, Lancaster County.

GEORGE M. LEADER.

MEMBERS OF THE LACKAWANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Alvin H. Greenwald (Democrat), 523 Clay Avenue, Scranton, Lackawanna County.

Peter Putirskas (Democrat), 1828 North Main Avenue, Scranton, Lackawanna County.

GEORGE M. LEADER.

MEMBERS OF THE JUNIATA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Juniata County Board of Assistance until December 31, 1959, and until their successors are duly appointed and qualified:

John G. Crawford (Democrat), Port Royal, Juniata County.

David G. Hutchinson (Democrat), McAlisterville, Juniata County.

GEORGE M. LEADER.

MEMBER OF THE INDIANA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank T. Valeri (Democrat), 941 Philadelphia Street, Indiana, Indiana County, for reappointment as a member of the Indiana County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE CHESTER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Chester County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Louise Atherton Dickey (Democrat), Oxford, Chester County.

Harry V. Barnett (Democrat), 159 Chestnut Street, Spring City, Chester County.

GEORGE M. LEADER.

MEMBERS OF THE CARBON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Carbon County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Lenore D. Moyer (Democrat), 112 Centre Avenue, Jim Thorpe, Carbon County.

Gilbert W. Hamm (Democrat), 403 Second Street, Weatherly, Carbon County.

GEORGE M. LEADER.

MEMBERS OF THE CAMERON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Cameron County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Trenna M. English (Democrat), 129 East Sixth Street, Emporium, Cameron County.

Charles A. Schwab, Sr. (Republican), East Sixth Street Extension, Emporium, Cameron County.

GEORGE M. LEADER.

MEMBERS OF THE CAMBRIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Cambria County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Joseph K. Freeman (Democrat), 334 Main Street, Johnstown, Cambria County.

Harvey Younker (Democrat), 342 Walnut Street, Johnstown, Cambria County.

GEORGE M. LEADER.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. B. Crum (Republican), 225 Sixth Avenue, Altoona, Blair County, for reappointment as a member of the Blair County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BERKS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Berks County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Leroy K. Lauck (Democrat), 221 West Penn Avenue, Robesonia, Berks County.

LeRoy Mohn (Democrat), 545 McKnight Street, Reading, Berks County.

GEORGE M. LEADER.

MEMBERS OF THE ARMSTRONG COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Armstrong County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Sam Ford (Democrat), 1335 Fifth Avenue, Ford City, Armstrong County.

Joseph G. Pesci (Democrat), 545 Franklin Street, Freeport, Armstrong County.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko.

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. MAHANY. Mr. President, I request a five-minute recess of the Senate for the purpose of holding a meeting of the Committee on Highways.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five-minute recess.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on Highways, reported as committed, House Bill No. 61, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," changing existing maximum gross weights and annual registration fees and establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 8

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows, considered and agreed to:

In the House of Representatives, February 11, 1957.

Resolved (if the Senate concur), That House Bill No. 8, Printer's No. 16, entitled:

An Act making an appropriation to the House of Representatives for payment of expenses of members.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, February 11, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 18, 1957 at three o'clock p. m., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, February 18, 1957 at four-thirty o'clock p. m., E. S. T.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 32, entitled:

An Act amending the act of August 9 1955 (Pamphlet Laws 323)entitled "The County Code" fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 5, entitled:

An Act authorizing the recovery of damages from parents of children destroying property

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Sec. 1, page 1, line 4 by striking out "five hundred dollars ($500)" and inserting in lieu thereof: "two hundred and fifty dollars($250)."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

Mr. WEINER. Mr. President, I was listening to these amendments very carefully in the hope that something would be included in these amendments which would make the bill constitutional.

I remember that during the last Session, we had all the constitutional lawyers sitting on the other side of the aisle, and I hope they do not think it is presumptuous of me to become a constitutional lawyer on this side of the aisle.

However, Mr. President, I think that this bill, like all bills of this type, is in error in this regard. You cannot hold someone liable for damages wherein the act was not committed by that very person. Under our law today, even a dog is entitled to one bite before we take some action against the owner. I believe you will find in Purdon's Statutes, on the books today, that a youngster who shows himself in any way to be vicious or who creates any damage and notice is taken of his actions, then the family thereafter will be liable for any one of his acts. We are going ahead of this type of thinking and are making the parents immediately liable.

I believe that the Philadelphia Evening Bulletin, in its Sunday magazine section, called "This Week," had quite an extensive writeup on this problem, and they found that they never had any good results by putting this type of law on the books. The net result was that when the father was penalized, his bitterness or anger would turn toward the child, himself, either resulting in severe physi-

cal injury to the child or else the child would become an outcast or excommunicated from the family. This is a terrible type of punishment to visit on anybody.

These are some of the things which we are promoting by passing this type of legislation. I think that probably the Senator is moved by good intentions to do something about the problem of juvenile delinquency. I think all of us are motivated by that problem. However, I do not think there is any Member sitting here, unless he led a very sheltered life, who, at some time or other during his youth, did not engage in some kind of prank or do some foolish thing that might have been considered a delinquency on his part.

POINT OF ORDER

Mr. MAHANY. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman will state it.

Mr. MAHANY. Mr. President, I wonder whether Senator Weiner knows that this bill is on Second Reading and that we will not act on it finally until tomorrow, at which time such debate as he is now giving would probably be more in order.

Therefore, Mr. President, I would suggest that the Senator withhold his statements until tomorrow or until we are ready to act on the bill on Third Reading and Final Passage.

The PRESIDENT. It is proper for any Member to discuss the amendments. The section has been agreed to, although the bill, as amended, has not been agreed to.

Mr. WEINER. Mr. President, I am not debating the bill. I am merely offering to the sponsor of the bill some "advice" on what would be the proper amendments and which would probably bring this bill in line with what would be constitutional, or what I would consider to be constitutional.

I think it also would bring it in line with what we feel would be the proper solution to the delinquency problem. I believe, like some of my colleagues on both sides, we could also further advise the Senator that there is no easy solution to this rather complex problem nor can he do it with any one-page bill.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

MOTION TO RE-REFER BILL

Mr. LANE. Mr. President, I move that Senate Bill No. , Printer's No. 18, on second reading, as amended, be referred to the Committee on Public Health and Welfare.

Mr. SARRAF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. LANE, and were as follows, viz:

YEAS—13

Barr,	Hays,	McGinnis,	Schmidt,
Kent,	Kalman,	Murray,	Seyler,
Lerk,	Lane,	Sarraf,	Weiner,
Monolow,			

NAYS—31

Berger,	Harney,	Propert,	Wagner,
Glass,	Kessler,	Ruth,	Walker,
Gamiel,	Kopriver, Jr.,	Scott,	Watkins,
Chapman,	Kromer,	Silvert,	Watson,
Ehrgood,	Madigan,	Stevenson,	Whalley,
Elliott,	Mahany,	Taylor,	Wolfe,
Flack,	Mallery,	Van Sant,	Yosko,
Fleming,	Pechan,	Wade,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. SCHMIDT. Mr. President, I ask unanimous consent that Senate Bill No. 5, Printer's No. 18, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection?

Mr. PECHAN. Mr. President, I object to the bill going over in order.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

POINT OF ORDER

Mr. SCHMIDT. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny, Mr. Schmidt, will state it.

Mr. SCHMIDT. Mr. President, is it a rule that when a bill is amended and it is requested that it go over in order, that it go over in order?

The PRESIDENT. Will the gentleman from Allegheny, Mr. Schmidt, repeat his question. The Chair did not hear him correctly.

Mr. SCHMIDT. Mr. President, the bill, as amended, must be printed. Therefore, at this time, I object to it being considered on second reading, as amended, until it is reprinted and on the desks.

Mr. MAHANY. Mr. President, Senator Pechan and I do not have any objection to the bill going over in order. If Senator Schmidt would like to have further time to read this bill, as amended, we will be happy to cooperate with him.

Mr. SEYLER. Mr. President, what is the status of the amendment to the bill?

The PRESIDENT. The section has been amended and the title has been approved. However, the bill has not been approved as amended. That was the question before the Senate.

In order to settle this controversy, the bill, as amended, will be passed over in order and will appear on tomorrow's Second Reading Calendar. The amendment to the section was agreed to and that will be included in the bill appearing on tomorrow's Calendar.

REQUEST FOR RULING BY THE CHAIR ON QUESTION OF WHETHER A BILL ON SECOND READING IS DEBATABLE

Mr. SEYLER. Mr. President, I do not wish to prolong the controversy, but I would request the Chair, at sometime in the future when all of the members of the brain trust have had time to study the rules, to hand a ruling to the Senate on the question of whether a bill is debatable on second reading.

The PRESIDENT. The Chair will give that ruling when he can find the rule to be applied in Mason's Manual. The Chair hopes to give that ruling tomorrow. However, with all the advice, the Chair is a little bit confused.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 24, Printer's No. 5; and
Senate Bill No. 25, Printer's No. 24.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 57, on second reading, entitled:

An Act amending the act of May 11, 1911 (Pamphlet Laws 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures . . . . ." to include instruments used in weighing serviced commodities be recommitted to the Committee on Local Government.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, the sponsor of this bill is not on the floor at the moment. He explained the act to those of us interested in it, and I personally cannot see any reason why this bill should go back to committee.

Mr. MAHANY. I am sorry, I cannot hear you.

Mr. DENT. Thank you for the compliment. Everybody says I talk too loud, too long and too often.

Mr. President, the sponsor of this bill is not with us at the moment. I talked to him about the bill, itself, and I became rather impressed with what he was aiming to do.

I am wondering what the reason is for sending it back to committee when all it does is try to see to it that individuals who do business with wet laundries in Pennsylvania at least have an opportunity of having the scales checked where the laundry is weighed. This applies to coal or any other item which is purchased and where scales are used. I do not see any reason why this bill should go back to committee. I would suggest that you weigh your decision in the matter, and I would like to have the bill go over instead.

Mr. MAHANY. Mr. President, in answering the Senator, the bill does not refer to any kind of laundries, wet, dry or otherwise. It is quite indefinite. If Senator Stiefel wanted to have this confined to weighing in laundries, he should have used the language which would have made it more specific and which would apply to that type of service only.

The reason we would like the bill to go back to committee is in order for the committee to work it out and make the bill more definite in its application. That was the reason for my motion to recommit the bill to the Committee on Local Government.

Mr. DENT. I can agree with you. However, I only talked to the gentleman, and since you have given your explanation, I looked at the bill and I see that it does not specifically apply to laundries. The sponsor, however, gave me, and some of the other Senators who talked to him, the impression that that was exactly what he had in mind.

I would not like to be put in the position of voting against the bill—or voting to send this bill back to committee—if it is intended by the sponsor to see to it that such devices, which are used in laundries, are at least checked by the Commonwealth of Pennsylvania as to their accuracy. You all know that when an item is sold by weight, there can be some dishonesty take place.

I would like to ask, if the gentleman would leave it on the Calendar where we can reach it for amendment rather than send it back to committee.

Mr. MAHANY. As I understand it, Senator Stiefel is a member of the Local Government Committee and no doubt the Chairman of the Committee could draft a good amendment to this. Then, the bill could be reported out for further action. I would like to have it recommitted for that purpose and not for the purpose of killing off the legislation.

Mr. DENT. Is it going back to the Committee on Local Government?

Mr. MAHANY. That is right.

Mr. DENT. I understand that Senator Stevenson is still the Chairman of that Committee, and I have the greatest confidence and faith in Senator Stevenson. I know that he will give us a hearing on the bill if we so desire.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 65, entitled:

An Act amending the act of June 27 1923 (P. L. 858) entitled "State Employes' Retirement Law" extending the time within which State employes may become "original members"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 75, entitled:

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during the Korean Conflict providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 75, the bill just read, be re-referred to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 97, Printer's No. 21, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 124, entitled:

An Act amending the act of July 13 1953 P. L. 431) entitled "The Pennsylvania Civil Procedural Support Law" further providing a procedure for enforcement of the act

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. McGINNIS offered the following amendment:

Amend Section 1 (Section 9), page 2, line 20 by inserting after "obtain": "when not in default of the court order."

On the question,

Will the Senate agree to the amendment?

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator McGinnis.

The PRESIDENT. Will the gentleman from Allegheny, Mr. McGINNIS, permit himself to be interrogated?

Mr. McGINNIS. I will, Mr. President.

Mr. MAHANY. Senator McGinnis, what is the purpose of this amendment which you are offering?

Mr. McGINNIS. It came from the Attorney General's Office. It protects the payer whereby if he pays all that is due, no judgment nor anything else is necessary.

Mr. MAHANY. I understand this to be a suggestion from the Department of Justice that would approve this bill, is that correct?

Mr. McGINNIS. That could be.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 130, (Pink,) on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING, AMENDMENT OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 141, entitled.

An Act requiring that meetings of the governing body of authorities be open to the public

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, I would like to offer the following amendment to Senate Bill No. 141. The purpose of the amendment is to provide for notice to the public when these meetings will be held.

The Clerk read the amendment as follows:

Amend Sec. 1, page 1, line 2, by inserting after "public" A public notice setting forth the time and place of the meeting shall be posted in a conspicuous place at the location where the meeting is to be held at least ten days prior to the date of any meeting.

On the question,

Will the Senate agree to the amendment?

Mr. MAHANY. Mr. President, upon first looking at this amendment, I believe that I oppose it inasmuch as it might well be that we might want to have a special meeting of the Authority and probably we would not want to wait ten days. There is a possibility that it may be urgent. There might be a necessity for an emergency meeting and to wait ten days may result in a chaos of some type.

I feel that, under the circumstances, this amendment is not necessary. If it is a regular meeting, then everyone would have notice of when the meeting would be held. If it is a special meeting that must be called in a hurry, then this would defeat the purpose of having the special emergency meeting.

Therefore, Mr. President, I oppose the amendment.

Mr. WEINER. Mr. President, I would like to refer the Majority Leader to the recent court decisions that have been handed down in these matters, whereby if you are stating what this bill states and trying to do what the purported purpose of this bill is, which is to allow the public to attend any of the meetings of these different Authorities and you give them no notice, I think you are not accomplishing the purpose of this bill.

Secondly, there is no pride of authorship nor is ten days a magic word. If you would like to have twenty days, five days or three days or any other number of days, I think the public should have some notice. Otherwise, there is no reason for the public to be present at these meetings. They will never know there is a meeting going on.

Mr. LANE. Mr. President, for the information of the Members of the Senate, I wish to advise that Judge O'Brien recently ruled in Allegheny County that all Authority meetings must be open to the public. I think you should consider that when debating this legislation. Of course, that is a court decision and it has been in all the newspapers.

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. BARR. Does this mean that when the General State Authority meets, everybody is permitted to come into the meeting?

Mr. MAHANY. All are welcome, Senator Barr. However, I would object to this ten days' notice. Sometimes we have to have a meeting of the General State Authority within twenty-four hours. There might be something we would like to have done in a hurry and this would prevent us from holding such a meeting. The Governor might decide, for instance, tomorrow, that he would like to have a meeting of the General State Authority, and we would go over and have the meeting. If we adopt this, we would have to have ten days' notice before we could hold this meeting.

Mr. BARR. I agree with you; I think ten days is too long.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be further interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. WEINER. Mr. President, would the Majority Floor Leader tell us what he would consider a fair amount or number of days in order to give the public notice so they could be present at these meetings, should they so see fit?

Mr. MAHANY. Mr. President, I am not the sponsor of this bill, and I have no particular ideas on it. I feel, perhaps, that if there is any controversy over the provision relative to giving notice, then we should refer the bill back to committee and have the committee thrash that out.

Mr. WEINER. Mr. President, would the Majority Floor Leader consider these amendments or would it make him happier if we inserted a further amendment making it read, "a regular meeting" or "regular meetings" so all the contingencies of an emergency meeting would be taken care of?

Mr. MAHANY. Mr. President, taking the General State Authority, of which I am a member, as an example, we do not have any regular meeting dates. We are called at the request of the President of the General State Authority, who is the Governor of the Commonwealth. We are notified from time to time when we will have these meetings. We hold special meetings sometimes when something arises which needs our attention. We really do not have what you might call regular meeting dates of the General State Authority.

Under those conditions, Mr. President, I do not think you should put this limitation on, the way it is set forth in the amendment.

Mr. WEINER. Mr. President, would the Majority Floor Leader suggest to this Senate that there be no notice given to the public? Is that what he is asking us to do?

Mr. MAHANY. Usually, the public has notice of everything we do in the General State Authority meetings. If we pass this legislation, the newspaper people will probably be there and will cover the meeting very well for the general public.

I cannot imagine that if we had ten day's notice, there would be many of the average citizens come to the meeting. They are usually represented by the members of the press. I think that if what you are trying to reach here. You are trying to make these meetings open in order for the press to be there to cover the business which comes before the meeting. In that way, the reading public will have notice of what has been done.

Mr. WEINER. Mr. President, I thank the gentleman.

Mr. President, if this amendment is not put into the bill, or an amendment similar to this, you will merely have an act of this Assembly stating that:

"All meetings of the governing body of every authority created pursuant to any act of the General Assembly shall be open to the public."

Mr. President, how is the public going to know when these meetings are to be held, where they are to be held or what is going on at these meetings? I think one of the problems involved in any of these Authorities is the fact that they have been doing many things on their own and have become sort of a government unto themselves. We, nor the average citizen, do not know what is going on until either a probe is made because of some misdoings or non-doings of the Authority or else things have gotten into a state that they are quite upset about the entire thing and somebody must either make a judicial probe or a legislative probe.

I cannot see the reason for not allowing the public to have some notice of some type. Without it, the public does not have any idea when these meetings will take place or even where to go when the meetings are being held. I am not asking, nor is any Member asking, that they give notice in the newspapers or advertise or do anything which would prove costly. We are merely asking that a notice be placed on the bulletin board of the Authority headquarters so that any citizen can walk in and read it off the bulletin board. Then, if he wishes to or takes an interest, he can be present at these meetings.

Mr. FLEMING. Mr. President, as one of the sponsors of the bill and with a definite idea of what we are trying to accomplish—and I am certainly in sympathy with what Senator Weiner is trying to do—I would like to suggest to Senator Weiner, if he will, that he withdraw the amendment. We will put the bill over in order and he, Senator Dent, Senator Whalley, Senator Harney, Senator Mahany and anyone else who is interested, can sit down together in the next day or two and draw something up which will be agreeable to everybody.

AMENDMENT WITHDRAWN

Mr. WEINER. Mr. President, at the suggestion of my colleague, Senator Fleming, I will be very happy to go along with that suggestion, and I now withdraw my amendment.

And the question recurring,

Will the Senate agree to the section?

BILL OVER IN ORDER

Mr. FLEMING. Mr. President, I ask unanimous consent that Senate Bill No. 141, (Pink,) on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

COMMITTEE APPOINTED PURSUANT TO HOUSE CONCURRENT RESOLUTION No. 1

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee, pursuant to House Concurrent Resolution

No. 1: the gentleman from Carbon, Mr. Scott; the gentleman from Allegheny, Mr. Fleming; and the gentleman from Northampton, Mr. Yosko.

BILL ON FIRST READING

Mr. BARR. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 61, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," changing existing maximum gross weights and annual registration fees and establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

PETITIONS AND REMONSTRANCES

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. MAHANY. Mr. President, I would like to give two jobs to my colleague, Senator Dent, and I want to tell him what they are before I ask him whether he will do them or not.

The first job is to find out from the Secretary of Property and Supplies how much the average cost of the cars were which were bought by the State under the new purchase plan and how much the average price was for which they sold these cars.

There was some plan a year or so ago that we were giong to make some money on this new plan of purchasing cars. Now I note that there has been a question as to whether or not we were making money on it or losing money and if so, how much.

I note that the Governor has a little item in his budget of, I think, $6,000,000 to purchase cars, which is more money than we have ever had in a Budget for this purpose before.

I would like to have the Senator get in touch with the Secretary of Property and Supplies and find out how this plan is working, and whether or not we are making the money that we thought we would make when we passed this plan a couple of years ago.

The other job I would like to have him do, and report back to us, is to find out about our newly made Member of the Turnpike Commission, Mr. Williamson.

It was my understanding when I had a conference with Mr. Williamson, and I believe Senator Dent was there at the time we interviewed him, that Mr. Williamson stated he would not be on two payrolls; that he was going to divorce himself from one or take a leave of absence so that he would not be on the payroll of the State University and he would not, at the same time, be on the payroll of the Turnpike Commission.

I would like to have the Senator find out whether or not Mr. Williamson is on both of those payrolls and if so, if the arrangement is according to the understanding which he and I had at the time we interviewed him and subsequently confirmed his appointment as a Member of the Pennsylvania Turnpike Commission.

Those are two jobs I have for you, Senator. Would you undertake to find out these things and report back to us?

Mr. DENT. Mr. President, I shall be happy to direct the question for information on the automobile purchase plan, and how it is operating and the benefits that may derive to the Commonwealth to the Secretary of Property and Supplies immediately.

On the second question concerning Professor Williamson, from Penn State, and his understanding that he would only be on one payroll, I can assure you, Senator, that the Democratic Caucus interviewed Mr. Williamson the same as your group did and that question was asked Mr. Williamson, and he definitely stated to all of us that he had no intention of being on two payrolls, and it was not his intention.

At that time I was talking to the Governor, while we were in Caucus, and I asked the Governor what the plan was on this question that came up before our caucus, and the Governor assured me, and I, in turn, assured the Caucus that the Governor said that Mr. Williamson would serve in but one capacity and that would be on the Turnpike Commission, if we confirmed him, and would only draw one State pay.

I will try to find out if there is anything different. I know of nothing to the contrary.

Mr. MAHANY. I would call Senator Dent's attention to the fact that the Governor, through the public press, has stated that it was his idea that Mr. Williamson would be on both payrolls; that he understood that Mr. Williamson is going to continue on in some capacity at Penn State and draw some money from Penn State, and also would draw some money from the Pennsylvania Turnpike Commission.

If the Governor has been misquoted in the press, I would like to find out whether or not that is so. On the other hand, if he has been correctly quoted, I would like also to know that.

Mr. DENT. I shall do my best to get the information and present it to the Senate.

HOUSE MESSAGE

AMENDMENT TO HOUSE BILL No. 8, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence, House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

RULE 21 SUSPENDED

Mr. MAHANY. Mr. President, I move that Rule 21,

which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives for payment of expenses of members.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

Mr. MAHANY. Mr. President, I understand that the amendment which was placed in this bill by the House merely makes the effective date of this act effective immediately upon signature by the Governor.

And the question recurring,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL NO. 8, RECALLED FROM THE GOVERNOR.

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 8, recalled from the Governor.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CEREMONIES COMMEMORATING THE BIRTHDAY OF ABRAHAM LINCOLN

Mr. MAHANY. Mr. President, I understand that we are going to celebrate President Lincoln's birthday tomorrow in a suitable fashion in the Senate, as is our usual custom when we are in Session, and I understand that Senator Stiefel and Senator Walker are going to participate in the celebration of this occasion.

So that we may set a definite time for this celebration, I move that the ceremonies in connection with the celebration of President Lincoln's birthday in the Senate be held at 3:00 p. m., Eastern Standard Time, on Tuesday, February 12, 1957.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Senate will be at ease for a few moments, awaiting communication from the House of Representatives.

(The Senate was at ease.)

BILL SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

An Act making an appropriation to the House of Representatives for payment of expenses of members.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, February 12, 1957, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. KALMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:13 o'clock, p. m., Eastern Standard Time, until Tuesday, February 12, 1957, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, February 11, 1957

The House met at 4:30 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Donald E. Bowersox, Pastor of Loganville Evangelical United Brethren Church, York County, guest of Honorable George A. Goodling, offered the following prayer:

Our Father in Heaven, we humbly come unto Thee this afternoon. We acknowledge our need of Thee as we pause together in prayer. We know that Thou art the One in whom we live, and move, and have our being. From everlasting unto everlasting Thou art God.

We thank Thee, our Father, for the privilege of being citizens of this great country of ours. We thank Thee for our forefathers who laid the foundation of freedom for all. We pray that as citizens of this country we shall hold high the torch of freedom in our own day, that the efforts of those who went before shall not have been in vain.

We also thank Thee for the privilege of being citizens of this great state of Pennsylvania. We pray that Thou shall bless and guide all who are in the service of this State government. May they receive from Thee continual health and strength in order that they may fulfill their responsibilities to Thee and to their fellowmen. Through Jesus Christ our Savior we pray. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, February 4, Tuesday, February 5 and Wednesday, February 6, 1957? If not, and without objection, the Journals are approved.

BILLS INTRODUCED AND REFERRED

By Messrs. STRAUSSER and ANDREWS.

HOUSE BILL No. 317.

An Act amending the act of May 1, 1913 (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," further regulating the letting of such contracts.

Referred to the Committee on State Government.

By Messrs. JUMP and MUSTO. HOUSE BILL No. 318.

An Act amending "The Administrative Code" approved April 9, 1929 (P. L. 177) regulating membership and compensation of the State Board of Barber Examiners and imposing duties on the board.

Referred to the Committee on Professional Licensure.

By Messrs. MAGEE and STRAUSSER.

HOUSE BILL No. 319.

An Act amending the "Public Utility Law," approved May 28, 1937, P. L. 1053, providing additional standards for the determination of rates of common carriers of passengers by motor vehicle.

Referred to the Committee on Public Utilities.

By Messrs. JUMP and MUSTO. HOUSE BILL No. 320.

An Act amending the act of June 19, 1931 (P. L. 589) entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure * * * of barbering * * *," increasing fees and altering the requirements for licensure * * *.

Referred to the Committee on Professional Licensure.

By Mr. STIMMEL. HOUSE BILL No. 321.

An Act making an appropriation to the Pennsylvania Fish Commission for damage done to stockable fish at the Pennsylvania Fish Commission Hatchery, * * *.

Referred to the Committee on Appropriations.

By Messrs. BOWER, HARVEY P. MURRAY and PURSLEY. HOUSE BILL No. 322.

An Act making certain bridges in the Commonwealth toll free; providing for the payment of certain bond issues; requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof.

Referred to the Committee on Highways.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE Bill No. 10.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing penalties for removal of bodies from burial places for destruction injury or removal of cemetery property.

Referred to the Committee on Judiciary Special.

TENNESSEE—HOUSE RESOLUTION No. 9

The SPEAKER laid before the House Tennessee House Resolution No. 9 condemning and protesting against oppressive usurpation of power by the Supreme Court of the United States, calling upon the several states of the Union and the Congress of the United States to bring to an end this tyrannical usurpation of power.

Referred to the Committee on Judiciary.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 29, 30, 31, 36, 48, 77, 87 and 100.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 11, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 18, 1957 at three o'clock p. m., EST, and when the House of Representatives adjourns this week, it reconvene on Monday, February 18, 1957 at four-thirty o'clock p. m., EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

CONCURRENT RESOLUTION

RECALLING HOUSE BILL No. 8 FROM GOVERNOR

Mr. JOHNSON offered the following resolution which was read, considered and adopted as follows:

In the House of Representatives, February 6, 1957.

Resolved (if the Senate concur), that House Bill No. 8, Printer's No. 16, entitled "An act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

STATEMENT BY SPEAKER

The SPEAKER. The Chair at this time wishes to make a very short statement concerning a declaration of policy for the future operation of this House.

The Committee on Rules has recommended a schedule for House sessions on Mondays, Tuesdays and Wednesdays during the remainder of the month of February.

The Rules provide that on the appearance of a quorum the Speaker shall proceed with the business of the House.

Some of our Members are apparently under a misapprehension that the business required to be done by this House is represented by the number of bills currently appearing on the calendar. They reason that if there are few or no bills on the calendar, sessions should be deferred until there is a full calendar.

This as you know, is far from the truth, since there are 31 standing committees (the work shops of the House), whose constitutional duty and responsibility it is to produce legislation for the consideration of the House. These committees cannot function unless the Members are here to attend committee meetings.

The Chair now goes on record and serves notice that, as long as he is your Speaker, no business will be conducted in this House in the absence of a quorum.

On the first day of January each of us here in this very Hall took the constitutional oath that we would perform the duties of our office with fidelity. Many of us, in campaigning for election to this body, promised our constituents we would not be absentee Members of the House.

In years past, first Wednesday sessions, then later Thursday sessions, were attended only by the faithful few. Empty chairs in large numbers were in evidence on both sides of the House.

It is neither right nor just that those Members who conscientiously perform their duties should shoulder the responsibility for carrying on the public business while an overwhelming number of Members deliberately walk out before the House has adjourned for the week to return to their homes and their private business without requesting a leave of absence. Ask yourselves, is it fair that a handful of Members of this House should stay here in an attempt to carry on the legislative business and, in so doing, subject themselves to public criticism?

Each of us, as a result of the increased compensation provided by the 1955 Legislature, is now adequately paid for the time spent here. Let us remember the commitment on which this pay bill was enacted. Was it not to make it financially possible for us to remain in Harrisburg to do our work? Surely there is now no excuse for our not doing so.

A Member who hereafter absents himself from a session of this House without being excused from attendance by the House will do so at his own peril.

May I repeat, if at any time this House is without a quorum, there will be no business transacted. Members who are present may take whatever action they elect under the Constitution and the Rules of Procedure for a call of the House.

Consent calendar Wednesdays and Thursdays, or on any other day, are at an end. We have a mandate from those at home who elected us to stay on the job and get it done. We propose, with your support and your help, to do just that.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I am sure that we all listened to your statement with a great deal of interest and with a great deal of pride in the Speaker that he has taken this very strong forward step in a good-faith plan to eliminate what we call the consent calendar.

I know that many of us who have been here on a Wednesday or a Thursday with just a few people in this House, and having passed bills of great importance to the people of this state on a consent calendar, I am sure we were not ashamed of ourselves—I will not say that—but we just did not like it too well even though they were not of a controversial nature.

We want to get out of here as soon as we can, as we have repeatedly said, in a short well-run Session. One way to do it is for all of us to be here on a full business day on a Wednesday or the last day of the week so that the newspapermen will not be able in their papers to say, "Well, again the House of Representatives passed a bill appropriating "X" number dollars with only fourteen people in the House."

If there is one way that we can raise the esteem of the people of this state in their Legislature, it is being here on the job, doing the job well and faithfully. You know that is one thing we must do, restore the faith and confidence of the people in their Legislatures. After all we are a great bulwark in our democracy. We are the voice of the people and they expect us to be here to do the job.

As I say, I congratulate the Speaker, and I believe that we will all back him to the hilt and be here on the last day of the week to do a good job as we are expected to do.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to add my word of commendation to the position taken by the Chair in this matter.

I agree one hundred percent that we should stay here during working days and that we should have only working days while we are here. I do not know whether we acquired bad habits over the years that have gone by. Perhaps it was always fundamentally wrong that we had

the so-called consent calendars. As the Speaker has so well pointed out, one of the reasons we had some of those was because of the habit the Members had acquired of simply leaving without telling anybody they were going and without asking anybody's leave.

I assure you that the Members of the minority party are going to cooperate one hundred percent with this new setup. If we have any renegades on this side who will not cooperate. We assure you that in caucus we will do our utmost to make them understand that we are here to work on the days we have sessions, and we assure you of our cooperation.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker and Members of the House, the Speaker has announced a program, the consummation of which is devoutedly wished. However, the Speaker in and of himself is simply the agent of this House, and in order to establish his program he must needs have the cooperation of the House.

The older Members will recall the fact that at various times in the past there was a call of the House and the suggestion that the absentees be sent for, but in every such instance there were Members prepared to offer an excuse, or to make a motion that further proceedings under the call of the House be dispensed with which rendered the Speaker impotent as far as compelling attendance is concerned.

I believe in conformity with the program that the Speaker has announced it should be our policy to sustain the Speaker to the extent of declaring those who are not present without a valid excuse—and I emphasize the words "valid excuse"—be declared in contempt until they have purged themselves of the contempt.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 57, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting sales by publishers or distributors of magazines, newspapers, periodicals or other publications which require purchase of other such publications.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 10, entitled:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," providing for minority party representation in council.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 17, entitled:

An Act amending the act of July 12 1935 (P. L. 677) entitled "An act to fix the status of officers and employees of the Commonwealth and political subdivisions thereof while in training with the armed forces of the United States" including members of the United States Coast Guard Reserve.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 62, entitled:

An Act amending the "County Institution District Law" approved June 24 1937 (P. L. 2017) authorizing the granting of financial assistance by deferred loan or otherwise to political subdivisions or municipality authorities for construction of water supply system with service available to an institution of the district.

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Armstrong, Mr. Guthrie.

The SPEAKER. Will the gentleman from Armstrong, Mr. Guthrie, permit himself to be interrogated?

Mr. GUTHRIE. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, will the gentleman explain the meaning of this amendment he is proposing. I am raising this question on second reading because I am of the opinion that probably some other amendments are necessary to this bill, which would have to be made on second reading. I would like him to make an explanation of this bill.

Mr. GUTHRIE. Mr. Speaker, does the gentleman mean an explanation of the bill? There is not an amendment at this time.

Mr. READINGER. Mr. Speaker, I am speaking of the bill itself which amends the law.

Mr. GUTHRIE. Mr. Speaker, does the gentleman want to know what the bill does?

Mr. READINGER. That is right.

Mr. GUTHRIE. Mr. Speaker, the bill permits the county commissioners to advance 20 percent of the cost of planning an authority to the local subdivision such as a township, that money to be returned as the authority is completed.

Mr. READINGER. Mr. Speaker, do I understand that this bill means that the county would not get the money back for a period of 20 years, if that is the amortization period of the authority creating the water supply?

Mr. GUTHRIE. Mr. Speaker, I do not have the bill before me, but I do know that the money is returned to the county commissioners; the county is not out any money. How that money is to be returned, or at what time, I am not prepared to say right at the moment.

Mr. READINGER. Mr. Speaker, may I suggest that this bill be put over temporarily. I think it requires some study and, possibly further amendments to protect the county's position in cases where they might want to assist these institution districts or these water authorities. I am not trying to delay the bill, but I do think it needs some amendments and I ask for a slight delay.

Mr. GUTHRIE. Mr. Speaker, I will be glad to agree to pass it over.

On the question recurring,
Will the House agree to the section?

BILL POSTPONED

Mr. READINGER. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 76, entitled:

An Act reenacting and amending the act of July 7 1955 (P. L. 256) entitled "An act creating a temporary advisory commission to examine report upon and recommend reorganiaztions of agencies and functions of the State government * * *" reactivating and extending the life of the commission

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 143, entitled:

An Act amending the "Municipal Authorities Act of 1945" approved May 2 1945 (P. L. 382) providing for "Authorities" to submit copies of audits to the Bureau of Municipal Affairs in the Department of Internal Affairs.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 144, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) reducing annual registration fee for certain two-wheeled semi-trailers.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 159, entitled:

An Act reenacting and amending the act of July 20, 1953 (P. L. 550) entitled "An act providing for and regulating the annexation of parts of a second class township to boroughs cities and townships" eliminating from the provisions of the act cities of the second and second classe A * * *

The first section was read.
On the question,
Will the House agree to the section?
The SPEAKER. For what purpose does the gentleman from McKean, Mr. Johnson, rise?
Mr. JOHNSON. Mr. Speaker, this is a Local Government Commission bill and I do not see the gentleman from Lancaster, Mr. Wood, in the House. I believe the gentleman intends to offer amendments, is that correct?
Mr. PETROSKY. Yes, sir.
Mr. JOHNSON. I have received the amendments, but I have not been able to clear them, as it were, with any member of the Commission. I am wondering if we can pass this bill over, or place it on the Second Reading Postponed Calendar, pending a study of the amendments.
On the question recurring,
Will the House agree to the section?

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 161, entitled:

An Act amending the act of May 2 1949 (P. L. 873) entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs * * *" clarifying the provisions of the act as to its application in townships.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 162, entitled:

An Act amending the act of June 1 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs * * *" further defining the formula used to determine the amount of payments to be made to the political subdivisions.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 203, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17 1921 (P. L. 682) providing for guaranteed arrest bond certificates issued by automobile clubs or associations and for sureties thereon and defining the use and effect thereof.

The first section was read.
On the question,
Will the House agree to the section?
Mr. STIMMEL offered the following amendments:

Amend Sec. 1 (Sec. 666) page 2, line 10 by inserting after "association" or by an insurance company authorized to write automobile liability insurance within this State.
Amend Sec. 1 (Sec. 666) page 2, line 13 by striking out "or".
Amend Sec. 1 (Sec. 666) page 2, line 14 by inserting after "associations" or insurance company or companies.
Amend Sec. 1. (Sec. 666) page 3, line 10 by striking out "or."
Amend Sec. 1 (Sec. 666) page 3, line 10 by inserting after "association" or insurance company.
Amend Sec. 1 (Sec. 666) page 3, line 10 by inserting after "members" or insureds.
Amend Sec. 1 (Sec. 666) page 3, line 11 by inserting after "member" or insured.
Amend Sec. 1 (Sec. 666) page 3, line 12 by striking out "or".
Amend Sec. 1 (Sec. 666) page 3, line 12 by inserting after "association" or insurance company.
Amend Sec. 1 (Sec. 666) page 3, line 12 by inserting after "company" or an insurance company authorized to transact both automobile liability insurance and surety business.

Amend Sec. 1 (Sec. 666), page 3, lines 14 and 15, by striking out "ap-" in line 14 and all of line 15, and inserting in lieu thereof: appear in any court or before any magistrate, alderman or justice of the peace in this State.

Amend Sec. 1 (Sec. 666), page 3, line 16, by inserting after "($200)" when the person is arrested or formally charged for violation of any motor vehicle or traffic law of this State, or ordinance of any municipality of this State pertaining thereto, except as hereinafter set forth.

Amend Sec. 1 (Sec. 667) page 3, line 19 by inserting after "surety" or a guaranteed arrest bond certificate issued by an insurance company authorized to transact both automobile liability insurance and surety business within this State.

Amend Sec. 1 (Sec. 667), page 4, line 5, by inserting after "arrested" or formally charged.

Amend Sec. 1 (Sec. 667), page 4, line 6, by striking out "in this State" and inserting in lieu thereof pertaining thereto in this State except for the offenses which are misdemeanors or felonies as defined in the Vehicle Code or municipal ordinances.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. STIMMEL offered the following amendment:

Amend Title, page 2, third line of Title, by inserting after "by" insurance companies, and by

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 7, entitled as follows:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), making it unlawful to knowingly listen into deliberations of juries.

On the question,

Will the House agree to the bill on third reading?

It was agreed to

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. READINGER. Will the gentleman advise us whether he thinks this bill is necessary in view of the status of the present law on the subject?

Mr. TOMPKINS. I do, Mr. Speaker.

Mr. READINGER. Will the gentleman tell us in what respect the present law is insufficient to control the situation or punish any offenders?

Mr. TOMPKINS. I know of no law on the statute books which prevents eavesdropping on juries.

I have written an article concerning this legislation which was published in the Dickinson Law review in the March 1956 issue.

I do not want to go into extreme technical details on it, but from the court opinions themselves they define clearly the rights of the district attorney before a grand jury. They define the rights of a judge who might go into a jury room, and there are a couple cases on that.

Furthermore what brought this about was the eavesdropping with reference to the fund of the Ford Foundation in the Federal Courts in the Midwest. In those cases the men who did the eavesdropping and who made the tape recordings with concealed microphones without the knowledge of the jurors had the prior approval of the courts. That was most reprehensible.

During the last session of Congress it saw to it that legislation was passed to prevent a recurrence of the eavesdropping on juries in Federal Courts. This will prohibit the same thing in our state courts.

Mr. READINGER. Do I understand that this bill means that a court could not give permission to any person to listen to the discussion of a jury?

Mr. TOMPKINS. That is right.

Mr. READINGER. Is it your understanding that under the present law no court has the right to give such permission now?

Mr. TOMPKINS. Well, with what happened, and the probability that some judge might get that notion, I thought we would just put a stop-gap in and prevent it.

Mr. READINGER. Does the gentleman know of any instance where this has happened in Pennsylvania with or without court permission?

Mr. TOMPKINS. There are instances where the court itself has gone before the jury, and the Supreme Court has very severely criticized them for it. There are instances where the district attorney has remained in the grand jury room, and the courts have very severely criticized them for it.

These cases point it out very clearly. This particular article was put into the Legislative Journal last year—I cannot give you the page reference on it, but the complete article is there, Mr. Speaker—with the idea that some judge might get that notion and with the idea that some district attorney might want to stay in on he deliberations, or some judge might go into the jury room during deliberation. I think it is a necessary piece of legislation to protect the deliberations of juries. If a juror gets the notion that he cannot freely discuss a case, it is going to break down the very fundamentals of our system of jurisprudence.

Mr. READINGER. May I ask the gentleman one further question?

Mr. TOMPKINS. Yes, sir.

Mr. READINGER. Do the courts not now in Pennsylvania have the power to punish for contempt any person who would eavesdrop on the discussions of a jury?

Mr. TOMPKINS. They may, but I do not know.

Mr. READINGER. May I ask one further question? Suppose a tipstaff were stationed near the door of a petit jury and the jurors in their work became so enthused in their discussion that their voices were quite audible outside the door, would the gentleman not say that the tipstaff would be knowingly listening to this conversation, or talk, and therefore would become guilty of a misdemeanor?

Mr. TOMPKINS. If he places himself in a position in relation to the jury room where he deliberately wants to try to listen in, yes, that would be a violation. But if at this station they engage in conversation loud enough

that he might hear, and if he has not knowingly and deliberately put himself in that position. I would say no, that is not a violation.

If the gentleman will recall, a similar bill was passed during the last Session. In the rush of the final days with respect to the amendment, the Printer did not get the word "knowingly" before the attempt to listen in on juries, and the Governor vetoed it for that reason.

This specifically has in it the word "knowingly" before "listening in" or "attempting to listen in" and corrects the objections which the Governor raised in his veto.

Mr. READINGER. Mr. Speaker, I am going to vote against this bill on the grounds that I do not think it is necessary legislation. I believe the courts now have adequate powers to control the activities of anybody who tries to listen to grand jury, petit jury or special jury proceedings with an intent which would militate against the best welfare of the judicial system and the jury system.

The case which I just cited, while it might be extreme, probably happens frequently where a court official, such as a tipstaff, is directed to sit near the door of a jury room to keep anybody from going in or going out who is not authorized to be there. If he hears anything that is being said, he is knowingly listening because he knows he is there and he knows he is listening and is hearing. Conceivably he could be charged with being guilty of a misdemeanor and could be convicted under this statute.

I know it is not an important point I am raising and probably never result in a prosecution of any kind, but it could.

I am leery of expanding the law creating crimes where the law already adequately protects the proceedings. I am going to vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—131.

Adams,	Erb,	Lippincott,	Schwartz,
Anderson, M. S.,	Eshleman,	Lopresti,	Seltzer,
Ashton,	Ewing,	Lovett,	Smith,
Auker,	Fetterolf,	Lutty,	Snare,
Barton,	Foster,	Markley,	Snider,
Bell,	Fox,	Marsh,	Spray,
Bower,	George,	Maxwell,	Stevens,
Bowman,	Gibb,	McInroy,	Stimmel,
Brand,	Gibson,	Metz,	Stone,
Breisch,	Goldstein,	Mihm,	Stoner,
Brennan,	Goodrich,	Mikula,	Strausser,
Brenninger,	Gross,	Miller, H. G.,	Stuart,
Breon,	Guthrie,	Moody,	Thompson,
Brown,	Haudenshield,	Moscrip,	Toll,
Brucker,	Heffner,	Moyer,	Tompkins,
Buchanan,	Henzel,	Murphy,	Ujobai,
Carson,	Hocker,	Murray, H. P.,	Varner,
Cianfrani,	Horst,	Murray, P. G.,	Vaughan,
Cioffi,	Ide,	Musto,	Wall,
Cleveland,	Isaacs,	Naugle,	Walsh,
Cooper,	Jenkins,	O'Dell,	Weidner,
Curwood,	Johnson,	Ogilvie,	Wescott,
Dalrymple,	Jones, T. H.,	Parry,	Wheeler,
Davis,	Kehler,	Phillips,	Whittaker,
DeLong,	Keller,	Piper,	Willard,
Dengler,	Kernaghan,	Post,	Willaredt,
Dietterick,	Knecht,	Price,	Williams,
Donahue,	Kooker,	Pursley,	Wilt,
Donaldson,	Korns,	Ragot,	Wood,
Down,	Lafore,	Reidenbach,	Worley,
Duffy,	Lee, A. M.,	Rigby,	Wyatt,
Dunn,	Lee, K. B.,	Royer,	Zimmerman,
Edwards,	Light,	Schuster,	Helm, Speaker

NAYS—56.

Amarando,	Fineman,	Leonard,	Renwick,
Anderson, S. A.,	Floyd,	McCann,	Rovansek,
Andrews,	Flynn,	McGee,	Rudisill,
Boies,	Gailey,	McKeever,	Scarcelli,
Boory,	Garlock,	McLaughlin,	Sherman,
Breth,	Gelfand,	Mills,	Shields,
Bucchin,	Hamilton,	Monroe,	Silverman,
Capano,	Heavey,	Muldowney,	Taylor,
Cummins,	Holt,	Munley,	Varallo,
Devlin,	Jim,	O'Brien,	Verona,
Dougherty,	Jones, G. E.	Pashley,	Wargo,
Eilberg,	Kamyk,	Petrosky,	Welsh,
Farabaugh,	Kornick,	Polaski,	Yatron,
Filo,	Krakow,	Readinger,	

NOT VOTING—22.

Agnew,	Gramlich,	Mahan,	Mullen,
Blair,	Johnston,	McCormack,	Pomeroy,
Comer,	Jump,	Merry,	Steckel,
Dennison,	Limper,	Miller, B. Z.,	Stroup,
Frascella,	Magee,	Miller, W. H.,	Trusio,
Goodling,			Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 78, entitled as follows:

An Act amending "The Game Law,, approved June 3, 1937 (P. L. 1225) requiring that summary offenses under the act be commenced before certain specified magistrates, aldermen or justices of the peace.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187.

Adams,	Farabaugh,	Lippincott,	Royer,
Amarando,	Fetterolf,	Lopresti,	Rudisill,
Anderson, S. A.,	Filo,	Lovett,	Scarcelli,
Andrews,	Fineman,	Lutty,	Schuster,
Ashton,	Floyd,	Markley,	Schwartz,
Auker,	Flynn,	Marsh,	Seltzer,
Barton,	Foster,	Maxwell,	Sherman,
Bell,	Fox,	McCann,	Shields,
Boies,	Gailey,	McGee,	Silverman,
Boory,	Garlock,	McInroy,	Smith,
Bower,	Gelfand,	McKeever,	Snare,
Bowman,	George,	McLaughlin,	Snider,
Brand,	Gibb,	Metz,	Spray,
Breisch,	Gibson,	Mihm,	Stevens,
Brennan,	Goldstein,	Mikula,	Stimmel,
Brenninger,	Goodrich,	Miller, H. G.,	Stone,
Breon,	Gross,	Mills,	Stoner,
Breth,	Guthrie,	Monroe,	Strausser,
Brown,	Hamilton,	Moody,	Stuart,
Brucker,	Haudenshield,	Moscrip,	Taylor,
Bucchin,	Heavey,	Moyer,	Thompson,
Buchanan,	Heffner,	Muldowney,	Toll,
Capano,	Henzel,	Munley,	Tompkins,
Carson,	Hocker,	Murphy,	Ujobai,
Cianfrani,	Holt,	Murray, H. P.,	Varallo,
Cioffi,	Horst,	Murray, P. G.,	Varner,
Cleveland,	Ide,	Musto,	Vaughan,
Cooper,	Isaacs,	Naugle,	Verona,
Cummins,	Jenkins,	O'Brien,	Wall,
Curwood,	Jim,	O'Dell,	Walsh,
Dalrymple,	Johnson,	Ogilvie,	Wargo,
Davis,	Jones, G. E.	Parry,	Weidner,

DeLong,	Jones, T. H.,	Pashley,	Welsh,
Dengler,	Kamyk,	Petrosky,	Wescott,
Devlin,	Kehler,	Phillips,	Wheeler,
Dietterick,	Keller,	Piper,	Whittaker,
Donahue,	Kernaghan,	Polaski,	Willard,
Donaldson,	Knecht,	Post,	Willaredt,
Dougherty,	Kooker,	Price,	Williams,
Down,	Kornick,	Pursley,	Wilt,
Duffy,	Korns,	Ragot,	Wood,
Dunn,	Krakow,	Readinger,	Worley,
Edwards,	Lafore,	Reidenbach,	Wyatt,
Eilberg,	Lee, A. M.,	Renwick,	Yatron,
Erb,	Lee, K. B.,	Rigby,	Zimmerman,
Eshleman,	Leonard,	Rovansek,	Helm,
Ewing,	Light,		Speaker

NAYS—0.

NOT VOTING—21.

Agnew,	Goodling,	Magee,	Mullen,
Anderson, M. S.,	Gramlich,	Mahan,	Pomeroy,
Blair,	Johnston,	McCormack,	Steckel,
Comer,	Jump,	Merry,	Stroup,
Dennison,	Limper,	Miller, B. Z.,	Trusio,
Frascella,		Miller, W. H.,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 80, entitled as follows:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448), requiring that violations of the act or rules and regulations promulgated thereunder be prosecuted before certain specified magistrates, aldermen or justices of the peace.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187.

Adams,	Farabaugh,	Lippincott,	Rudisill,
Amarando,	Fetterolf,	Lopresti,	Scarcelli,
Anderson, S. A.,	Filo,	Lovett,	Schuster,
Andrews,	Fineman,	Lutty,	Schwartz,
Ashton,	Floyd,	Markley,	Seltzer,
Auker,	Flynn,	Marsh,	Sherman,
Barton,	Foster,	Maxwell,	Shields,
Bell,	Fox,	McCann,	Silverman,
Boles,	Galley,	McGee,	Smith,
Boory,	Garlock,	McInroy,	Snare,
Bower,	Gelfand,	McKeever,	Snider,
Bowman,	George,	McLaughlin,	Spray,
Brand,	Gibb,	Metz,	Stevens,
Breisch,	Gibson,	Mihm,	Stimmel,
Brennan,	Goldstein,	Mikula,	Stone,
Brenninger,	Goodrich,	Miller, H. G.,	Stoner,
Breon,	Gross,	Mills,	Strausser,
Breth,	Guthrie,	Monroe,	Stuart,
Brown,	Hamilton,	Moody,	Taylor,
Brucker,	Haudenshield,	Moscrip,	Thompson,
Bucchin,	Heavey,	Moyer,	Toll,
Buchanan,	Heffner,	Muldowney,	Tompkins,
Capano,	Henzel,	Munley,	Ujobai,
Carson,	Hocker,	Murphy,	Varallo,
Cianfrani,	Holt,	Murray, H. P.,	Varner,
Cioffi,	Horst,	Murray, P. G.,	Vaughan,
Cleveland,	Ide,	Musto,	Verona,
Cooper,	Isaacs,	Naugle,	Wall,
Cummins,	Jenkins,	O'Brien,	Walsh,
Curwood,	Jim,	O'Dell,	Wargo,
Dalrymple,	Johnson,	Ogilvie,	Weidner,
Davis,	Jones, G. E.	Parry,	Welsh,
DeLong,	Jones, T. H.,	Pashley,	Wescott,
Dengler,	Kamyk,	Petrosky,	Wheeler,
Devlin,	Kehler,	Phillips,	Whittaker,
Dietterick,	Keller,	Piper,	Willard,
Donahue,	Kernaghan,	Polaski,	Willaredt,
Donaldson,	Knecht,	Post,	Williams,
Dougherty,	Kooker,	Price,	Wilt,
Down,	Kornick,	Pursley,	Wood,
Duffy,	Korns,	Ragot,	Worley,
Dunn,	Krakow,	Readinger,	Wyatt,
Edwards,	Lafore,	Reidenbach,	Yatron,
Eilberg,	Lee, A. M.,	Renwick,	Zimmerman,
Erb,	Lee, K. B.,	Rigby,	Helm,
Eshleman,	Leonard,	Rovansek,	Speaker
Ewing,	Light,	Royer,	

NAYS—0.

NOT VOTING—22.

Agnew,	Goodling,	Mahan,	Pomeroy,
Anderson, M. S.,	Gramlich,	McCormack,	Steckel,
Blair,	Johnston,	Merry,	Stroup,
Comer,	Jump,	Miller, B. Z.,	Trusio,
Dennison,	Limper,	Miller, W. H.,	Wynd,
Frascella,	Magee,	Mullen,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO INTERROGATE

Mr. ANDREWS asked and obtained unanimous consent to interrogate the Majority Leader.

Mr. ANDREWS. If I am in order at this time, I should like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I desire to ask the Majority Leader whether the majority has in mind to fortify the Appropriations Committee with an adequate technical staff?

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman, we have had conferences with the Chairman of the Committee on Appropriations and he is at the present time addressing himself to that very problem which the gentleman mentions. He expects to have an adequate staff to do a thorough auditing job on the budget so that we can get the job done expeditiously and know what is in that budget when they get through.

Mr. ANDREWS. A further question: Are there funds immediately available with which to finance such a staff?

Mr. JOHNSON. Mr. Speaker, I would say that he does not have enough funds to do the contemplated job, that is true, and an appropriation bill would be in order after the amount of money needed has been ascertained.

Mr. ANDREWS. I thank the gentleman.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I have long contended that the major committees of this House cannot possibly adequately contend with the problems that confront them, lacking adequate technical staffs.

I have been in the House for quite a number of years, I have sat in meetings of the Appropriations Committee. They all have lacked technical assistance and have not been in a position to analyze the various items of the budget item by item. It is impossible to pass upon a line-

by-line budget unless line by line is examined and there is a force at hand to conduct the research necessary to properly inform the members of the Committee.

If the majority decides to adequately fortify the Appropriations Committee with a technical staff, I certainly will urge the Members on this side of the House to support the appropriation.

HOUSE RESOLUTION No. 1

COMMITTEE APPOINTED TO INVESTIGATE BOARD OF PARDONS

The SPEAKER. Pursuant to the provisions of a Resolution adopted by the House of Representatives on January 29, 1957, and concurred in by the Senate on February 4, 1957, the Speaker appoints, as a Committee on the part of the House of Representatives:

Messrs. Tompkins, Bell, and Lopresti.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, February 6, 1957.

Resolved (if the Senate concur), that House Bill No. 8, Printer's No. 16, entitled "An act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and senators," be recalled from the Governor for the purpose of amendment.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 8 FROM GOVERNOR

Commonwealth of Pennsylvania,
Governor's ffice, Harrisburg, Februar y 11, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 8, Printer's No. 16, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE M. LEADER.

RECONSIDERATION OF VOTE

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed finally be considered.

Mr. READINGER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on the final passage of this bill?

Mr. JOHNSON. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Berks, Mr. Readinger vote on the final passage of this bill?

Mr. READINGER. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. JOHNSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend the bill, page 2, by inserting after line 11

Section 3. The provisions of this act shall become effective immediately upon final enactment.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Mr. JOHNSON asked and obtained unanimous consent for the immediate consideration of House Bill No. 8.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 8, entitled:

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Farabaugh,	Light,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, S. A.,	Filo,	Lopresti,	Scarcelli,
Andrews,	Fineman,	Lovett,	Schuster,
Ashton,	Floyd,	Lutty,	Schwartz,
Auker,	Flynn,	Markley,	Seltzer,
Barton,	Foster,	Marsh,	Sherman,
Bell,	Fox,	Maxwell,	Shields,
Boies,	Gailey,	McCann,	Silverman,
Boory,	Garlock,	McGee,	Smith,
Bower,	Gelfand,	McInroy,	Snare,
Bowman,	George,	McKeever,	Snider,
Brand,	Gibb,	McLaughlin,	Spray,
Breisch,	Gibson,	Metz,	Stevens,
Brennan,	Goldstein,	Mihm,	Stimmel,
Brenninger,	Goodrich,	Mikula,	Stone,
Breon,	Gross,	Miller, H. G.,	Stoner,
Breth,	Guthrie,	Mills,	Strausser,
Brown,	Hamilton,	Monroe,	Stuart,
Brucker,	Haudenshield,	Moody,	Taylor,
Bucchin,	Heavey,	Moscrip,	Thompson,
Buchanan,	Heffner,	Moyer,	Toll,
Capano,	Henzel,	Muldowney,	Tompkins,
Carson,	Hocker,	Munley,	Ujobai,
Cianfrani,	Holt,	Murphy,	Varallo,
Cioffi,	Horst,	Murray, H. P.,	Varner,
Cleveland,	Ide,	Murray, P. G.,	Vaughan,
Cooper,	Isaacs,	Musto,	Verona,
Cummins,	Jenkins,	Naugle,	Wall,
Curwood,	Jim,	O'Brien,	Walsh,
Dalrymple,	Johnson,	O'Dell,	Wargo,
Davis,	Jones, G. E.	Ogilvie,	Weidner,

DeLong,	Jones, T. H.,	Parry,	Welsh,
Dengler,	Kamyk,	Pashley,	Wescott,
Devlin,	Kehler,	Petrosky,	Wheeler,
Dietterick,	Keller,	Phillips,	Whittaker,
Donahue,	Kernaghan,	Piper,	Willard,
Donaldson,	Knecht,	Polaski,	Willaredt,
Dougherty,	Kooker,	Post,	Williams,
Down,	Kornick,	Price,	Wilt,
Duffy,	Korns,	Pursley,	Wood,
Dunn,	Krakow,	Ragot,	Worley,
Edwards,	Lafore,	Readinger,	Wyatt,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm,
Ewing,		Rovansek,	Speaker

NAYS—0

NOT VOTING—22

Agnew,	Goodling,	Magee,	Mullen,
Anderson, M. S.	Gramlich,	Mahan,	Pomeroy,
Blair,	Johnston,	McCormack,	Steckel,
Comer,	Jump,	Merry,	Stroup,
Dennison,	Limper,	Miller, B. Z.,	Trusio,
Frascella,		Miller, W. H.,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. VARNER asked and obtained unanimous consent to address the House.

Mr. Speaker, last Thursday the Governor said every state employe must turn in an honest day's work before he can take outside employment.

This article appeared in the Oil City, Pa., Derrick, a daily newspaper.

> And he made it plain that any outside job must not conflict in any way with 40 hours a week of official state duties.
>
> Anyone who has (outside) conflicting activities that interfere with his state job will be asked to resign or be dismissed, the Governor declared at his weekly news conference.

Nearly two years ago on March 29, 1955, the following story appeared in the Clarion Democrat, Clarion, Pa., with the headline:

> Editor of Democrat Named to State Post.
>
> The Hon. John R. Torquato, Secretary of Labor and Industry in Governor George M. Leader's cabinet, has announced the appointment of Walter L. Smith, editor of the Clarion Democrat, to a position in the Department of Labor and Industry.
>
> Mr. Smith, whose home is at 74 South Fourth Avenue, Clarion, will serve as an inspector for the State Workmen's Insuarnce Fund in an area embracing several counties. He will report to the Hon. Samuel Gunnett Neff, former State Senator from Beaver County, who is now manager of the State Workmen's Insurance Fund.
>
> The Clarion man's appointment, which was made in Harrisburg last Tuesday, will not conflict with his editorship of the Clarion Democrat and of the Clarion Conveyor, a tabloid newspaper published every other week for the employes of the Clarion plant of Owens-Illinois.

I wanted to call this to the attention of the Governor's office and the people of Pennsylvania because the Governor has now come to the conclusion that this kind of people should be dismissed, and with that I concur.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mrs. MARKLEY asked and obtain permission for the Committee on Education to meet during the session of the House.

RESOLUTION

Mr. THOMPSON offered a resolution which was filed with the Clerk.

REPORT FROM COMMITTEE

Mr. REIDENBACH from the Committee on Education, reported as amended, House Bill No. 140, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing representation on the board of directors of union, merged and consolidated school districts.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 8.

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 8.

An Act making an appropriation to the House of Representatives and to the Senate for payment of expenses of members and Senators.

COMMITTEE MEETINGS

AGRICULTURE AND DAIRY INDUSTRIES, Mr. Light, Chairman, Room 331, Tuesday, February 12, at 10:15 a. m.

BOROUGHS, Mr. Varner, Chairman, Room 324, Tuesday, February 12, at 11:30 a. m.

EDUCATION, Mrs. Markley, Chairman, Room 324, Tuesday, February 12, at 9:30 a. m.

FISHERIES, Mr. Stoner, Chairman, Room 331, Tuesday, February 12, at 11:00 a. m.

HIGHWAYS, Mr. Hocker, Chairman, Room 329, Tuesday, February 12, at 11:00 a. m.

JUDICIARY SPECIAL, Mr. Thomas H. W. Jones, Room 145, Tuesday, February 12, at 11:00 a. m.

THE LEGISLATIVE SERVICE CLUB will met in the Capitol Cafeteria, Tuesday, February 12, at 8:30 a. m. All members of Rotary, Kiwanis, Lions and other Service Clubs are invited and urged to attend.

ADJOURNMENT

Mr. ZIMMERMAN. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 12, 1957 at 1:00 p. m.

The motion was agreed to, and (at 6:13 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, FEBRUARY 12, 1957. No. 12.

SENATE

TUESDAY, February 12, 1957.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. E. HAROLD MILLER, Pastor of The First Methodist Church, Duquesne, offered the following prayer:

Let us pray.

Our Father and our God, we come once more into this the sanctuary of law and order, refreshed by the memories that this twelfth day of February brings to all thinking men, regardless of party affiliation. We come thanking Thee for the inspiration that memory of him awakens within us; for the spirit of brotherhood that the needs of his life revitalizes in our hearts.

We would, therefore, pray that as we seek for the answers to the complex problems which so often are ours with which to deal, that we will not strive in our own poor strength alone. We would remember that He who was greater than any of us sought, without ceasing, Thy divine guidance with ever fervent zeal.

Give unto us, therefore, again to realize that without Thee we can do nothing of lasting value, but with Thee as our constant Guide and Helper, all things are possible.

Bless us then in this hour and in every hour as we strive with Thy help to make for this and every day one which shall be worthy of Thy divine approval, for Thy Name sake, we pray. Amen.

JOURNAL APPROVED

The PRESIDENT A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARNEY, further reading was dispensed with, and the Journal was approved.

COMMITTEE TO ESCORT THE GOVERNOR TO THE SENATE

Mr. MAHANY. Mr. President, inasmuch as we have set the hour of three o'clock as the time for the special order of business for the observance of Abraham Lincoln's birthday and we have informally invited the Governor to attend this ceremony, and I understand that he is willing to accept, I move that the President pro tempore of the Senate appoint a committee of three Senators to wait upon the Governor and to escort him to the Senate Chamber at the hour of three o'clock to attend our Lincoln Birthday Observance.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE APPOINTED TO ESCORT THE GOVERNOR TO THE SENATE

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee to escort the Governor to the Senate Chamber: the gentleman from Delaware, Mr. Watkins; the gentleman from Lebanon, Mr. Ehrgood; and the gentleman from Allegheny, Mr. Schmidt.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

REGISTER OF WILLS AND CLERK OF THE ORPHANS' COURT IN AND FOR THE COUNTY OF CARBON

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mrs. Grace E. Mengle, 302 North Seventh Street, Lehighton, Carbon County, for appointment as Register of Wills and Clerk of the Orphans' Court in and for the County of Carbon, until the first Monday of January 1958, vice Hon. Harvey M. Hiller, deceased.

GEORGE M. LEADER.

MEMBERS OF THE STUDY COMMISSION OF THE PHILADELPHIA METROPOLITAN AREA

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Study Commission of the Philadelphia Metropolitan Area, until terminated:

William Lawrence Butler, Newtown Square, Delaware County.

Paul W. Mood, Ridge Road, Perkasie, Bucks County.

GEORGE M. LEADER.

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Zick (Democrat), Saxton, Bedford County, for reappointment as a member of the Bedford County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE CLARION COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary E. Kassel (Republican), 108 Merle Street, Clarion, Clarion County, for reappointment as a member of the Clarion County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE DAUPHIN COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mervin D. Rudisill (Democrat), North Second Street, Lykens, Dauphin County, for reappointment as a member of the Dauphin County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Rev. Harry T. Richwine (Republican) 512 Chestnut Street, Lebanon, Lebanon County, for reappointment as a member of the Lebanon County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE SULLIVAN COUNTY BOARD OF ASSISTANCE

February 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Sullivan County Board of Assistance:

Vell C. Holcombe (Republican), Dushore, Sullivan County, until December 31, 1959.

Robert H. Marquardt (Republican), Muncy Valley, Sullivan County, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER

JUSTICE OF THE PEACE

February 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Fred S. Charles, Central Avenue, Avis, Clinton County, for appointment as Justice of the Peace in and for the Borough of Avis, Clinton County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER

JUSTICE OF THE PEACE

February 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John L. Grab, R. D. 2, Columbia, Lancaster County, for appointment as Justice of the Peace in and for the Township of West Hempfield, Lancaster County, to serve until the first Monday of January 1958, vice Phares B. Stehman, deceased.

GEORGE M. LEADER

JUSTICE OF THE PEACE

February 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Enrico A. Papurello, Giron Street, R. D. 2, West Leechburg, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of West Leechburg, Westmoreland County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., February 12, 1957.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

No laws, however wise, can take the place of honest public servants devoted to ethical principles and dedicated to the best interests of those they serve.

We shall always need men and women of high personal integrity in our elected and appointed offices; and for the most part, this Commonwealth has been exceedingly fortunate in getting them.

But given honest and able public servants, we still must provide the good laws under which good government flourishes.

I recommend two such bills to this Legislature.

The first defines and regulates conflicts of interest on the part of State officials and employes. An analysis of the proposed bill is attached to this message.

St. Matthew said that "no man can serve two masters."

By the same token, no public servant can serve the general weal and his own self-interest in those cases where the two are unalterably opposed to one another.

In many cases, these clashes of interest are obvious and unmistakable.

In other cases, the issue is far from being open-and-shut, and honest men find it hard to decide whether a course of action is proper or improper.

It is in the hope of defining the unmistakable conflict and of throwing light on the twilight area of conduct that we propose this legislation.

A great many conflicts of interest are unavoidable, of course. A member of this Assembly who votes on a tax law is affecting his own tax payment as well as everyone else's.

But in the twilight area of which I spoke, there are also conflicts of interest which, as things now stand, can only be resolved in terms of individual judgment.

This, then, is the problem: how are we to separate the unavoidable conflicts of interest from the dubious and the venal?

The proposed bill attempts to make that separation in clear and unmistakable fashion.

I might mention that a number of Departments in the State have long been aware of the dangers inherent in conflicts of interest. The Department of Justice, for example, has for some years prohibited its salaried attorneys from appearing for the defense in criminal cases, or from representing any plaintiff in an action against the State or a State agency. But it has taken such action through administrative decree.

This bill would clarify, define, and punish violations of the law. I strongly urge its adoption.

The second legislative act I propose would require the registration of lobbyists and a public accounting of their expenditures.

I believe that the people of this Commonwealth have the right to know officially what person and what interest is attempting to influence legislation and public policy in Pennsylvania. And I believe the people of this State have a right to know what sums of money are being spent to exert that influence.

Lobbyists represent pressure groups. As such they provide a real service in directing and stimulating expressions of opionion by their membership and other interested persons.

In presenting the opinions of a group, in bringing before the members of the General Assembly an expert knowledge of that group's opinion, they often perform an invaluable function.

The danger of such pressure groups, of course, is that they may sometimes bring about the subordination of the over-all interest to the interests of the articulate and well-organized few.

In any case, I feel that this proposed bill will spotlight their activities in a manner that cannot fail to benefit the cause of good government.

If lobbyists are required to register and account for what they spend, it cannot fail to help the legislators themselves, and the members of the press whose unofficial job it is to help guard the interests of the people.

Certainly I find it difficult to believe that the members of this Assembly could argue against this good government measure.

Pressure groups have their place in the legislative scheme of things. But so long as they seek to influence legislation, they should be required to make their activities public.

Such a law has been on the Federal Government's books since 1946, and a number of state governments have adopted similar legislation since that time.

The bills which I here recommend possess a quality in common:

Both seek to protect the welfare of the many from erosion for the benefit of a few.

In one case, we seek to limit the action of a public servant who finds himself at cross-purposes with the over-all good of the Commonwealth.

In the other, we seek to identify pressure groups clearly enough so that the most expert techniques of persuasion, and the most substantial of bank accounts, will not subordinate the general welfare to the particular goals of a few.

Together, these bills strike at the heart of special interest government-whether on the part of the individual or the pressure group.

Together, their enactment cannot fail to increase the confidence of Pennsylvania's citizens in their State Government and in its desire to serve all of them honestly and well.

GEORGE M. LEADER.

Subject: Conflict of Interest Bill

To: Hon. George M. Leader, Governor of Pennsylvania

From: Hon. Thomas D. McBride, Attorney General

The proposed conflict of interest act is designed to delineate clearly the boundary between permissible and prohibited action by State officers, employes and legislators in matters involving the State. It accomplishes this goal by treating three broad areas of possible conflict: (1) representation during a period of service or employment; (2) sale of goods or services to the State during a period of service or employment; and (3) representation subsequent to a period of service or employment. Prohibitions with respect to the first two areas of activity also cover firms, partnerships, associations and corporations in which such State officer, employe or legislator is a member of stockholder. However, representation in one's own behalf is permitted.

Both the Federal and New York statutes have been studied in drafting the proposed act, but neither is identical to the recommended legislation for Pennsylvania. While New York's format of a separate conflict of interest statute has been adopted rather than the Federal approach of adding relevant sections to the penal code, the latter's more realistic substantive coverage has been preferred to New York's looser treatment. For example, New York bans representation by State officials during their service or employment only on a contingent

fee basis; whereas, in both the Federal and Pennsylvania views, a conflict of interest is not dependent on the contingency of the compensation.

A section by section analysis of the bill will prove helpful in understanding its scope and application.

Section 1 is the short title and needs no explanation.

Section 2 contains definitions and makes explicit the broad meanings to be given to the terms defined. "Agency of the Commonwealth" includes not only State Departments, but also departmental boards and commissions (e.g. Board of Pardons), independent boards and commissions (e.g. Liquor Control Board) and independent instrumentalities (e.g. Turnpike Commission, General State Authority). "Prohibited person" includes corporations in which the officer's, employe's or legislator's stock ownership is indirect (e.g. stock owned by wife) as well as direct.

Section 3 deals with representation during service or employment. Subsection (a) prohibits the performance of compensated services in relation to any matter either pending before a State agency or in which such agency is involved. This includes informal contacts and conferences, formal hearings and court proceedings. However, the subsection makes it clear that such prohibition does not apply where the matter involved is ministerial and not discretionary in nature, such as the filing of a tax return with the Department of Revenue or of articles of incorporation with the Department of State. If, subsequently, however, the tax return is questioned by the State and an adverse situation develops, futher representation would be prohibited.

Subsection (b) deals with certain lobbying activities. No prohibited person may lobby or otherwise perform services in relation to any matter or bill before the General Assembly if he receives any compensation therefor other than that received from the Commonwealth in the course of his service or employment. This exception for official compensation is necessary so that, for example, an executive officer of the State may urge passage of a bill desired by his Department, an activity in which he may rightfully engage.

Section 4 treats the sale of goods or services to the State by prohibited persons. Such sales, as is explicitly stated in the section, are completely prohibited.

Limitations on representation by an officer or employe of a State agency—but not by a legislator or officer or employe of the legislature—following the termination of his service or employment are common features of conflict of interest laws, and section 5 attempts to detail specifically what is prohibted. Any appearance before a State agency or transaction of business with a State agency or receipt of compensation for services rendered is prohibited if the matter involved is either one of two types: (a) a matter which the officer or employe handled or participated in personally during his service or employment regardless of which agency the matter was before or in at the time or (b) a matter which was before or in the agency in which the officer or employe served or was employed during the period of his service or employment regardless of whether he personally handled the matter. Since a criminal offense is involved, however, knowledge at the time the officer or employe subsequently makes his appearance or transacts his business or receives his compensation that the matter had been before or in his agency during his period of service or employment is required before penalties can be imposed. In all cases, the prohibition is limited to a period of two years following service or employment.

One exception is made to the restrictions of section 5. Occasionally, a person may leave State service or employment who, subsequently, is needed by the State to aid it in dealing with a matter handled by him during his period of service or employment. He may be retained by the State and make any appearance, transact any business and receive compensation pursuant to his retention without violating the provisions of section 5.

Section 6 is an implementation section requiring every State agency to keep a record of appearances before it at any hearing, investigation or inquiry which it may conduct.

Section 7 is a penalty provision. Any violation of the prohibition sections of the act is a misdemeanor carrying a fine up to one thousand dollars or imprisonment up to one year or both. In addition, representation or sale of goods or services during a period of employment requires removal from office or employment and subsequent disbarment from office or employment when a person is convicted of such representation or sale.

Because of the intricacies which arise in making specific application of the act, the Attorney General is empowered to promulgate rules and regulations under the act. These rules and regulations will provide more detailed guides of conduct for persons falling under the act's restrictions and more easily enable him to chart his activities.

In order that a reasonable time may be given following enactment to study the acts provisions and scope, section 9 provides that the act shall not become effective until ninety days after enactment.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 7, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making it unlawful to knowingly listen into deliberations of juries.

Which was committed to the Committee on Judiciary General.

House Bill No. 17, entitled:

An Act amending the act of July 12, 1935 (P. L. 677) entitled "An act to fix the status of officers and employees of the Commonwealth and political subdivisions thereof while in training with the armed forces of the United States," including members of the United States Coast Guard Reserve.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 76, entitled:

An Act reenacting and amending the act of July 7, 1955 (P. L. 256), entitled "An act creating a temporary advisory commission to examine, report upon and recommend reorganizations of agencies and functions of the State government; prescribing its powers and duties; directing cooperation of governmental agencies; and

authorizing the issuance of subpoenas," reactivating and extending the life of the commission.

Which was committed to the Committee on State Government.

House Bill No. 78, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," requiring that summary offenses under the act be commenced before certain specified magistrates, aldermen or justices of the peace.

Which was committed to the Committee on Judiciary General.

House Bill No. 80, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "Fish Law of 1925," requiring that violations of the act or rules and regulations promulgated thereunder be prosecuted before certain specified margistrates, aldermen or justices of the peace.

Which was committed to the Committee on Judiciary General.

House Bill No. 161, entitled:

An Act amending the act of May 2, 1949 (P. L. 873) entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs ***," clarifying the provisions of the act as to its application in townships.

Which was committed to the Committee on Local Government.

House Bill No. 162, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs ***," further defining the formula used to determine the amount of payments to be made to the political subdivisions.

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Highways, reported as committed, Senate Bill No. 20, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for revocation of operators licenses for failure to stop on signal of a peace officer and exceeds the speed limit in an attempt to escape pursuit.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 27, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof.

He also, from the Committee on Highways, reported as amended, Senate Bill No. 89, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," authorizing the Department of Highways to construct and maintain cattle passes under State highways and rural State highways hereafter constructed.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 144, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," further regulating pedestrians' right of way upon highways in business or residence districts.

Mr. STEVENSON, on behalf of Mr. WALKER, from the Committee on Local Government, reported as committed, Senate Bill No. 19, entitled:

An Act amending the act of June 19, 1913 (P. L. 534), entitled "An Act relating to appointment of deputy constables," defining the jurisdiction of deputy constables.

He also, on behalf of Mr. WALKER, from the Committee on Local Government, reported as committed, Senate Bill No. 35, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eighth Class County Assessment Law," imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

He also, on behalf of Mr. WALKER, from the Committee on Local Government, reported as committed, Senate Bill No. 99, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," changing the over-all limit of tax revenues for certain taxing districts.

He also, on behalf of Mr. WALKER, from the Committee on Local Government, reported as committed, Senate Bill No. 122, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," permitting borough council to hold its organization meeting on first day after a holiday.

He also, on behalf of Mr. WALKER, from the Committee on Local Government, reported as committed, Senate Bill No. 123, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," permitting county commissioners to hold their organization meeting on the day after a holiday.

Mr. PROPERT, from the Committee on Finance, reported as committed, Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951(P. L. 1742) entitled, as amended, "The Realty Transfer Tax Act," requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

SENATE RESOLUTION, SERIAL No. 3, REPORTED FROM COMMITTEE AND LAID ON THE TABLE

Mr. STEVENSON, on behalf of Mr. WALKER, from the Committee on Local Government, to which was referred resolution offered by Messrs. Lane, McMenamin and Donolow on January 22, 1957, reported the same without amendment as follows:

DIRECTING THE LOCAL GOVERNMENT COMMISSION TO INVESTIGATE THE RISING COSTS OF RECORDING LEGAL DOCUMENTS

In the Senate, January 22, 1957.

It has come to the attention of the Senate that the cost of recording deeds, papers for estates, and all other legal documents has been steadily rising.

It is contended, that these costs in the Commonwealth are much higher than in most other states of the Union.

The matter of rising costs of recording legal documents constitute a great burden upon the ability of small estates and less affluent persons to pay; therefore be it

Resolved, That the Local Government Commission be directed to make a thorough study and investigation on the problem of rising costs of recording legal documents. The Commission should compare the costs of administering comparable recording services in other states and should consider the impact that these costs have upon smaller estates and persons in lower income brackets, and be it further

Resolved, That the Local Government Commission submit a report to His Excellency the Governor and to the Senate of its findings and recommendations, with drafts of legislation necessary to carry these recommendations into effect.

Laid over for one day under the Rules.

REPORT OF COMMITTEE TO ESCORT THE GOVERNOR TO THE SENATE

The PRESIDENT. The Chair recognizes the Sergeant-at-arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presenting a committee on behalf of the Senate.

Mr. WATKINS. Mr. President, I have the honor of presenting His Excellency, the Governor of the Commonwealth.

The PRESIDENT. The Chair thanks the committee, and invites the Governor to the rostrum.

MEMBERS OF BOY SCOUT TROOPS PRESENTED TO SENATE

Mr. WADE. Mr. President, I would like to present to you, and to the Members of the Senate and to the Governor as well some distinguished guests, although it is hardly necessary to present them this afternoon to the President or the Governor, because you both honored us at a luncheon.

The particular guests I refer to are members of Boy Scout Troops throughout the Commonwealth of Pennsylvania, who are here in Harrisburg for an official visit. These young men have been selected from their Scout areas and, as I said a moment ago, have just attended a luncheon at which you and the Governor honored us with your presence.

These young men are students of government and each and everyone has distinguished himself by advancement in Scout Troops.

I am happy, therefore, Mr. President, to present them to you if you will extend a word of greeting to them, please.

The PRESIDENT. Will the members of the Boy Scouts of America please stand in order for the Members of the Senate to see how many of you are represented here?

On behalf of the Governor and also the Members of the Senate, I want to say to the Boy Scouts that we are honored to have you with us this afternoon. We hope that you will enjoy your little visit here with us today and will come back again at a later date.

CEREMONIES COMMEMORATING THE BIRTHDAY OF ABRAHAM LINCOLN

The PRESIDENT. The time for the ceremonies commemorating the birthday of Abraham Lincoln having arrived, the Chair now recognizes the gentleman from Cambria, Mr. Walker.

Mr. WALKER. Mr. President, His Excellency the Governor, Fellow Members of the Senate, Ladies and Gentlemen:

As we pause in our duties as members of the Senate to pay reverence to the memory of Abraham Lincoln, the sixteenth President of the United States, who was born this day in the year 1809, I am sure we do so united in our belief that few men in recorded history have left such a rich heritage to posterity.

Throughout the length and breadth of this great land of ours, yes throughout the world, today men pause, reflect, and again study the short life of this man who truly was one who pulled himself up by his own bootstraps, and left for all a pattern in living, loving, and serving that grows in beauty and magnitude with each succeeding year.

Lincoln has properly become a legend for decent, honest and faithful service as an individual as well as a public servant.

The story of his ancestry and his Pennsylvania roots is a source of pride to all Pennsylvanians as well it may be. Time permits only a few passing references, but it is established that the story of the Pennsylvania Lincolns originated with the brothers Mordecai and Abraham Lincoln, who came to our Commonwealth from New Jersey in the year 1720.

Mordecai Lincoln eventually settled in Berks County, and was the great, great-grandfather of President Lincoln.

Abraham's descendants took up their abode in Philadelphia, and some of them still reside at Darby on the southern outskirts of that city.

On at least three occasions, President Lincoln visited Philadelphia. He was there in June 1848 to attend the National Whig Convention; and again in 1861, enroute from Springfield, Illinois to Washington, D. C., where he was to be inaugurated President of these United States; and again in the year 1864 when he was the guest of honor at a Sanitary Fair. After his death, his body was viewed lying in state at both Harrisburg and Philadelphia.

Other points in Pennsylvania where Lincoln is known to have delivered addrseses are Pittsburgh, Harrisburg, Lancaster and, of course, Gettysburg. There he spoke more eloquently than any other man has ever spoken in the English tongue. He did not know, when he spoke at Lancaster, that his own grandfather was born in Lancaster County, or in the adjacent County of Berks, and married a Berks County Girl named Ann Boone, who, incidentally, was a Quaker and a sister or an aunt of the famed pioneer, Daniel Boone. History tells us that his grandfather, the grandfather of our beloved President, was killed in an Indian massacre in the year 1786 at Hughes Station in Kentucky, about twenty miles east of Louisville.

Lincoln's formal education totaled about one year, but his insatiable hunger for knowledge, fed by a prodigious, life-long dedication to good reading, developed Lincoln into a brilliant lawyer, and he earned for himself the reputation of being the outstanding trial lawyer in the Eighth Judicial Circuit of Illinois. His desire to be of help to his fellow man led him into politics, the Legislature, Congress and the Presidency.

Lincoln was a most unusual man, standing six feet four inches in height and weighing about two hundred pounds. No man has ever looked into that face, or its likeness in stone or photograph, and failed to be impressed with his genuine sincerity, goodness and mercy. His hands

have been preserved for posterity, and casts of them can be seen in the Smithsonian Institute in Washington, D. C. They, too, are eloquent of the greatness, devotion and love of, in my humble opinion, the greatest citizen of our great Nation in all time. Few folks ever view the Lincoln Memorial in Washington, D. C., and see the likeness of Abraham Lincoln sitting in his chair without a resurgence of patriotism and devotion to the principles for which he gave his all.

In a lifetime of study of history, I know of no man who began life in humbler surroundings and rose to the pinnacle of his government, and who has left so much for all of us to emulate. To him, obstacles that defeat too many of us became stepping stones to greater usefulness to his fellow man. His recorded quotes and phrases are as appropriate today as when spoken about a hundred years ago. They carry, it seems to me, almost a biblical overtone in usefulness and truth that makes them bywords almost every day of our lives.

His simplicity of speech is best exemplified by his world famous Gettysburg Address, today known to every schoolroom and pupil. Edward Everett, the brilliant orator who was the principal scheduled speaker at this ceremony for the dedication of the Battlefield at Gettysburg, wrote President Lincoln the day following the exercise and said in part:

"Permit me also to express my great admiration of the thoughts expressed by you, with such eloquent simplicity and appropriateness, at the consecration of the cemetery. I should be glad if I could flatter myself that I came as near the central idea of the occasion in two hours as you did in two minutes."

President Loncoln's reply was as gracious as Mr. Everett's compliment. He wrote:

"I am pleased to know that in your judgment the little I did say was not entirely a failure. I knew Mr. Everett would not fail."

In closing, I wonder if we may not take stock of our own responsibilities. In Lincoln's day, the issue was "Freedom Versus Slavery." Today, as I see it, the issue is still the same, "A Free World Versus Communist Enslavement." In Lincoln's day, our young Nation was the battleground on which this issue was decided.

Today the world is the battleground but in each case, freedom and the survival of the Nation is the issue. Lincoln made the Nation safe and freedom secure. Today, we are determined to do no less for ourselves and for the world.

This, nothing less, is the labor to which we are called and our strength dedicated. These words reach back through the years to the man whose memory we honor today, and the echo comes back to us strongly in Lincoln's well known words:

"With malice towards none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in—to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

The PRESIDENT. The Chair now recognizes the gentleman from Philadelphia, Mr. Stiefel.

Mr. STIEFEL. Mr. President and Members of the Senate, to me this is the greatest honor in being selected to deit in the Senate was in 1943, the year "Colonel Dent" became the leader of the Democratic Minority. I believe it was in 1943 when "Colonel Barr" served his first term in the Senate.

It is very difficult to find new material for the delivery of this address. However, Mr. President, I believe now is a propitious moment to call to your attention that His Excellency, the President of the United States, proclaimed preparations for the celebration and commemoration of the Centennial of the Civil War. I believe Pennsylvania should also be the vanguard of this movement, because Pennsylvania has been the arsenal of democracy in America which contributed a lion's share to the victory of the Union.

For this reason, Mr. President, it is proper now, during this current Session of the General Assembly, to select such a commission that would evaluate the contributions of Pennsylvania to the victory of the Union. I envision liver the Lincoln Day Address. The first time I delivered a whole shelf of books dealing with Pennsylvania's contributions and, of course, a commemorative year in the celebration because it was on the soil of Pennsylvania that the Confederate Army was crushed.

Gettysburg, as the selection of the Gettysburg Battlefield, was accidental due to a young Confederate Lieutenant who found a supply of boots in a store in Gettysburg and decided to come back, and he became enmeshed in a battle with the vanguards of the Union Army. As a result of that, the Gettysburg Battle was held in a terrain which was not advantageous to the Confederate Army. If it had not been Gettysburg, it would have been a different locality in Pennsylvania because the gray fox of the Confederacy, General Lee, came to Pennsylvania not to invade the North or to cut the jugular vein of the Union, he came to Pennsylvania to knock out the arsenal of the Union strength. It was figured out that if Pennsylvania would be vanquished, then the Confederate Army would still have a chance.

Let us bear in mind that at just about the time the Gettysburg Battle was fought, Vicksburg was conquered and, as President Lincoln announced, the Father of Waters was again rolling unvexed to the sea. The opening of the Mississippi disjointed the Confederacy and brought near its doom.

Pennsylvania was the leader of the Union. To tell the story of Pennsylvania's support of Abraham Lincoln in his efforts to preserve the Union would require virtually a complete history of the Civil War. Every man who went out from Pennsylvania firesides to fight and die for the Union, every cannon, rifle and implement of war manufactured in the great industrial plants of Pennsylvania, every dollar subscribed by Pennsylvania citizens toward the war effort, would be part of that story.Greatest of all, perhaps, was the fact that Lincoln felt he could depend upon Pennsylvania.

The General Assembly of Pennsylvania passed a resolution on January 24, 1861, calling upon the Federal Government to maintain its authority and pledging the faith and power of Pennsylvania to the support of such measures.

President Lincoln called for 75,000 volunteers on April 15. Pennsylvania's quota was fourteen regiments, but so enthusiastic was the response of Pennsylvania that there were enough men who volunteered to fill twenty-

five regiments. During the war, Pennsylvania contributed 362,284 men for the Union Army and more than 14,000 men to the Navy.

To train the Pennsylvania recruits, Camp Curtin was established on the outskirts of Harrisburg and, after the training of the original volunteers, the Federal Government took it over for the rest of the war. Three hundred thousand Union soldiers passed through Camp Curtin while the war continued. It was also a supply depot, a hospital and a prisoner detention camp. There were other camps at Easton, West Chester, Philadelphia, Chambersburg and Pittsburgh.

Pennsylvania supplied not only men, but leaders. Some of the outstanding officers of the Civil War were Pennsylvanians, including McClellan, Meade, Reynolds, Hancock and McClure. In all, there were two commanders-in-chief, twelve major-generals and forty-eight brigadier-generals. To naval leadership, the State gave Admiral David Porter, who opened the Mississippi, and three Rear-Admirals, Stewart, Dahlgren and Godon.

Mr. President, I have here a speech which takes up twelve pages. I am not going to read it in full; I am going to present it to you in mimeograph form.

However, I want to say that President Lincoln always cherished visits to Pennsylvania. He is the one who always presented to the people, stressed and underscored, the greatness of the Declaration of Independence. He summarized in one expression the gist of the Declaration of Independence when he said:

"The Declaration of Independence gave promise that in due time the weights would be lifted from the shoulders of all men."

On February 22, 1861, President Lincoln delivered a speech at Independence Hall in Philadelphia. It was on the first occasion of his visit, and the next occasion of his visit was when he was lying in state on his way to Springfield for burial.

There are many mementos of Lincoln which are numerous in Pennsylvania, from the Lincoln country of Berks County whence his ancestors came, to Gettysburg where he delivered his immortal address. I want to say that I doubt whether there is any topic in American history or in American literature which, annually, adds more literary contributions than the topic of Lincoln generally, and the Gettysburg Address, in particular.

You know, Mr. President, I never quarrel with the press. I am somehow awe-inspired by their representatives. However, what I am going to say I do not want to be construed as an aspersion or an attempt to evaluate the significance of Lincoln's Gettysburg Address, not only here in America but also in England.

Even Lincoln, himself, after the delivery of his address, felt downcast. My learned colleague from Cambria already pointed out to you how gracious Everett was in praising the President's address. However, the President, himself, did not think so. Even Everett, in a whisper, not officially, said to Seward, "It is not what I expected of him. I am disappointed." Then he said to Seward, "What do you think about it?" Seward said, "He has made a failure and I am sorry for it." Lamon said, "I am sorry to say that it does not impress me as one of his great speeches."

When President Lincoln came back to Washington, he said to Lamon, "I tell you, Hill, that speech fell on the audience like a wet blanket. I am distressed about it. I ought to have prepared it with more care and elaboration."

The public's first reaction was one of deprecation. First of all, the impression was poor because of the sudden conclusion of the address. He seemed to have stopped as soon as he had begun. No one expected him to end when he did. All were prepared for much more than they heard. Of course, the next day, Everett wrote to Lincoln as follows:

"I should be glad if I could flatter myself that I came as near to the central idea of the occasion in two hours, as you did in two minutes."

Carl Sandburg, a great authority on Lincoln, said that this was a sincere opinion. However, another biographer, Barton, says that it only proves that Everett knew how to pay a gracious compliment and does not prove that he believed Lincoln had really made a great speech

This is what the London Times said:

"The ceremony was rendered ludicrous by some of the sallies of that poor President Lincoln. Anything more dull and commonplace, it would not be easy to produce."

Now, coming to Harrisburg, the Patriot and Union of Harrisburg, Pennsylvania, said:

"The President succeeded on this occasion because he acted without sense and without constraint in a panorama that was gotten up more for the benefit of his party than for the glory of the nation and the honor of the dead. We pass over the silly remarks of the President; for the credit of the nation we are willing that the veil of oblivion shall be dropped over them and that they shall no more be repeated or thought of."

The Chicago Times said:

"The cheek of every American must tingle with shame as he reads the silly, flat and dish-watery utterance of the man who has to be pointed out to intelligent foreigners as the President of the United States."

The New York Tribune said:

"The dedicatory remarks were then delivered by the President." They said no more.

How modern these reactions of a partisan press seem. But, through the murk of abuse that every President from Washington on has had to endure in the name of democracy, there shone some rays of light.

The first to appreciate the Gettysburg Address was the Springfield Republican, of Massachusetts, which read as follows:

"Surpassingly fine as Mr. Everett's oration was in the Gettysburg consecration, the rhetorical honors of the occasion were won by President Lincoln. His little speech is a perfect gem; deep in feeling, compact in thought and expression, and tasteful and elegant in every word and comma. Then it has the merit of unexpectedness in its verbal perfection and beauty. Turn back and read it over; it will repay study as a model speech."

Then came the Cincinnati Gazette:

"That this was the right thing in the right place, and a perfect thing in every respect was the universal encomium."

The Providence Journal said:

"We know not where to look for a more admirable speech than the brief one which the president made at

the close of Mr. Everett's oration. But, could the most elaborate and splendid oration be more beautiful, more touching, more inspiring, than those thrilling words of the President? They had in our humble judgment the charm and power of the very highest eloquence."

Fortunately enough, Everett's speech was so long that the poor weekly newspapers throughout the Country did not have the space nor money to spend to reprint it. They limited themselves to printing the brief address by President Lincoln Therefore, this brief address became known throughout the Country in a short while.

Today, the Gettysburg Address is considered the outstanding masterpiece of the English language. Analysis reveals that of its 266 words there are 190 of one syllable; fifty-six are of two syllables. Only the remaining twenty words have more than two syllables. This is no minor accomplishment. As I already stated, in literature, it is considered the greatest gem of the English language.

Earl Curzon, when he was Chancellor of the University of Oxford, in dedicating a bronze tablet on November 6, 1913, on which was the contents of the Gettysburg Address, said that there are only three masterpieces which are outstanding in the English language. The first is William Pitt's toast to the victory at Trafalgar; the second is the Gettysburg Address, and the third is Lincoln's Second Inaugural Address. Of these last two speeches, he has the following to say:

"They were uttered by a man who had been a country farmer and a district lawyer before he became a statesman. But they are among the glories and treasures of mankind. I escape the task of deciding which is the masterpiece of modern English eloquence, by awarding the prize to an "American."

Leo Tolstoy, the great towering figure of Russian literature, said about Lincoln that he is "Christ in Miniature." I maintain that no person demands such a universal sweep throughout the world as Abraham Lincoln. He has a cosmopolitan impact. You can find his pictures in the frozen tundras of the north or in the tropics. All over the world, people are Lincolnists.

I personally had a touching experience. Back in 1920, I accompanied the Commander of the Australian Forces in Europe, General Monash, throughout the Holy Land. Then, I discovered that General Monash had, for each day, a saying uttered by Lincoln. Furthermore, he always had Lincoln's portrait on his desk. He used to say, in the words of Napoleon who said of Goethe, "C'est L'homme;" this is the man.

We ought to be proud, as Americans, that this Country produced such a titan.

Coming back to the opening of my remarks, I believe that of all the States, Pennsylvania has to lead in organizing the commemoration of the Civil War victory. Above all, through this we will inculcate in the hearts of our youth a feeling of pride in having a man of such majestic and sweeping impact upon the world. For this reason, I urge you not to overlook this chance.

STUDENTS FROM STATE COLLEGE HIGH SCHOOL PRESENTED TO SENATE

Mr. HAYS. Mr. President, I would like to report that among the many distinguished young citizens in the Senate Chamber today is a group of young citizens from one of the best high schools in the State of Pennsylvania, State College High School. They are here with a member of their staff, Mr. Lindley Yerg.

The PRESIDENT. Will the members of the State College High School please stand?

On behalf of the Members of the Senate, the Chair welcomes this group here with us today and we hope you enjoy your stay with us.

GOVERNOR GEORGE M. LEADER PRESENTED TO SENATE

The PRESIDENT. The Chair has the honor now to present to you, His Excellency, the Governor of the Commonwealth, George M. Leader.

REMARKS BY GOVERNOR GEORGE M. LEADER

GOVERNOR GEORGE M. LEADER. Thank you very much, Mr. President and Members of the Senate. Let me assure you I am not here to make a speech.

If I may add just one word to what my distinguished friend, Senator Stiefel, said here and reported here in quoting what was said in the press following Lincoln's Gettysburg Address, there was just one little paper, I would like to add, and that was a little weekly paper down in Hanover, Pennsylvania, which was published by a chap by the name of Leader; perhaps some distant relative. His daughter covered that address and was one among that minority group who reported that address favorably.

If that has any significance on this occasion, perhaps it is the fact that we Leader's are better able to appreciate a good address than we are to deliver one. That is the approach I hope to take here today.

I think if I may add just one word beyond that, I think perhaps the great lesson to be learned from Lincoln as we hear what he said and hear what he did, the real significance and the thing that is important to us today, is to recognize that these are only evidences of his deep conviction and his great faith. I think all of us would be very wise to draw on that same type of conviction and faith and the degree to which we are able to draw on it, in a large measure, is going to determine how much we are going to serve our fellowmen here in this Commonwealth of Pennsylvania in the months and years ahead.

I am always grateful for your kind invitations to come to the Senate. I am never disappointed. I recall last Session, when I came over here to commemorate Chief Justice Marshall, the fine oratory of Senator Stiefel and Senator Blass. It is nice to hear from Senator Walker, and it is nice to see that the name Walker is again well represented on the Republican side of the Senate. It is always fine to hear from my good friend, Senator Stiefel.

I hope all of us will learn a great lesson and draw great inspiration from what we have heard here today. Thank you very much.

The PRESIDENT. The committee to escort the Governor will assemble at the rostrum.

The addresses of the gentleman from Cambria, Mr. Walker, and the gentleman from Philadelphia, Mr. Stiefel, together with the remarks of His Excellency, the Governor of the Commonwealth, will be printed in the Legislative Journal.

BILLS INTRODUCED AND REFERRED

Mr. ELLIOTT read in his place and presented to the Chair Senate Bill No. 172, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for the erection of stop signs bearing the legend "Four Way Stop."

Which was committed to the Committee on Highways.

Messrs. KESSLER, RUTH, HAYS and WAGNER read in place and presented to the Chair Senate Bill No. 173, entitled:

An Act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School, and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction.

Which was committed to the Committee on Education.

Mr. FLACK read in his place and presented to the Chair Senate Bill No. 174, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," further regulating the scheduling, operation and equipment of motor buses and motor omnibuses, and the payment of gratuities or bonuses to operators thereof.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, on yesterday's Calendar there appeared a bill, Senate Bill No. 97, which had to do with the subject of wire tapping and the outlawing of this practice in the State of Pennsylvania.

Under our democratic process we ought to let everyone who has some feeling in this matter have an opportunity to be heard. In accordance with that belief, which I believe all of us subscribe to, I am introducing the following three bills which will allow the District Attorneys and the police in this Commonwealth to get a proper hearing before the committee.

I am sure the Chairman of that Committee, who is very fair and who wants to do the right thing, will have these bills in front of him when they take up the hearings in this matter.

Mr. President, this does not necessarily represent my point of view or some of the points of view of the other Members of this Senate. However, in fairness to those Members and with the idea of giving an opportunity for them to be heard, I am presenting these bills.

BILLS INTRODUCED AND REFERRED

Mr. WEINER (By request) read in his place and presented to the Chair Senate Bill No. 175, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making it an offense to interfere with or intercept telephonic communications, or to divulge the contents thereof without authority, and providing penalties therefor.

Which was committed to the Committee on Judiciary General.

He also (By request) read in his place and presented to the Chair Senate Bill No. 176, entitled:

An Act granting authority to the Attorney General, district attorney of a city or county, or the head of any police department of any political subdivision thereof, upon approval of a judge of the quarter sessions court of said county, to intercept and record telephone communications of persons suspected of violating the penal laws of this Commonwealth; and providing for contempt proceedings for improper use of such authority.

Which was committed to the Committee on Judiciary General.

He also (By request) read in his place and presented to the Chair Senate Bill No. 177, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making it an offense to possess any device commonly known as wire tapping instruments and providing penalties therefore.

Which was committed to the Committee on Judiciary General.

Messrs. WEINER and VAN SANT read in place and presented to the Chair Senate Bill No. 178, entitled:

An Act requiring every railway car used for transportation of employes to have certain equipment and providing penalties.

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 179, entitled:

An Act requiring common carriers by railroad to furnish flag protection to all trains occupying the main tracks; imposing duties on the Public Utility Commission; and providing penalties.

Which was committed to the Committee on Labor and Industry.

Mr. WEINER read in his place and presented to the Chair Senate Bill No. 180, entitled:

An Act to repeal sections 662, 663 and 730 of the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," relating to the imposition of penalties against railroad employes and other persons for certain activities during strikes and against transportation employes for injuries or death resulting from their actions.

Which was committed to the Committee on Labor and Industry.

He also (By request) read in his place and presented to the Chair Senate Bill No. 181, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," changing the definition of the term "firearm."

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 182, entitled:

An Act amending the act of May 24, 1951 (P. L. 402) entitled "An act authorizing the court in any proceeding to establish paternity, to order the parties therein to submit to blood grouping tests, and prescribing the conditions under which such evidence may be admitted," authorizing a blood test in any proceeding involving the issue of paternity.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, among the bills which I am about to present to the Chair is a bill dealing with an appropriation for the Independence Hall Mall in Philadelphia. We feel that whatever has been provided in the budget is not sufficient.

Now it is clear that if all the land would have been acquired seven or eight years ago, the cost of the Mall would be about $5,000,000 less. If we procrastinate this time, the expense will again rise.

Therefore, Mr. President, on behalf of Senator Chapman and myself, I offer this bill and some other bills which Senator Chapman and I are also sponsoring.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and CHAPMAN read in place and presented to the Chair Senate Bill No. 183, entitled:

An Act making an appropriation to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of Independence Mall in Philadelphia.

Which was committeed to the Committee on Forests and Waters, Game and Fish.

They also read in place and presented to the Chair Senate Bill No. 184, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," authorizing the rehabilitation and repair of certain hospitals and increasing the borrowing capacity of the Authority.

Which was committeed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 185, entitled:

An Act amending the act of May 13, 1927 (P. L. 988), entitled "Nurses Registration Law," adding provisions prohibiting discrimination because of age.

Which was committed to the Committee on Labor and Industry.

Mr. STIEFEL read in his place and presented in the Chair Senate Bill No. 186, entitled:

An Act to regulate and control the distribution, sale or offering for sale of ice cream and related frozen products; conferring certain powers and imposing duties upon the Secretary of Internal Affairs and inspectors of weights and measures in cities and counties relative thereto; and prescribing penalties for violations thereof.

Which was committed to the Committee on Agriculture.

Messrs. STIEFEL and CAMIEL read in place and presented to the Chair Senate Bill No. 187, entitled:

An Act imposing liability for interest upon insurance companies when an appeal is taken by the insurance company or its indemnitee.

Which was committed to the Committee on Insurance.

They also read in place and presented to the Chair Senate Bill No. 188, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled, as amended, "The Pennsylvania Workmen's Compensation Act," providing for payment by insurance carrier held liable by decision of referee and filing of bond by insurance carrier relieved of liability conditioned upon payment of amount of its liability fixed by final appellate decision.

Which was committed to the Committee on Labor and Industry.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 189, entitled:

An Act requiring the builders of dwelling or housing units to give bond to guarantee against defective workmanship and material.

Which was committed to the Committee on Judiciary General.

Mr. SEYLER read in his place and presented to the Chair Senate Bill No. 190, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law," changing benefit year provisions.

Which was committed to the Committee on Labor and Industry.

Messrs. CAMIEL, FLEMING, PECHAN and DONOLOW read in place and presented to the Chair Senate Bill No. 191, entitled:

An Act amending the act of July 11, 1917 (P. L. 758) entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs, and keeping records thereof: . . .," changing penalties for illegal sale, dispensing or giving away of drugs.

Which was committed to the Committee on Public Health and Welfare.

They also read in place and presented to the Chair Senate Bill No. 192, entitled:

An Act amending the act of July 11, 1917 (P. L. 758) entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs, and keeping records thereof: . . .," transferring enforcement from the Department of Health to the Pennsylvania Narcotics Commission.

Which was committed to the Committee on Public Health and Welfare

They also read in place and presented to the Chair Senate Bill No. 193, entitled·

An Act providing for the enforcement of the laws relating to the sale of, gift, possession, dispensation, delivery, distribution and traffic in drugs and narcotics; creating the Pennsylvania Narcotics Commission as an independent administrative agency; prescribing its powers and duties, granting to it and its agents special police powers; requiring giving of testimony before the board; imposing duties on clerks of courts; transferring powers and duties on the Department of Health relating to drugs and narcotics and preserving pending actions and proceedings.

Which was committed to the Committee on Public Health and Welfare.

Messrs. DENT and KOPRIVER, JR. read in place and presented to the Chair Senate Bill No. 194, entitled:

An Act to amend sections one thousand one hundred eighty-eight and one thousand one hundred eighty-nine of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for compensation for teachers attending meetings called by the county superintendent or district superintendent in school districts of the third class.

Which was committed to the Committee on Education.

Messrs. DENT and SCOTT read in place and presented to the Chair Senate Bill No. 195, entitled:

An Act compelling common carriers by railroad to man locomotives, trains and other self-propelled engines or machines with competent employes: providing for the minimum number and qualifications of men so employed and providing penalties.

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 196, entitled:

An Act regulating the time of payment of wages and earnings of railroad employes.

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 197, entitled:

An Act regulating to employers and employes of railroads, and providing for the regulation of health and safety conditions in places of railroad employment.

Which was committed to the Committee on Labor and Industry.

Messrs. WHALLEY, MAHANY, DENT and WADE read in place and presented to the Chair Senate Bill No. 198, entitled:

An Act requiring all tunnels on the Pennsylvania Turnpike to be painted white and be equipped with continuous lighting.

Which was committed to the Committee on Highways.

Messrs. WHALLEY, MAHANY, DENT, WADE and WALKER read in place and presented to the Chair Senate Bill No. 199, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike between the Donegal and Bedford interchanges.

Which was committed to the Committee on Highways.

Messrs. WALKER, WHALLEY, KROMER, FLACK and ELLIOTT read in place and presented to the Chair Senate Bill No. 200, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," requiring that flashing emergency lamps on snow plows and cinder trucks be of a color other than red.

Which was committed to the Committee on Highways.

FURTHER REPORT OF COMMITTEE TO ESCORT THE GOVERNOR

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presenting a committee on behalf of the Senate.

The PRESIDENT. The Chair recognizes the Senator from Delaware, Mr. Watkins, the Chairman of the Committee.

Mr. WATKINS. Mr. President, our mission has been completed, and we have delivered the Governor to his domicile.

The PRESIDENT. The Chair thanks the members of the committee.

SENATE RESOLUTION

MEMORIALIZING CONGRESS TO CLARIFY AND RELAX STRICT REQUIREMENTS OF THE FEDERAL SOCIAL SECURITY LAW

Messrs. LANE, BERGER and DENT offered the following resolution, which was twice read as follows:

In the Senate, February 12, 1957.

The Social Security Act has been extended so as to provide benefits for totally disabled persons who are over the age of fifty years.

The law as written is difficult to interpret and administer and the few persons who come within its general scope are unsuccessful in obtaining benefits.

The humanitarianism of the law cannot be questioned and if practicable and possible, should be clarified and made less stringent so that worthy totally disabled persons over fifty years of age can obtain benefits it affords; therefore be it

Resolved, That the Senate of Pennsylvania memorialize Congress to clarify the existing provisions and further to relax the strict requirements of the Federal Social Security Law that relates to eligibility for benefits for totally disabled persons over the age of fifty years; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of both Houses of Congress and to each Senator and Member of the House of Representatives from Pennsylvania in the Congress of the United States.

RULE 39 SUSPENDED

Mr. LANE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and Members of the Senate, since today has been set aside to commemorate the birthday of that great American, Abraham Lincoln, it is good to reflect a little upon the many things he said during his lifetime which have a great deal of bearing upon our Nation, its peoples and its way of life.

I do not know how many of you have ever taken the time to note an inscription contained upon the wall of this Senate. It is accredited to Abraham Lincoln from one

of his speeches. I believe the date was somewhere near the time when he departed for Washington to take office. His speech was made in Springfield, Illinois. The inscription is right in front of the Senate, on the left-hand wall and it is there for all to see. I would like to quote from it:

"It was not the mere matter of separation of the colonies from the motherland, but that sentiment in the Declaration of Independence which gave liberty not alone to this Country but hope to all the world for all future time."

Abraham Lincoln had a peculiar knack of placing his finger upon an understanding phrase that in a few words expressed all that could be found in an occasion, in a book or page of history.

Today, upon the face of the earth, nations are still struggling for that one great achievement of all mankind, liberty of the individual, liberty in all its forms. We are, at this present time in the world, engaged in a great controversy, one which blows hot and one which blows cold. At this moment, we find that the Mid-East is the focal point of this great struggle. Perched in this ancient land, practically in the center of it, is a band of patriots gathered together in the hope that they may exemplify the actions of the pioneer fathers of this great Nation in establishing here in the midst of this desert land a nation conceived and dedicated to the same principles that are the foundations of our great Nation and its liberties. This little nation has tried to re-create in the Middle East the type of government that we here enjoy, the type of government which has strived through the years to allow each and everyone of us to express ourselves in any of the activities in this Nation without fear of repercussions or retributions because of our race, religion, creed, color or standing in life. This little nation finds itself now beset by many problems.

Those of us who have studied the history of the Jewish race know full well the struggles which have been their great burden from the early days of recognized mankind. We know their deep love of the soil; we know of the great history behind this people as an agrarian race. We know the persecutions and pogroms through the years which have driven them from the land and from the ownership of land. They have been driven into the classification of money lenders and merchandisers and business people because they have had to keep near at hand their worldly possessions in order to be able to flee on a moment's notice.

Not too many years ago, the leaders of the world, in their wisdom, helped this band of people to carve out for themselves a small dependency. Today, we hear on every hand many threats that we, the American people, have become so embroiled in international affairs that we are forgetting the principles upon which this Nation has so long endured and survived. I believe that fundamentally it would be wrong and I know that, for myself and speaking for the sponsors of this resolution, Senator Frank Ruth and Senator Joseph Yosko, it behooves us as the legislative body of this great State to make known to our Representatives in Congress, if we will, the feelings that we have on this matter. The threat of the application of sanctions on Israel go deeper than a mere economic move. It changes our concept of the American idea of liberty and justice and the rights of peoples to seek these things.

Therefore, Mr. President, I would like at this moment to have the privilege of presenting to this Senate, on behalf of my co-sponsors, a Senate Concurrent Resolution dealing with the problem of the sanctions on Israel and a memorandum to our Congress regarding our feelings.

SENATE CONCURRENT RESOLUTION

REFERRED TO COMMITTEE

MEMORIALIZING CONGRESS TO STRONGLY RESIST ANY EFFORTS BY THE UNITED NATIONS TO IMPOSE SANCTIONS AGAINST THE STATE OF ISRAEL

Messrs. DENT, RUTH and YOSKO offered the following resolution, which was twice read as follows:

In the Senate, February 12, 1957.

Whereas, the State of Israel stands out as a bulwark of democracy in the Middle East and throughout the world, and

Whereas, both Republican and Democratic Governors of our Commonwealth have visited this nation and have reported back to us on the amazing qualities of its citizens and its progress, and

Whereas, in their fight for existence, these valiant pioneers deserve the respect and full support of freedom loving peoples everywhere,

Now, Therefore, be it resolved, and it is hereby

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania in the name of the people of Pennsylvania, memorialize the Congress of the United States that strongly resist any efforts by the United Nations to impose sanctions against the State of Israel, and that a copy of this resolution be sent immediately to the President of the United States, the presiding officers of both the Senate and the House of the United States of America, and to each member of Pennsylvania's Congressional delegation, as well as the United States Senators from Pennsylvania—Honorable Edward Martin and Honorable Joseph S. Clarke, Jr.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. DENT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, inasmuch as there are some Members of the Senate off the floor at the present time who I know want to vote on this important matter, I suggest the resolution be sent to the appropriate committee. I, therefore, object to its immediate consideration.

The PRESIDENT. The Chair hears objection to the immediate consideration of the resolution and, therefore, refers the resolution to the Committee on Rules.

SENATE RESOLUTIONS

REQUESTING THE DEPARTMENT OF HIGHWAYS TO MAKE CERTAIN CHANGES ON ROUTE 22

Messrs. YOSKO and VAN SANT offered the following resolution, which was twice read as follows:

In the Senate, February 12, 1957.

Safety is a most important consideration in constructing a modern highway. And yet the tremendous cost of

building at times leads to unfortunate attempts at economy. This is especially true at the eastern end of the relocated U. S. Route 22, known as the Lehigh Valley Thruway.

The directional signs at the various interchanges and traffic circles are inadequate in size and placement to guide the motorist who is unfamiliar with the road. At night they are poorly lighted, adding greatly to the confusion in the movement of traffic.

Approaching the city of Easton there are two of the worst curves on any modern through highway from one coast to the other. So frequent have traffic accidents occurred on these curves as to lead to the name "Graveyard Curves" being locally applied to them. Between 1955 and 1957, four were killed and sixteen injured in thirty-nine accidents.

The recent setting up of a 24 hour police patrol resulted in 27 arrests for speeding, largely by persons coming unexpectedly on the curves and failing to reduce their speed. While patrolling is good and necessary, it cannot take the place of a safe highway. The physical hazards are still there; therefore be it

Resolved, That the Senate of Pennsylvania call upon the Department of highways:

(1) To install proper lighting and directional signs at all interchanges and traffic circles on Route 22 by-pass from Allentown and Bethlehem through Easton.

(2) To resurvey the area approaching Easton, looking towards the elimination of dangerous curves by relocating the highways as a straight course to the existing Easton-Phillipsburg Bridge over the Delaware River, or the building of a new bridge over the river, joining with Route 22 without necessitating dangerous curves, the building of a bridge to meet a highway rather than a highway to meet a bridge.

(3) To confer with the officials of all affected municipalities, chambers of commerce and the Lehigh Valley Motor Club; and

(4) To confer with the Delaware River Joint Toll Bridge Commission and highway officials of the State of New Jersey as to the feasibility of constructing a new bridge; and be it further

Resolved, That a certified copy of these resolutions be transmitted to Hon. Joseph J. Lawler, Secretary of Highways.

RULE 39 SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution jus read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

REQUESTING THE GOVERNOR TO FURNISH THE SENATE CERTAIN TAX STUDY INFORMATION

Messrs. MAHANY and BERGER offered the following resolution, which was twice read as follows:

In the Senate, February 12, 1957.

Whereas, Certain revenue measures, including a sales tax bill, have been introduced in the House of Representatives; and

Whereas, The Senate will be called upon to consider such of these measures as may be passed by the House of Representatives; and

Whereas, It has been reported in the press that Governor Leader has engaged certain experts to advise him with respect to the adequacy of the administration of the present sales tax and its actual and anticipated yields; therefore, be it

Resolved, That, in order that the Senate may be fully informed, the Governor is respectfully requested to furnish to the Senate the names of the experts so engaged, the fees paid for their services, and a full and comprehensive statement of their findings and recommendations.

RULE 39 SUSPENDED

Mr. MAHANY. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 65, entitled:

An Act amending the act of June 27, 1923 (P. L. 858) entitled "State Employes' Retirement Law" extending the time within which State employes may become "original members."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 124, entitled:

An Act amending the act of July 13 1953 (P. L. 431) entitled "The Pennsylvania Civil Procedural Support Law" further providing a procedure for enforcement of the act.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Washington will be so recorded.

Mr. SEYLER. Mr. President, I wish to be recorded as voting "no" on this bill.

The PRESIDENT. The gentleman from York will be so recorded.

Mr. SILVERT. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Flack,	McMenamin,	Stiefel,
Berger,	Fleming,	Miller,	Taylor,
Blass,	Harney,	Mullin,	Van Sant,
Camiel,	Kessler,	Murray,	Wade,
Chapman,	Kopriver, Jr.,	Pechan,	Wagner,
Dent,	Kromer,	Propert,	Walker,
Derk,	Madigan,	Ruth,	Watkins,
DiSilvestro,	Mahany,	Sarraf,	Watson,
Donolow,	Mallery,	Schmidt,	Weiner,
Ehrgood,	McCreesh,	Scott,	Whalley,
Elliott,	McGinnis,	Stevenson,	Wolfe,
			Yosko,

NAYS—5

Hays,	Lane,	Seyler,	Silvert,
Kalman,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RULING BY THE CHAIR CONCERNING DEBATING AMENDMENTS AND BILLS ON SECOND READING

The PRESIDENT. The Chair, at this time, wishes to rule on the points of order that were raised yesterday on the question of the discussion of amendments and bills on second reading.

The Chair stated, in effect, that on second reading the matter of consideration of amendments was the principal subject of discussion. However, in this discussion, it would be only natural and proper to digress at times and discuss the entire section of the bill. This same procedure could continue until all sections of the bill were amended and approved.

Finally, when the question is put, "Will the Senate agree to and pass the bill on second reading," or "second reading, as amended," it is proper then to discuss the entire bill. This can be done by any Senator or Senators who are given recognition by the Chair.

A roll call vote may also be demanded as to each section and/or the entire bill.

On the points of order raised, the Chair so rules.

Mr. SEYLER. Mr. President, I wish to thank the Chair for the learned decision as given. I think it is an important point because it sets a precedent for the future.

The answer yesterday, it seemed to me, would have closed the ability to discuss a bill on second reading, which may sometimes be a very important privilege for a Senator.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, on behalf of my colleague, Senator Pechan, I ask unanimous consent that Senate Bill No. 5, Printer's No. 25, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interestate bodies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 25, on second reading, entitled:

An Act amending the act of May 8, 1919 (P. L. 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll-bridges over the Delaware River," providing members of the "Commission" shall serve without compensation

be recommitted to the Committee on State Government, for the purpose of further study.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 61, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," changing existing maximum gross weights and annual registration fees and establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend Section 1 (Sec. 703), page 3, line 4, by striking out the brackets before the word "eight" and after the numeral "(8)"; Amend Section 1, (Sec. 703), page 3, line 4, by striking out the following: "thirty-one (31)."

Amend Section 1, (Sec. 703), page 3, lines 12 to 19, inclusive, by striking out all of said lines and inserting in lieu thereof the following:

"T	11000	35.00
U	16500	55.00
V	21000	90.00
W	26000	120.00"

Amend Section 1 (Sec. 703), page 4, lines 4 to 8, inclusive, by striking out all of said lines, and inserting in lieu thereof the following:

"Y	30000	$190.00
Z	33000	225.00"

Amend Section 1 (Sec. 703), page 4, line 10, by inserting brackets before the word "Six" and after the word "Wheeled".

Amend Section 1 (Sec. 703), page 5, line 1, by inserting brackets before the word "Eight" and after the word "Wheeled"; Amend Section 1 (Sec. 703), page 5, by inserting, after line 11 the following: "Provided, that as to new two-axle commercial motor vehicles and truck tractors originally titled in this Commonwealth on or after January 1, 1957, but not later than May 31, 1957, there shall be ten classes in addition to the eight classes hereinabove prescribed therefor; and the fee for annual registration of such vehicles in each of the respective additional classes based on the maximum gross weight shall be as follows:

2 axles Class	Maximum Gross Weight In Pounds	Fee
SA	9000	$ 30.00
TA	13000	40.00
TB	15000	50.00
UA	17000	62.00
UB	19000	76.00
VA	23000	102.00
VB	25000	116.00
WA	27000	140.00
WB	29000	180.00
YA	31000	200.00"

Amend Section 1 (Sec. 903), page 6, lines 7 to 16, inclusive, by striking out all of said lines and inserting in lieu thereof the following:

"TB	15000
U	16500
UA	17000
UB	19000
V	21000
VA	23000
VB	25000
W	26000
WA	27000
WB	29000
Y	30000
YA	31000
Z	33000"

Amend Section 1 (Sec. 903), page 7, line 1, by inserting brackets before the word "Six" and after the word "Wheeled"; Amend Section 1 (Sec. 903), page 7, line 13, by inserting brackets before the word "Eight" and after the word "Wheeled".

On the question,

Will the Senate agree to the amendments?

Mr. WADE. Mr. President, for the benefit of the Members of the Senate, these amendments are amendments to the so-called truck safety bill, passed in the last Session. When it came time to license the cars at the beginning of the year, when the former law became effective, it was discovered that there were some discrepancies in the measure and some very outstanding injustices to the dealers of trucks and the users of trucks.

These amendments that have been offered create some new classes and allow those classes, if this bill is enacted into law, to exist only until May 31 of this year. In other words, the large inventory of trucks held by some dealers in Pennsylvania could be moved if this becomes law without jeopardy or injustice to the dealers of those trucks or the users of those trucks when they are purchased.

Now, I suggest that we include these amendments in the bill or adopt the amendments, and then after the bill is printed, we could study it until the early part of next week.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Section 2, page 8, lines 9 to 15, inclusive, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Section 3, page 8, lines 16 to 19, inclusive, by striking out all of said lines and inserting in lieu thereof the following: "Section 2. This act shall be effective immediately upon final enactment."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WADE offered the following amendment:

Amend title page 2, the 12th and 13th lines, by striking out the following: "changing existing maximum gross weights and annual registration fees and".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 97, Printer's No. 21;

Senate Bill No. 130 (Pink); and

Senate Bill No. 141 (Pink).

The PRESIDENT. Is there objection? The Chair hears none.

RECESS

Mr. MAHANY. Mr. President, I request a five-minute recess of the Senate for the purpose of holding a meeting of the Committee on Corporations.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five-minute recess.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. KALMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KALMAN, from the Committee on Corporations, reported as committed, Senate Bill No. 71, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children to and from extra-curricular school activities from the definition of "common carrier by motor vehicle" and "contract carrier by motor vehicle."

BILLS ON FIRST READING

Mr. MAHANY. Mr. Prseident, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. KROMER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 19, entitled:

An Act amending the act of June 19, 1913 (P. L. 534), entitled "An Act relating to appointment of deputy constables," defining the jurisdiction of deputy constables.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 20, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for revocation of operators licenses for failure to stop on signal of a peace officer and exceeds the speed limit in an attempt to escape pursuit.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 27, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 35, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eighth Class Assessment Law," imposing certain temporary restrictions on taxing authorities of political subdivisions affected by the provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 71, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children to and from extra-curricular school activities from the definition of "common carrier by motor vehicle" and "contract carriers by motor vehicles."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 89, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," authorizing the Department of Highways to construct and maintain cattle passes under State highways and rural State highways hereafter constructed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 99, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145, entitled, as amended, "Local Tax Enabling Law," changing the over-all limit of tax revenues for certain taxing districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 122, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," permitting borough council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 123, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," permitting county commissioners to hold their organization meeting on the day after a holiday.

And said bill having been read at length the first time, Ordered, To be laid asides for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 144, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," further regulating pedestrians' right of way upon highways in business or residence districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled, as amended, "The Realty Transfer Tax Act," requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PETITIONS AND REMONSTRANCES

Mr. DENT. Mr. President and Members of the Senate, yesterday afternoon the Majority Floor Leader propounded two questions to the Senate and asked that I provide the answers.

Number one, the question was asked concerning the new system of purchasing automobiles for the Commonwealth's use. I took the matter up with the Secretary of Property and Supplies, who heads the division of government dealing with the subject matter in question.

I have here a typed sheet that I dictated to my girl after these conferences. If you want me to, I will read the details for the information of the Senate, or I can hand it up to the Chair for inclusion in the minutes of the day's proceedings. Nevertheless, I will send a copy over to the Majority Leader.

I can run over the highlights because I have had the same question asked many times by Members of the Senate.

The first purchase was made July 21, 1955. There were 270 sedans; the low bid was Chevrolet at $1,139.89 each. The high bid at that time was $1,413.90 by Plymouth. There were thirty sedans at $1,223,86 by Chevrolet as against a high bid of $1,433. There were 150 sedans, four door, at $1,172 as against a high bid of $1,443.

On the second bid, submitted in July 1956, there were 176 sedans purchased at $1,598 apiece from Plymouth, as against a high bid of Ford of $1,669; 257 Plymouths at $1,583 against $1,637; twenty-five station wagons for $1,868 against $1,981; twenty-five station wagons for $1,763 against $1,856; and two station wagons for $1,520 against the price of $1,606.

The second purchase in 1956 was 370 sedans at $1,087 as against the high price of $1,474. Now these were Fords.

There were forty special sedans, $1,213 against a price of $1,590; 320 sedans for $1,106 against a high price of $1,492; ten sedans for $1,219—they shifted over to Chevrolet here—against a high price of $1,617, which was Plymouth; fifteen station wagons for $1,356—they are Fords—against a high price of $1,696; one station wagon for $1,369, a Chevrolet, against a Plymouth price of $1,646; and one pickup for $1,169 against a Ford price of $1,331; and there was no bid from the Plymouth people.

The last purchase made in 1956, 369 sedans for $1,357—these were Plymouths—against a high price of Chevrolet's, $1,522; fifty special sedans, also Plymouths, against the high price of Ford of $1,706; 100 sedans for $1,484 from Chevrolet against a price of $1,489; 206 sedans for $1,337 against a price of $1,344; and two station wagons for $1,462 against a price of $2,720. There were two in that bid.

I do not know whether you are noticing what I am noticing, and it is giving me a little chuckle. It seems that the automobile dealers are getting closer together and the price is getting slightly higher.

On the 22nd of January of this year, we purchased 475 four-door sedans and the price was $1,702, purchased from Ford. Then we purchased seventy-five Fords for $1,743; fourteen station wagons, $1901; and one station wagon for $1,788.

The only information available at this time on cars that have been re-sold is as follows: 2,281 cars sold; the average price, $349; age from 1930 to 1955, inclusive; total of $707,163. Prices range from $38.00 to $900.00.

In that same batch, there were ten 1956 models that averaged $1,300 apiece and the cost average of that particular group of cars was $1,250, or we received $50.00 more than what we paid for them.

Relative to the question of the cost of operation, the following was taken from the Budget which covers this subject:

Cost of operation for automotive services as contained in the Budget, $182,000 for the biennium 1953-55; $315,000 for the years 1955-57; and $499,000 for the years 1957-59.

New car appropriations taken from the Budget show $463,000 for the biennium 1953-55; $1,285,000 for the biennium of 1955-57; and $6,455,000 for the years 1957-59.

This covers the questions asked by the gentleman from Crawford County. A more elaborate and definitive analysis of the new car purchases and the relative merit of the new system of purchasing cars in Pennsylvania is not available at this time.

I am sure that after more experience on a longer range of time, the answer to the question as to whether or not this system is superior to the old car purchases will be available.

For the moment, this is the only authentic information I can transmit to the Republican Floor Leader and the Members of the Senate. If there are any questions, I will be glad to try to answer them because there is a great deal of discussion that could not be put into this report.

I present two copies to the Chair for the purposes of inclusion in the Journal and the rest to the newspapers.

The PRESIDENT. Does the Chair understand that the gentleman did not give the complete report and that he wants this printed in the Legislative Journal?

Mr. DENT. That is right. I gave the report complete as it is at the moment.

The PRESIDENT. The report, as submitted by the Senator from Westmoreland, Mr. Dent, will be printed in the Legislative Journal.

REPORT ON PURCHASES OF NEW AUTOMOBILES

(1) Purchases of new automobiles were made as follows:

On 7-21-55

Item				Ford	Chevrolet	Plymouth
1.	270	Sedans 2-Dr. 8 Cyl.		$1165.62	$1139.89	$1413.90
2.	30	Sedans 2-Dr. 8 Cyl.		$1251.00	$1223.86	$1433.03
3.	150	Sedans 4-Dr. 8 Cyl.		$1184.78	$1172.15	$1443.90
On 7-2-56						
1.	176	Sedans 4-Dr. 8 Cyl.		$1669.00	$1641.63	$1598.72
2.	257	Sedans 2-Dr. 8 Cyl.		$1637.00	$1608.27	$1583.13
3.	25	Station Wagons 4-Dr. 8 Cyl.		$1981.00	$1928.45	$1868.1

4.	25 Station Wagons 2-Dr. 8 Cyl.	$1856.00	$1826.14	$1763.20
5.	2 Station Wagons 2-Dr. 6 Cyl.	$1606.00	$1567.07	$1520.48
On 1-6-56				
1.	370 Sedans 2-Dr. 8 Cyl.	$1087.00	$1127.56	$1474.82
1A.	40 (Special) Sedans 2-Dr. 8 Cyl.	$1213.00	$1233.34	$1590.14
2.	320 Sedans 4-Dr. 8 Cyl.	$1106.00	$1158.68	$1492.95
3.	10 Sedans 4-Dr. 8 Cyl.	$1229.00	$1219.36	$1617.09
4.	15 Station Wagons 4-Dr. 8 Cyl.	$1356.00	$1371.15	$1696.64
5.	1 Station Wagon 4-Dr. 8 Cyl.	$1508.00	$1369.15	$1646.27
6.	1 Pick-up Truck 8 Cyl.	$1331.37	$1169.09	No bid
On 5-11-56				
1.	369 Sedans 4-Dr. 8 Cyl.	$1522.47	$1375.63	$1357.43
2.	50 (Special) Sedans 4-Dr. 8 Cyl.	$1706.00	$1517.91	$1516.74
3.	100 Sedans 4-Dr. 8 Cyl.	$1647.00	$1484.28	$1489.80
4.	206 Sedans 2-Dr. 8 Cyl.	$1477.00	$1344.51	$1337.04
5.	2 Station Wagons	No bid	$1462.45	$2720.82

On 1-22-57

1.	475 4-Dr. Sedan 8 Cyl. Automatic Transmission	$180.00	Ford—$1702.00
2.	75 4-Dr. Sedan—Special Equipment		Ford—$1743.00
3.	14 Station Wagons		Ford—$1901.44
4.	1 Station Wagon 2-Dr.		Ford—$1788.00

Total No of Cars purchased—2,984 Total Cost $34,681.52

(2) The only information I received on cars sold was as follows:

2,281 cars sold—average price $349.48 (age from 1930-1955 inclusive) Total $707,163.00

Prices range from $38.00 to $900.00

Sold 10—1956 Models @ $1,300 average (Cost average approximately $1,250)

(3) Relative to the question of cost of operation, the following was taken from the budget which covers this subject.

Cost of Operation for Automotive Service		New Car Appropriation	
$182,151	1953-55	$ 463,042	1953-55
$315,475	1955-57	$1,285,450	1955-57
$499,100	1957-59	$6,455,848	1957-59

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. MAHANY. Senator Dent, you did point out that the cost of cars was rising. I wonder if you made any investigation as to why there was such a difference in price on these cars which were evidently the same models or types between July 21, 1955, the date of the one bid, and July 2, 1956, approximately a year later, on the second bid?

I note in particular that on July 21, 1955, the bid on a Chevrolet, which was the low bid on a two-door, eight cylinder car, was $1,223.86 and the next year it jumped to $1.608.27. You will also note that that same price increase runs through all these bids.

It is also interesting to note that in the first year, Chevrolet was the low bidder on all of them; the second year Plymouth was the low bidder on all of them; on January 6, 1956, Ford seemed to be lucky and they got most of them; and after that they seem to be mixed up a little bit. Would that look to you as though there might be some collusion here on the part of these bidders?

Mr. DENT. A lawyer might say—if I were a witness and my lawyer were advising me—do not answer that; it is a leading question.

I might say, Senator, that I gave this thing a great deal of study and I talked to Senator Rice, the Secretary of Property and Supplies, who was very cooperative and gave me all the information he could possibly give me.

A disinterested party, looking at these figures, would first assume that the difference was caused by the increased cost of production of the automobiles. However, upon a careful examination, we find that some of the later bids are even cheaper than some of the earlier bids by the same companies. It looks to me very much—if I were a disinterested party but I am not; I am very much much interested as a Member of the Senate who represents a great segment of our population, and this is a matter of administration and a matter of a new change in governmental operation.

It was assumed by those who started this system that we would be able to save a great deal of money for the Commonwealth. If you will take the first bids on the first automobiles, you will find that the average cost was a little over $1,100 per vehicle. Then if you come back to the last bids which were about seven months later, the average cost, not including the station wagons, runs well over $1,700. The difference, of course, might be in some of the refinements that have been put into the automobiles, but what I am disturbed about is this. When you deal with a great number of dealers, it is difficult for the dealers to get together and fix some kind of a bidding base and the bid base is usually determined by the amount that they want to make as profit in the deal, and they override what the company gives to them, assuming that the company gives all dealers the same price.

When you deal with only three major manufacturers—and incidentally at this point I would say that I cannot understand why Nash and Studebaker are not included in here unless they did not want to bid—you could open the door, and I do not say that it is open. It might be just ajar a little. However, you could open the doors to collusion between the three major companies. Now, of course, far be it from me to insinuate that General Motors would do anything like that, or to cast any suspicions on the Ford people or on the Plymouth-Chrysler people, because we all know they are the outstanding examples of American enterprise, but they did not get there by sitting in the corner on their hands. They had to get out there and look to the advantages of their companies. When the State buys 3,000 vehicles a year and they know they are only going to have two competitors, it might be that they would sit around and talk about it.

I am very much disturbed over the climb that is demonstrated here in the price of cars, Mr. President, and I imagine that the Governor is just as upset as the rest of us, because when it started out there was competitive bidding, and here it shows just as clear as anything under the sun, in the very first bids that were put out that you have prices ranging—here they are exactly. You have Ford bidding $1,087; you have Chevrolet bidding $1,127, which is a reasonable price differential. In an open bid or in any bidding they would probably come that close, and then you have the Plymouth people coming in at

$1,474. Now when you just move down a little to the next bid, we find Ford coming in at $1,522, Chevrolet at $1,375 and Plymouth, $1,357, or a matter of eighteen dollars difference and they picked up 369 cars.

Now on the next maneuver that we find, the next bid, we find 475 cars and Ford got the bid. I do not know what is happening. Secretary Rice is a very plain spoken man and, to his credit, I want to say that he informed me that he advised the representatives of the automobile people that if there was collusion in the bids, it would be found out; that he is very disturbed over the appearance of the bids and the way it looks. This is big business. When you have to put $6,000,000 into your budget for the purchase of new cars and you have to put $499,000 into it for the operation of this particular business of the Commonwealth, you have invested approximately six and one-half million dollars. Six and one-half million dollars represents a great deal of tax money and the department is trying its best to work out a solution.

The disturbing factor is that we have on hand some cars that are very, very ancient in vintage. We found upon examination that we had automobiles in the State system going back to 1930. I think prudence would have long ago dictated that anybody operating any kind of a business would certainly have gotten rid of automobiles as old as 1930 models. They sold for thirty-eight dollars. They might have sold for more than that at some auction, to be used as an heirloom or something.

Neverthless, the whole picture, Senator Mahany, is one that cannot be completely analyzed because we have only sold, at the moment, 2,281 cars and we do not have a complete picture or a comprehensive picture of what will happen when we hit the market with one year old cars.

The basis of this system, as it was detailed to me, is this; that by purchasing new cars every year they hope to be able to market the old cars for as much or more than what the new cars will cost us, because, as you know, the State enjoys the right to purchase without paying the Federal Excise Tax and any other taxes that are in the picture of an automobile purchase. By so doing, they hope to be able to do that when they finally get around to having a complete new fleet.

I question the $6,000,000 and, as I knew that you would ask me that question, I anticipated it and Senator Rice informed me that the reason they asked for $6,000,000 is because it requires that much money to make a complete turnover of all the automobiles in the general pool and coming out of the General Fund, as well as departmental and bureau cars, so that they would have a complete new fleet to start the actual operation of the yearly turnover.

That is as much information as I have on the matter.

Mr. MAHANY. Senator, I note that you stated in your statement here that there were ten 1956 models sold at $1,300 average and they cost $1,250. Most of the 1956 models that I see here that were purchased were up in the $1,500 class and some even went to $1,800, and I just wanted to know how you got that average down so low. There were a few here at $1,300 and a few even went down to $1,087, but how did you arrive at that $1,250 cost price?

Mr. DENT. I arrived at that because that was the figure that was given me. I did not do any arithmetic on this whatsoever.

Mr. MAHANY. Is it not possible, Senator, for you to get information on a specific car? You have them broken down here quite well as far as cost is concerned. Could you take one of these, or let us say the ten of them that were sold, and tell us in what price range they were, each one, and how much each one of them brought when they were sold? Although it is a small sample, yet I think it might show us the trend in this thing, even ten cars. If we can have the cost of each of those ten 1956 models, which had an average sale price of $1,250, I think it would aid materially to our education on this thing.

I understand that the ones in charge of this program are not quite as optimistic this year about how much they can save as they were last year. You, and I and Senator Rice journeyed up to the Pocono Mountains here a year or so ago, not quite a year ago, to a convention. I remember Senator Rice at that time, in talking to the members of the convention, was not very happy over what was happening in this particular field.

I would like to find out now what has happened. We certainly do not want to appropriate $6,000,000 here if this program is not worth-while. We are going to start the Appropriation Committee Hearings on the Budget, and I think this is one thing we can dig into right now because over $6,000,000 is a lot of money and if we can save that, we want to do so.

Also, I would like to find out how much the administration of this program is costing; how much money we are paying out extra for salaries and so forth for those who are administering this program. I think we should have that information, and I would like to have you get that for me by next Monday if it is possible.

Mr. DENT. I will be glad to try to get it for you, Senator, and I will also invite you to go along if you wish and we can try to get the information together.

I think you can only analyze this thing from this base. What did the car cost, how much did you get for it and how much the replacement car cost? If I were doing business in my own firm, that is exactly how I would figure it out, and I think that we can get that answer because Senator Rice said he would give us any information that he has.

Mr. MAHANY. Thank you, Senator.

Mr. DENT. Now I would like to answer the second question that was propounded yesterday afternoon, and this will be oral.

The question came up as to the salary status of Professor Williamson, who is the new Member of the Turnpike Commission. The Republican Floor Leader stated that in my presence he asked the question of Mr. Williamson as to whether or not he would appear on two payrolls and Mr. Williamson said, "No"; that it was not his intention to be on two payrolls but, and I think the gentleman from Crawford will admit that, he did say he was in a position financially to take a wage cut or a cut in salary.

Well, at that time we left it ride at that. Yesterday, the question was propounded as to whether or not he was on two salaries. I contacted the Chief Executive's office and this is the information that I have. Professor Williamson is working at the Turnpike office, for which he receives the salary scale of $13,000 a year. His former salary

the Pennsylvania State University was $15,000, plus some expenses.

It is worked out on this basis now; he receives the full salary schedule from the Turnpike and then receives from the State University an amount sufficient to bring his salary scale up to his former $15,000 grade level. He is supposed to be putting in time at the University in the free time that he has after his duties at the Turnpike are finished and, thereby, he is not considered to be on two payrolls as such, but is working part time as it were at the University and fulltime on the Turnpike. Now that is the explanation I received.

Mr. MAHANY. The Minority Leader is a busy man; maybe he is getting some more information.

Mr. DENT. If you do not mind, that happened to be my wife calling to tell me what she was having for dinner.

Mr. MAHANY. Watch your master's voice.

Mr. DENT. You can say that again and again and again.

Mr. MAHANY. Senator, the explanation that you gave, would that not show that Mr. Williamson is on two payrolls?

Mr. DENT. That is a delicate question. If you mean is he deriving pay from two sources, yes sir.

Mr. MAHANY. Is that not two payrolls?

Mr. DENT. Yes, I would say he is on two payrolls.

Mr. MAHANY. Is that in line with what you thought when you confirmed Mr. Williamson? Is that in line with your understanding when you voted to confirm Mr. Williamson?

Mr. DENT. To be perfectly honest with you, I believed the man when he said he was not going on two payrolls.

Mr. MAHANY. If you had known that he was going to be on two payrolls, would you have confirmed him?

Mr. DENT. No, I emphatically stated to the gentleman in front of the entire Democratic Caucus—and I believe that I can be borne out by the gentleman on my side—that if I thought he was going on two payrolls, if he intended to be on two payrolls, I felt that I would not be in a position to confirm him, because that is not the policy of this Administration.

Mr. MAHANY. I see a communique from the Governor's Office in which he quotes St. Matthew, that "no man can serve two masters." Would you say that Mr. Williamson would pass the St. Matthew test?

Mr. DENT. I would refer the answer to that question to my learned colleague in theology, Reverend Ruth, I will tell you that when I ran back home, St. Matthew was not on the ballot.

I do not know the answer to that one. I have not read the Governor's message, incidentally, but I will read it later tonight.

Mr. MAHANY. Let us decide between now and next Monday what St. Matthew might say about Mr. Williamson if he were a Member of the Senate.

That is all, Senator. Thank you very much.

Mr. DENT. Do I go with your blessing or the blessing of St. Matthew?

Mr. SILVERT. Mr. President, I should like to give to Mr. Mahany my recollection of our interview of Mr. Williamson in our Caucus. He stated that his salary at the present time at State College was approximately $2,000 higher than he would get in State employment as a member of the Turnpike Commisison. He also stated that he had six daughters and a family to raise, and that he could not possibly make that sacrifice and that the method to be worked out was this. He was to receive his salary as a Turnpike Commissioner and that on Saturdays and on his off time he would still remain at State College, and that State College would pay to him only the difference between his salary as a Turnpike Commissioner and the salary he was receiving from State College at the time he took the job.

Mr. MAHANY. In answer to Senator Silvert, I would say to him that was not my impression and evidently was not Senator Dent's impression of what Mr. Williamson was going to do if we confirmed him on the Turnpike Commission. I do not like to see anyone take a cut in salary or come down to Harrisburg and work for less than what they did back home, but I think that is the choice of the one who chooses to come down here.

Perhaps, Senator, if you were busy at your law office in Philadelphia and I was busy at my law office in Titusville, and we spent as much time there as we do down here, we no doubt would make more money than we do here, but we choose to come to Harrisburg and, therefore, we chose then to give up whatever we could make back home at the time we are working down here and take this salary instead. Perhaps, a great many people are on the State payroll that, if they were in some other job, could obtain more money but that choice is theirs, and I understood that Mr. Williamson made the choice that he wanted to come down here and be at least a temporary Member of the Turnpike Commission. Since he made the choice, he should stick by it.

I remember it has been said about these colleges that they find some way or another to make up money to to certain individuals in which they are interested. I thought that all the clocks were being wound up there by members of the football team, whom they like to engage in work.

Now did they find an extra clock up there for Professor Williamson to wind on Saturday so that he might get the extra $2,000 that he is out by coming down here and becoming a Member of the Turnpike Commission, instead of being at State College where he would have gotten $15,000 a year.

Mr. SILVERT. Senator Mahany, I am sure I am stating the truth when I say that you have not closed your law office and neither have I. Our offices are still open, and it is a known fact that people in government service can devote some time to other activities and receive some moderate compensation.

Mr. MAHANY. Why do you think the Governor made so much fuss over this priest that was on Torquato's payroll? Could the priest not take care of his work on Sunday and then during the rest of the week, could he not be busily engaged on the work Mr. Torquato gave him?

Mr. SILVERT. Mr. Mahany, you will recall that the Governor's statement was that the priest was only suspended, and I am sure that if the investigation discloses he spent five days a week at his work and Sundays in church, that man will be reinstated.

Mr. MAHANY. Do you have any idea how long it is going to be before they will find out how long that priest worked?

Mr. SEYLER. Mr. President, I think the kind of discussion we are engaged in now forms one of the reasons why such problems as we are faced with in this instance arise; why it makes it very difficult to draw into public service men of abilities and the kind of disinterested, public-spirited citizenship that we need in positions of this sort.

I heard the gentleman speek at our Caucus, and I certainly formed the impression that here was a gentleman who is coming to Harrisburg with no thought of making a political career and no thought of making any profit in the venture. As a matter of fact, I am perfectly sure that this gentleman would much prefer, if he consulted only his private interests, to stay at State College and do the job as head of the Engineering School that he can do so well. Incidentally, he has been called professor here but only for a short time has he deserved that title, because most of his life has been spent not in academic circles but as a businessman; that is to say, as the administrator of the research department in a corporation. I think his feeling in coming to Harrisburg was that just as he was working for the Commonwealth in the sense of being the head of a great Engineering School, he is coming to Harrisburg into a position for which he conceives he is needed. He has been asked to come and he is willing to make a sacrifice. It is for him an actual sacrifice to give up the job that he can do well at State College to do what he conceives to be something that is needed down here in Harrisburg.

I think that these references are in poor taste. There is no question in my mind that the man will do a conscientious job. He has no ulterior motive, either political or private, and I do not see how anyone could have listened to him and received any idea that he had any such objectives.

I think this kind of discussion, not saying anything directly against the man but certainly leaving the implication that he has some ulterior motives in mind—that somehow he has come down here to make money at the expense of the Commonwealth without giving any services, and that certainly seems to be the implication,—is the sort of talk that keeps us from getting worthwhile men interested in doing a public service and being in government.

There is no question in my mind that this gentleman will give service for every dollar that the Commonwealth pays him. He is a career man in science, and he is not interested in being a politician. He conceives the job entirely as a temporary one. He stated that he had no desire to make a career of it, and I am just, myself, sorry to hear the kind of discussion that we have had about him today.

Mr. DENT. Mr. President, I appreciate the situation as it is proposed by the gentleman from York, and I appreciate that he dislikes to hear this kind of a discussion, but there is not much we can do about that, Senator. I do not believe that any man in this Senate believes that Mr. Williamson came to the State Government seeking to better himself financially, because he was very plain spoken in that regard. I can quote him here that he did not expect to be on two payrolls. However, he was not in a position to take a pay cut. I do not think that is the crux of the situation.

How many of us flew to the defense of the twenty-three men, unknown to most of us,—in fact, I would say that outside of one or two, they were unknown to all of us,—that were summarily suspended? Now I do not see much difference in suspension and discharge when you do not have a pay check coming in at the end of the month. How many of us flew to the defense of these men and sought to imprint on the minds of the people that they were not all drones; that they were not just bums that were put on the payroll; that each and every one of them had sponsorship?

It may be in the minds of some that the word political is a nasty word, but so long as you have a democracy, you are going to have the word political in all of its meanings. These men were sponsored and put on jobs and they were summarily dismissed. If it only took a two day examination to fire them, it certainly is taking a lot longer to hire them.

We have before us today a communique from the Governor in which he proposes a new bill for the Legislature. It is supposed to outline the conflict of interest and that is fine. For instance, here in our State Government, how many of you know that the Secretary of Banking, if he happens to be a stockholder or an officer in a Federal bank, can keep his stock, keep his position and be Secretary of Banking in the Commonwealth of Pennsylvania, but if he happens to be a stockholder or an officer in a State bank, he must relinquish his holdings in order to be the State Secretary of Banking?

Now these are things that ought to be discussed by the Legislature. The Legislature does not want to blacken the name of Williamson or any other employee. I do not know the exact quote, but somewhere in the Bible it says that, "That which you do to the least of My children, you also do unto Me."

There is not any difference in my little, humble mind between a man who has a small shop that does not require all of his time and he takes a part time job with the State, so long as he gives to the State a dollar's worth of service for the dollar's worth of pay that he receives, or an attorney who works at his private law practice and takes a position with the State and draws money from it, or a doctor who takes a part time job in the Department of Health and still keeps his office open or an accountant who does the same thing. We have men on this payroll who are on full time State jobs and they have kept their outside interests alive, and you cannot blame them. They owe their first duty to their families. They have no tenure in office and all of the civil service laws that you pass will never give absolute tenure to anybody. There is no such thing as security. If I am not mistaken, one of the well-know American figures said that the only place you can find security would be in a life sentence to a Federal penitentiary, because they provide you with sufficient to eat, clothe your body and shelter you. Now to some people that would not be full security, because there are some of us who would like to drink once in awhile.

Mr. President, this is a proper subject for the Senate because of the fact that every now and then this great democracy of ours is visited by movements of reform, and they are good in the main because they tend to do either one of two things; they highlight not only the bad in government, but they highlight the good. I cannot

be critical of a system that in less than two hundred years has brought forth upon the face of the earth the greatest Nation that has ever been conceived, the greatest Nation in every aspect of life; in liberty for the individual, strength for its enterprises and in the main a measure of wealth and prosperity for all beyond anything ever dreamed by the human mind. It has been a fumbling, struggling matter.

For many years, we were condemned by the world powers because we did not keep a large standing army, and we have drifted into that position of keeping a large standing army and what do we have today? A $72,000,000,000 budget, $55,000,000,000 of which will never redound to any physical benefit to the peoples of these United States.

You can carry reform to the point where it is so expensive that it is not worth the benefits it brings. Yes, reform in an orderly fashion has to come in government the same as it comes in business, but I have always maintained the philosophy that government is an abstract thing and if there are evils in it, they are concrete and nothing concrete comes into government through government itself, but through the individuals who participate in government.

All of the evils that we are blamed for as politicians can be counted upon to be in every business enterprise in this Nation. I read the other day an editorial in a newspaper that aroused me somewhat, because it said that the new policy in Harrisburg—and remember that no man in Harrisburg from the Governor on down has enunciated this policy—was this. Anybody working for the State had to devote full time to the State, other than the educators.

I do not see any distinction between educators and ordinary citizens. Now all of us admire and respect education as such, but being educated does not in any way guarantee you to have intelligence. Intelligence comes sometimes from experience, somethimes from a ready grasp of the matters at hand and sometimes from the good blood that flows in your veins. The basis of intelligence is respect, for both the ignorance and the knowledge of others and respect, too, for the rights of all people. The rights of the little ditch-digger are on the same level and plane as the university president. To each you serve as they deserve to be served and in the spirit in which they operate, give each their credit and full measure of right.

I did not come to Harrisburg twenty-two years ago to destroy the Nation that had given my father a haven from the oppression and poverty in which he lived, and I do not intend to sit idly by and watch the concepts of government, embodied in the Constitution of these United States and the Declaration of Independence, destroyed by the zeal or over-ambition of an individual or group of individuals. I believe fundamentally in the two party system of government, and that is why I have always been a bitter enemy of communism or any other ism which would tend to destroy the two party system of government, because in the checks and balances of the two parties we have come a great, great, long way toward that pinnacle of civilization that will recognize that each individual is constructed and built in the image of the Master.

Mr. HAYS. Mr. President, I am a little apprehensive about the number of people who are getting in my backfield. I find them coming over the line of scrimmage from both sides. I do not know how to clear this matter up. However, I will make a start by inviting the Majority Leader to come up to State College some Saturday morning,and he and I will go around and watch the Dean of the College of Engineering winding clocks. We shall see whether hé does not find that the clock-winding the Dean does is on a pretty high level.

Come up, Senator Mahany

Mr. YOSKO. Mr. President, we have about 11,000,000 people in Pennsylvania and it seems to me that when there is a vacancy in government, somewhere, out of those 11,000,000 people, we should be able to find somebody to fill vacancies which may occur from time to time without going into our colleges and universities and robbing them in order to bring people into the State Government who, as in the case we are discussing, must be on two payrolls.

Mr. President, I am sure that if the Governor would have gone to Senator Barr and asked him to submit one or a dozen recommendations to fill the vacancy on the Turnpike Commission, Senator Barr could have found one or a dozen and submitted to the Governor people who would have been just as qualified as Mr. Williamson.

It is for that reason, Mr. President, that I say this matter does merit some discussion here.

Since I am on my feet, I want to say here and now that I will go along with no more carpetbaggers who are recommended for positions here in the State Government. I repeat, Mr. President, that if we cannot find people right here in Pennsylvania, out of the 11,000,000 people whom we have, to fill responsible positions in State Government, we are at a pretty low ebb in so far as intelligence is concerned with our population.

It might be well to keep the college professors where they belong, in the colleges, and take trained men from other walks of life to fill vacancies in government.

Mr. MAHANY. Mr. President, I want to point out to my colleagues who jumped to the defense of Mr. Williamson that I did not intend to belittle him in any way. I am pleased if he wants to come down here and take a job on the Turnpike Commission. I am pleased that he is here and I hope that he does a good job. However, I want to point out to the Members of the Senate that we appropriate millions of dollars every biennium to Pennsylvania State College. It is a State subsidized college and a land grant college, as we refer to it.

It is impossible for us to check on how much Mr. Williamson does up at State College. I have no doubt that when Senator Hays and I would go there, we would find him quite busy. However, how are we going to check up on the rest of the Saturdays and the other time when he is supposed to be at work up there?

What is really happening is that Mr. Williamson has some extra job that they have given him and how much it amounts to, I do not know. Evidently, they have found someone there to replace him and that man should be doing pretty much all of the work that Mr. Williamson did before he came to Harrisburg. The end result is that we will appropriate some more money to Pennsylvania State College, $2,000 of which will go to Mr. Williamson. Then, he gets $13,000 from the Turnpike Commission. Therefore, really, in effect, the taxpayers of Pennsylvania, instead of paying him $13,000 for the job that we have

given him as a Turnpike Commissioner, are really going to be paying him $15,000. We will be picking up the other $2,000 in the extra appropriation to State College.

Mr. LANE. Mr. President, I did not plan on getting in on this fiasco here today. However, since we have gone all over the lot and having heard some remarks here today about politicians, I want to say something here now that I have wanted to say for quite a long time.

I doubt whether there is any man in this Senate who could be elected to office if he were not a politician. I might say to the members of the press that they may be qualified along their particular line by education and training, but they would not hold their particular positions unless they had influence whereby they felt they had the contacts to place them in that position. I might also say to Senator Seyler that the members of the school boards for which he works, I understand, are politicians. I admit that I, too, am in a small way a politician.

A politician is an individual who has the good fortune to have people support him for public office, whether it be public office or committee office. I believe that is the proper American way of life.

I recall a meeting that I attended about six months ago, where a Japanese girl came over here, married one of our G. I.'s and it was right after the last Gubernatorial election by the way. They were discussing with me the ways of politics. She said to me, "You know, Senator Lane, this is a great Country you have over here. I listened to the campaign and I listened to all the speeches. I listened to the Republicans and I listened to the Democrats and after everything was finished, you people all got together. However, it seems odd that you talked about each other in such a terrible manner." I said, "Well, that is the American way of life."

Mr. President, I say to you here today that we want to have politicians in office. I say that in order to get a good job done, you must have a conscientious politician.

I remember that I always agreed with Senator John Walker on one thing and that was his statements regarding politicians. Politicians have built this great Nation, they have built this great State and I think they will continue on in the future.

Senator Yosko said something here about which I heartily agree. In Pennsylvania, where we have 11,000,000 people, we have some highly respectable and very honorable and very capable people, and any positions of honor and affluence should be awarded to the worthy citizens of Pennsylvania, regardless of their political affiliations. I do not take issue with the Governor because he appointed this gentleman to the Turnpike Commission and he is a registered Republican. That is definitely beside the point, if he is qualified to do the job. However, I would say to you that I would rather that that man would go out and vote and talk his convictions.

Incidentally, too, it has been told to us for the past years, by quite a number of influential people, that there is quite a shortage of educators in Pennsylvania. If that be true, it seems to me to be unusual that we should take a prominent professor from Pennsylvania State College and put him in a poltical position as a member of the Turnpike Commission.

Last, but not least, I want to also say this. There is an old proverb that goes like this: "No frog can ever get on a high stump unless someone helps him there."

Mr. SEYLER. Mr. President, not wishing to prolong the debate, I have jotted down three correctional notes. First of all, I did not wish to give the impression, if I did, that it was my position that it was not in order to discuss this matter or that there was anything improper in the discussion of it per se. I hope it is clear that my objection was to the manner in which we were discussing it.

Secondly, Mr. President, on the subject of politics, I have a very high esteem for politicians. However,I would like to point out that this is a relative term and if the gentlemen who have been discussing this matter would get into some of the internal politics which enter a school faculty, whether it is on the level of higher education or secondary education, or would get into the politics that go on within a corporation or within a business office, they would probably—somebody mentioned religious organizations, which is possibly true—find that the heat of political battle is sometimes hotter there than it is in the great outdoor politics, which is open to the inspection of all, and in which all of us here participate as active members.

Thirdly, as a correctional note, I think it is a misconception of the Majority Leader, with regard to Dean Williamson, when he said that some job has evidently been created for the Dean so that he can collect some money to make up the difference in salary. I do not think this is true at all. As I understand it, he is still the Dean of the School of Engineering and he is struggling mightily on the bit of time which he can scrape up, on his own time let us say, to devote to it to do a creditable job at keeping that school operating.

I think I should remind the gentleman that the kind of job which the dean of a school does, or the kind of a job which a good attorney does, is not the kind that you can measure in the number of minutes that he devotes to the job. There is nothing there that requires constant presence and attention. It is a job of leadership. One man can sometimes do more or give more leadership in a few hours than another man is capable of doing in several weeks or months. This is the kind of quality you buy when you go shopping for the dean of a school or university. I think it is the kind of quality you look for, too, when you go shopping for an attorney. I would not be surprised if we had men who are giving a great deal of time to public service, perhaps in this very hall, who, as attorneys, are doing a tremendous job for their clients or, perhaps, as solicitors for some public body.

I am sure they are doing a creditable job in both positions.

I think we must discriminate the type of things we are evaluating here. When you are talking about the dean of a great engineering school, one of the greatest in the Country, you are not talking about quite the same quality as when you are discussing, if you are discussing let us say, the manager of a store, a clerk who works in that store or the clerical person in the office of that store. There are different qualities involved and I think we are making a great error in trying to make them equivalent to each other.

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from York, Senator Seyler.

The PRESIDENT. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. With fear and trembling, Mr. President, I will.

Mr. MAHANY. Senator Seyler, is it your understanding that no replacement at Pennslyvania State University has been made for Mr. Williamson?

Mr. Seyler. I do not believe that it would be possible to have persuaded Dean Williamson to accept the position with the Commonwealth if he were going to be relieved of the position he has just recently accepted as Dean of the School of Engineering. At least, that was my impression from discussing this problem with the Dean at our Caucus.

Mr. MAHANY. Senator Seyler, is it your understanding that the Dean now gives as much time to his job at State College as he formerly did?

Mr. SEYLER. Dean Williamson said that he was going to try to do as much as he could over week ends. He was going to try to see as many people on Saturdays as he could. He is spending full time down here in Harrisburg, as I understand it.

Mr. MAHANY. If he were spending full time down here, then he would not have any time to spend up at State College on his other job, would he?

Mr. SEYLER. He told us that he would be there all day on Saturdays.

Mr. MAHANY. Do I understand that State College will suffer somewhat by reason of the fact that he is not going to be there as much as he formerly was?

Mr. SEYLER. Mr. President, again the gentleman is raising this question of equivalents, of one activity being like another and it is not. I am saying that the Dean is certainly not having as much time as he would like to put on it. That is why he only accepted it temporarily. However, I think it is possible for him to do a successful job as the Dean at State College for a limited time. By delegating the things which need to be delegated and working with the professional and scientific staff that he has, I would say, from my experience and understanding of the stituation, that it would be possible for him to do a successful job for a limited time under those circumstances.

Mr. MAHANY. How long a time would that be?

Mr. SEYLER. Before the situation is impaired, it would be a litle hard to estimate. I think he can go on for quite awhile if he has good cooperation from his associates. I would not recommend, in going out and hiring a dean, that you do it on this basis. I am saying this is definitely a temporary situation.

Mr. MAHANY. You are saying that we should consider this as an exception to the general rule.

Mr. SEYLER. No, I am not saying that you should consider this as an exception to the general rule at all. I am saying that the man is going to be giving his money's worth. He is not receiving any additional salary more than he was receiving before. He is getting it from a different source.

It seems to me there is no question but that he will be giving greater total service to the Commonwealth, since he has accepted this now position, than he was before. I think there is no question about your getting a great bargain in having Dean Williamson taking this job temporarily.

Mr. MAHANY. We do not seem to be getting as good a bargain as State College. They are now getting for $2,000 what they formerly paid $15,000 for.

Mr. SEYLER. Of course, they are not doing that, Mr. President. For $15,000 they are getting a first-rate man and, at the same time, he is also doing a job for the Commonwealth. You cannot say that he has given the one up; he has not.

Mr. MAHANY. Is it not true that State College is getting all they got before for $2,000 which they formerly paid $15,000 for?

Mr. SEYLER. No, Mr. President, I did not say that is true. I said distinctly that this could go on for a limited time without impairment. It could go on for a considerable time with some impairment. There is no question in my mind that it is not a good way to have a dean's job filled as a regular circumstance.

Mr. MAHANY. Again, I ask you, how long do you think this sort of thing can go on without impairing the administration of State College?

Mr. SEYLER. Mr. President, I am perhaps not the best one to address that question to. I would suggest that the Majority Leader ask that question of the President of State College. He is in a better position to judge than I. I, however, have given you my opinion; that this can only be a temporary measure.

Mr. MAHANY. You stated that it could go on for some time without any impairment, then a limited time with some impairment and then, after that, I suppose everything would go to pot. I am trying to find out how long these various brackets would be which you are setting for us here as to impairment, no impairment, little impairment and then chaos.

Mr. SEYLER. Mr. President, I decline to make this equivalence. I have argued from the beginning that the Majority Leader is trying to measure different kinds of qualities, using the same yardsticks.

I might ask him whether, because it took Rembrandt six months to paint one picture and it took him two months to paint another, he could tell me that one picture is three times as great a painting as the other. This is the silliest line of questioning I think that the gentleman could possibly raise.

Mr. MAHANY. Mr. President, my questioning certainly has nothing to do with painting. These fellows up at State College, evidently, are paid according to their ability and the time that they spend. I, again, state that if Dean Williamson is doing the same job that he did before, or essentially that, then State College is receiving for $2,000 what they formerly paid $15,000 for.

Senator Seyler states that sooner or later something is going to happen because there will be some impairment. Impairment of what, he did not say. I suppose he meant impairment of the administration of State College. Inasmuch as State College is a land grant college and a primary responsibility of this Legislature, I think we should concern ourselves with the length of time it will be before this impairment will take place. That was the reason for my questioning.

I am interested in State College as well as I am the Turnpike Commission. I do not want anything to happen to State College and the School of Engineering up there for which we appropriate so much money.

Mr. SEYLER. Mr. President, it was the gentleman from Crawford who pointed out initially that both

Pennsylvania State College and the other position that the gentleman has recently accepted come from the same source. He was receiving $15,000 before he entered upon his new duties; he is receiving $15,000 total now, as I understand it.

As I suggested before to the gentleman, the Commonwealth, in its capacity as the government at Harrisburg, and the Commonwealth in its capacity as a State University, is receiving a great bargain.

Mr. MAHANY. Mr. President, if we are getting such bargains as that, perhaps we should bring more college professors down here who, evidently, can spare the time from their work and we will give them double duty, down here and up there. In that way, we will all be so much ahead, according to Senator Seyler's statement. However, in the meantime, according to his other statement, something is going to be impaired and it is not going to be Rembrandt's painting.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, February 13, 1957, at 10:00 o'clock, a. m., Eastern Standard Time.

Mr. DERK. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:33 o'clock, p. m., Eastern Standard Time, until Wednesday, February 13, 1957, at 10:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, February 12, 1957.

The House met at 1:00 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Donald E. Bowersox, Pastor of Loganville Evangelical United Brethern Church, York County, guest Chaplain, offered the following prayer:

Eternal God, our Father, we pray unto Thee in faith, believing that Thou will hear us today. We give unto Thee our praise for this beautiful day, and for the opportunities that Thou has given us to serve Thee. We enter into Thy presence with that same sort of confidence that a child would have in his earthly father, and yet, our confidence is stronger in Thee because we know that Thou can not and will not fail us.

We pray for the nations of earth today. May the spirit of that great leader of the past whose birthday we remember today become in some measure the spirit of the nations of earth. May the leaders of all the nations of earth recognize the individual rights and freedom of all mankind.

We earnestly ask Thy blessing to rest upon the Members of this Legislative body today. May Thy gentle Spirit be their source of wisdom and guidance in all their deliberations.

In the name of the Father, Son and Holy Spirit we pray, Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, February 11, 1957 will be postponed until printed.

The Chair hears none.

COLLEGE AREA SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House Honor Students in Social Studies from College Area Schools, State College: Terry Albrecht, John Kardos, Polly Mitten, Phyllis Thomas and Everett Tiffany under the direction of their teacher Lindley N. Yerg. They are the guests of the gentleman from Centre, Mr. Breon.

BILLS INTRODUCED AND REFERRED

By Messrs. MOODY and WHEELER.

HOUSE BILL No. 323.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), fixing compulsory resignation ages for members of the Pennsylvania State Police.

Referred to the Committee on State Government.

By Messrs. MOODY and WHEELER.

HOUSE BILL No. 324.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating the dismissal, suspension, demotion, reenlistment and retirement of enlisted members of the Pennsylvania State Police.

Referred to the Committee on State Government.

By Mr. ANDREWS.

HOUSE BILL No. 325.

An Act relieving corporations of the undue burden of State taxation; abolishing certain taxes on corporations; and repealing statutes imposing taxes on corporations.

Referred to the Committee on Ways and Means.

By Messrs. BOWMAN and OGILVIE.

HOUSE BILL No. 326.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

Referred to the Committee on Cities—Third Class.

By Messrs. PURSLEY, H. P. MURRAY and BOWER.

HOUSE BILL No. 327.

An Act to amend section 11.1 of the act approved July 18, 1917, (P. L. 1043) entitled, "An act establishing a public school employes' retirement system, etc. * * *," by providing for credit for retirement purposes for out-of-State service in certain cases.

Referred to the Committee on Education.

By Messrs. MUSTO, REIDENBACH, WARGO and MRS. MUNLEY.

HOUSE BILL No. 328.

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095) authorizing cities, boroughs and townships to regulate and supervise the use of explosives for blasting.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. BOORY and CIANFRANI.

HOUSE BILL No. 329.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), prescribing a minimum age for the issuance of a certificate of title, and raising the minimum age of issuance of an operator's permit.

Referred to the Committee on Motor Vehicles.

By Messrs. JOHNSON and GIBSON.

HOUSE BILL No. 330.

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' * * *" increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

Referred to the Committee on Ways and Means.

By Messrs. JOHNSON and GIBSON.

HOUSE BILL No. 331.

An Act reenacting and amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) extending the provisions of the act for a further limited period of time.

Referred to the Committee on Ways and Means.

By Messrs. JOHNSON and GIBSON.

HOUSE BILL No. 332.

An Act amending the "Cigarette Tax Act," approved June 14, 1935 (P. L. 341) extending the provisions imposing an additional tax for a further limited period of time.

Referred to the Committee on Ways and Means.

By Messrs. JOHNSON and GIBSON.
HOUSE BILL No. 333.

An Act reenacting and amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1417) imposing the tax permanently.

Referred to the Committee on Ways and Means.

By Messrs. JOHNSON and GIBSON.
HOUSE BILL No. 334.

An Act reenacting and amending the "Corporate Net Income Tax Act," approved May 16, 1935, (P. L. 208) imposing the tax permanently.

Referred to the Committee on Ways and Means.

By Messrs. JOHNSON and GIBSON.
HOUSE BILL No. 335.

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149) extending the provisions of one additional tax for a limited time.

Referred to the Committee on Ways and Means.

By Messrs. JOHNSON and GIBSON.
HOUSE BILL No. 336.

An Act amending the "Fuel Use Tax Act" of January 14, 1952 (P. L. 1965), extending the provisions of one additional tax for a limited time.

Referred to the Committee on Ways and Means.

By Messrs. GIBSON and STRAUSSER.
HOUSE BILL No. 337.

An Act amending the "Selective Sales and Use Tax Act" of March 6, 1956 (P. L. 1228), eliminating provisions which would reduce the rate of the tax.

Referred to the Committee on Ways and Means.

By Messrs. STRAUSSER, SELTZER and SNARE.
HOUSE BILL No. 338.

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448) authorizing fish wardens to make arrests for certain offenses.

Referred to the Committee on Fisheries.

By Mr. ISAACS. HOUSE BILL No. 339.

An Act amending "The Juvenile Court Law" approved June 2, 1933 (P. L. 1433) limiting the provisions of the act to children under sixteen years of age.

Referred to the Committee on Judiciary.

By Mr. ISAACS. HOUSE BILL No. 340.

An Act amending the "Juvenile Court Law of Allegheny County," approved June 3, 1933 (P. L. 1449), limiting the provisions of the act to children under sixteen years of age.

Referred to the Committee on Judiciary.

By Messrs. PIPER, WEIDNER, ROYER and STIMMEL. HOUSE BILL No. 341.

An Act amending "The Private Detective Act of 1953," approved August 21, 1953 (P. L. 1273), permitting former members of the Pennsylvania State Police to apply for licenses.

Referred to the Committee on Professional Licensure.

By Messrs. MULDOWNEY and McKEEVER.
HOUSE BILL No. 342.

An Act amending the act of June 14, 1923 (P. L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; * * *," clarifying its provisions relative to women wrestlers.

Referred to the Committee on Law and Order.

By Messrs. ROBERT K. HAMILTON and STONE. HOUSE BILL No. 343.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), requiring courts to revoke operating privileges of licensed motor vehicle operators convicted of felonies.

Referred to the Committee on Motor Vehicles.

By Mr. STRAUSSER. HOUSE BILL No. 344.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) providing for probationary operators licenses to be issued to persons under eighteen years of age.

Referred to the Committee on Motor Vehicles.

By Messrs. VARNER, WILT and KNECHT. HOUSE BILL No. 345.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) providing additional reimbursements to school districts on account of pupil transportation.

Referred to the Committee on Education.

By Mr. WALL. HOUSE BILL No. 346.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), removing provisions regulating the terms of office of merged districts.

Referred to the Committee on Education.

By Messrs. STRAUSSER, PURSLEY and WEIDNER. HOUSE BILL No. 347.

An Act amending the act of March 10, 1949, (P. L. 30), entitled, "An Act relating to the public school system, etc. . . ." by providing for additional increments for professional employes having thirty years of public school service.

Referred to the Committee on Education.

By Mr. FOX. HOUSE BILL No. 348.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) granting income tax deductions to residents of other states if similar deductions are granted to Pennsylvania residents.

Referred to the Committee on Municipal Corporations.

By Messrs. A. M. LEE and CARSON.
HOUSE BILL No. 349.

An Act amending the act of August 9, 1955 (P. L. 312) entitled "An act fixing the salary of the district attorney of Philadelphia," increasing his salary.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. TOLL, PARRY and BOORY.
HOUSE BILL No. 350.

An Act amending the "Chiropody Act of 1956," ap-

proved March 2, 1956, (P. L. 1206), extending the definition of "Chiropody" to include dispensing and prescribing drugs, medication and agents in the treatment of ailments and infections of the feet.

Referred to the Committee on Professional Licensure.

By Mr. DUNN. HOUSE BILL No. 351.

An Act amending the act of May 15, 1874 (P. L. 186) entitled "An act declaring what offices are incompatible," making the office of justice of the peace incompatible with the offices of burgess or mayor.

Referred to the Committee on Municipal Corporations.

By Messrs. MOODY and HOCKER.
HOUSE BILL No. 352.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing the closing of court houses and other county offices on Saturdays.

Referred to the Committee on Counties.

By Mr. MAXWELL. HOUSE BILL No. 353.

An Act amending the act of April 20, 1876 (P. L. 45) entitled "An act to prevent fraud and fraudulent practices upon or by hotel keepers, inn keepers and boarding housekeepers," requiring the posting of weekly and monthly rates.

Referred to the Committee on Judiciary Special.

By Mr. DUNN. HOUSE BILL No. 354.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the board to issue retail licenses for the temporary sale of malt or brewed beverages by volunteer fire companies.

Referred to the Committee on Liquor Control.

By Mr. THOMAS H. W. JONES.
HOUSE BILL No. 355.

An Act amending the "State Employes' Retirement Law," approved June 27, 1923, (P. L. 858), further regulating the crediting of interest and payments to members upon discontinuance from service.

Referred to the Committee on State Government.

By Mr. VAUGHAN. HOUSE BILL No. 356.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the application for an issuance of hotel, restaurant and club liquor licenses.

Referred to the Committee on Liquor Control.

By Messrs. VAUGHAN and STUART.
HOUSE BILL No. 357.

An Act requiring the Commonwealth to provide students participating in athletics at State colleges with insurance coverage for certain injuries.

Referred to the Committee on Education.

By Messrs. VAUGHAN and STUART.
HOUSE BILL No. 358.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), providing subsistence allowance for married members of the State Police Force.

Referred to the Committee on State Government.

By Messrs. VAUGHAN and STUART.
HOUSE BILL No. 359.

An act requiring any question which requires a referendum to be submitted at a general election.

Referred to the Committee on Elections and Apportionment.

By Mr. VAUGHAN. HOUSE BILL No. 360.

An Act amending the "Pennsylvania Board of Parole Law," approved August 6, 1941 (P. L. 861), regulating the paroling of certain convicts and abolishing the requirement of sponsors as a condition to paroles.

Referred to the Committee on Judiciary.

By Mr. WORLEY (By Request).
HOUSE BILL No. 361.

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742) excluding from taxation transfers of property to or by religious groups.

Referred to the Committee on Ways and Means.

By Messrs. GAILEY and STIMMEL.
HOUSE BILL No. 362.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing conveyance by school districts of the second class of unused and unnecessary lands and buildings to the city, borough, town or township coterminous with the district.

Referred to the Committee on Education.

By Messrs. FETTEROLF, BRENNINGER, WILLAREDT and Mrs. HENZEL.
HOUSE BILL No. 363.

An Act prohibiting proposed amendments to the Constitution of the Commonwealth from being submitted to the electors during presidential elections.

Referred to the Committee on Elections and Apportionment.

By Messrs. WYND and KENNETH B. LEE.
HOUSE BILL No. 364.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), authorizing the sentencing of persons convicted for a second or subsequent offense . . . and to make unlawful the introduction of evidence of prior offenses . . .

Referred to the Committee on Judiciary.

By Messrs. FLOYD and SHIELDS.
HOUSE BILL No. 365.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the use of vulgar or profane language in public places.

Referred to the Committee on Judiciary Special.

By Messrs. VAUGHAN and STUART.
HOUSE BILL No. 366.

An Act amending the act of June 29, 1937 (P. L. 2423), entitled, as amended, "An act establishing a Pennsylvania State Police Retirement System; . . .," extending the act to employes of certain State, penal and correctional institutions.

Referred to the Committee on State Government.

By Mr. THOMAS H. W. JONES. HOUSE BILL No. 367.

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious . . . purposes," exempting associations of volunteer firemen.

Referred to the Committee on Welfare.

By Mrs. HENZEL and Mr. FOSTER. HOUSE BILL No. 368.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), authorizing township commissioners to annually appropriate money for certain nursing services.

Referred to the Committee on Townships.

By Messrs. WOOD, WESCOTT, WHEELER and McCANN. HOUSE BILL No. 369.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing for the creation of capital reserve funds for capital expenditures.

Referred to the Committee on Cities—Third Class.

By Messrs. WOOD, WESCOTT, WHEELER and McCANN. HOUSE BILL No. 370.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) providing for the creation of capital reserve funds for capital expenditures.

Referred to the Committee on Townships.

By Messrs. WOOD, WESCOTT, WHEELER and McCANN. HOUSE BILL No. 371.

An Act amending "The First Class Township Code," approved June 24, 1931, (P. L. 1206), providing for the creation of capital reserve funds for capital expenditures.

Referred to the Committee on Townships.

By Mrs. HENZEL and Mrs. DONAHUE. HOUSE BILL No. 372.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), clarifying the uses of money appropriated to community nursing service.

Referred to the Committee on Boroughs.

By Mr. TOMPKINS. HOUSE BILL No. 373.

An Act prohibiting use of Federal-aid Highway Program moneys by the Governor or departments or agencies of the Commonwealth for payment or retirement of existing indebtedness.

Referred to the Committee on Highways.

By Mr. TOMPKINS. HOUSE BILL No. 374.

An Act amending the "Pennsylvania Turnpike Keystone Shortway Act," approved June 10, 1955 (P. L. 157), making the decision of the Pennsylvania Turnpike Commission regarding terminal points of the turnpike subject to final approval by the General Assembly.

Referred to the Committee on Highways.

By Messrs. TOMPKINS and BELL. HOUSE BILL No. 375.

An Act creating a joint legislative commission, to be known as the Government Operation Commission; providing for its membership, * * * and making an appropriation.

Referred to the Committee on State Government.

By Mrs. HENZEL and Mr. FETTEROLF. HOUSE BILL No. 376.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing supervisors to annually appropriate money for certain nursing services.

Referred to the Committee on Townships.

By Messrs. WOOD, HAUDENSHIELD and SNIDER. HOUSE BILL No. 377.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), enlarging the scope of activities and powers of the Historical and Museum Commission; and providing for the use and disposition of monies credited to the "Historical Preservation Fund."

Referred to the Committee on State Government.

By Mr. DOWN. HOUSE BILL No. 378.

An Act amending the act of July 18, 1917, (P. L. 1043) entitled, "An act establishing a public school employes' retirement system, etc. . . ." by providing credit for retirement purposes for out-of-state service in certain cases.

Referred to the Committee on Education.

By Messrs. SHERMAN and EILBERG. HOUSE BILL No. 379.

An Act providing for the degree of contributory negligence necessary to constitute a bar to recovery in certain tort actions.

Referred to the Committee on Judiciary.

By Messrs. GELFAND, SHERMAN, EILBERG and BELL. HOUSE BILL No. 380.

An Act providing for compulsory motor vehicle liability insurance.

Referred to the Committee on Motor Vehicles.

By Messrs. AUSTIN M. LEE, TOLL, CARSON and AMARANDO. HOUSE BILL No. 381.

An Act fixing fees to be received by the prothonotary in counties of the first class; and providing for the time of payment.

Referred to Committee on Cities—Counties First—Second and Second Class A.

By Mr. ANDERWS. HOUSE BILL No. 382.

An Act amending the act of June 1, 1889 (P. L. 420), entitled "An further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine" reducing the rate of the capital stock tax and the franchise tax.

Referred to the Committee on Ways and Means.

By Messrs. RENWICK, POLASKI, GIBSON and TOMPKINS. HOUSE BILL No. 383.

An Act to facilitate vehicular traffic in the northwestern section of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System, at or near a point west of or east of the city of Harrisburg as the Pennsylvania Turnpike Commission may decide is most feasible and practicable, thence in a general northern direction to the New York border to connect with the New York thruway * * *.

Referred to the Committee on Highways.

By Messrs. MURPHY and BELL.

HOUSE BILL No. 384.

An Act authorizing and directing the Department of Highways, with the approval of the Governor, to construct a highway and to erect and maintain a bridge over the Chester River in Delaware County between Twenty-second Street and Upland Avenue in the Borough of Upland * * * and making an appropriation therefor.

Referred to Committee on Highways.

By Messrs. EWING, VAUGHAN, STUART and SPRAY. HOUSE BILL No. 385.

An Act establishing as State highways certain county highways, bridges, viaducts and approaches thereto, and requiring their construction, repair, and maintenance by the Commonwealth.

Referred to Committee on Highways.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MURPHY and BELL. RESOLUTION No. 23.

In the House of Representatives, February 11, 1957.

The inadequate State Highway System extending in and about the City of Chester is totally inadequate for local and through traffic.

The City of Chester, County of Delaware, Baltimore & Ohio Railroad, and the State of Pennsylvania have heretofore entered into an agreement for the construction of a limited access highway to be known as "Chester Expressway" connecting the Conchester Road and U.S. Highway 13, known as the Chester Pike, connecting Chester and Philadelphia.

Construction of the first portion thereof has actually been completed.

The City of Chester and County of Delaware have specifically allocated $1,000,000 to pay for land damage claims covering the construction of the remaining link of the said proposed Chester Expressway.

No further action has been taken concerning the construction of that portion of the proposed Chester Expressway situate between Kerlin Street and Chester Pike.

The traveling public, including tens of thousands of employes in the heavy industries of Chester and lower Delaware County are daily inconvenienced by the failure of the State Highway Department to push to completion the remainder of the "Chester Expressway."

Hundreds of thousands of residents of Philadelphia and eastern Delaware County are subject to daily traffic jams caused by the overloaded condition of an antiquated State Highway System existing between Eddystone Borough and the Delaware state line; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Secretary of the Highway Department of this Commonwealth to complete as soon as practicable the Chester Expressway in the County of Delaware for the convenience and safety of the traveling public of this Commonwealth.

Referred to the Committee on Rules.

By Mr. THOMPSON. RESOLUTION No. 24.

In the House of Representatives, February 11, 1957.

The Allegheny River, one of the greatest waterways in the eastern United States, is familiar to us all, not only for its size, but more so for its value in providing clean water for domestic and industrial consumption and for recreational enjoyment.

Now the purity of the Allegheny is being threatened by a proposed paper mill, to be constructed near the city of Franklin Pennsylvania. If improperly operated such a mill could reduce the natural beauty of the Allegheny to the fate which has befallen so many of our streams, that fate being pollution, with its foul and extremely harmful color and odor.

It is not the wish of any good citizen to impede progress or to obstruct establishment of new industry. It is our fundamental duty, however, to safeguard the natural wonders and beauty which God has created for our use and enjoyment. Therefore be it

Resolved, That the House of Representatives call upon the Sanitary Water Board of the Department of Health to carefully scrutinize all possible effects of the proposed paper mill near Franklin, Pennsylvania and earnestly request that such a mill be prohibited if there is any possibility that it will pollute the Allegheny River; and be it further

Resolved, That a certified copy of this resolution be transmitted to the Secretary of Health in his capacity as Chairman of the Sanitary Water Board.

Referred to the Committee on Rules.

By Messrs. WEIDNER, PIPER and ADAMS.

RESOLUTION No. 25.

In the House of Representatives, February 11, 1957.

On Wednesday February 6, 1957 it was publicly reported that sometime during the first week in February, narcotics of a value of about $500 had been stolen from the vault of the Charles H. Miner State Hospital at Hamburg, Berks County Pennsylvania. The missing narcotics were reported to consist mainly of cocaine- hydrochlorid, quantities of morphine, nembutal and codine, in tablet, and capsule and bulk powder form which drugs were used in the hospital's surgical department as local anesthetics. The circumstances surrounding the reported theft were peculiar in that the above mentioned narcotics were stored in a vault with double doors which bore no signs of forcible entry.

Circumstances such as these indeed reflect unfavorably upon the administration of the hospital and considering the grave problem that police authorities normally face with the illegal traffic in narcotics, and its attendant circumstances in the perpetration of crimes in the community, the House of Representatives expresses its deep concern over the entire matter, therefore be it

Resolved, That the Speaker of the House of Representatives appoint three members of the House who shall form a committee for the purpose of investigating the theft of narcotics from the Charles H. Miner, State Hospital and to investigate other irregularities in the administration of the hospital, and be it further

Resolved, That the committee make a report of its findings together with recommendations for measures necessary and appropriate for the correction of the irregularities to this session of the General Assembly.

Referred to the Committee on Rules.

By Messrs. PIPER, WEIDNER and ADAMS.

RESOLUTION No. 26.

In the House of Representatives, February 11 1957.

The reported plans of the State Highway Department to make the fourteen mile stretch of Route 22 between Shartlesville, and the Berks-Lebanon County border, in Berks County, into a limited access highway has spread confusion, resentment and pessimism in northern Berks County.

Sealing off this area in order to make Route 22 qualify for the new Federal interstate road system will cripple if not deal a death blow to the businesses of roadside operators in the fourteen mile stretch of highway.

Threatened with isolation are thirty-eight establishments with a total estimated value in excess of $1,200,000. The establishments represent the life savings of the owners, running as high as $100,000, in individual cases. There are thirteen gasoline stations, twelve motels, nine food establishments, two "museums" and two gift and antique shops in the prosperous fourteen mile stretch.

At the opening six years ago to traffic of the part of Route 22 now effected, there was no mention or indication

of a limited access highway. The businesses about to be "strangled" were established as individual enterprises with good faith on the part of the proprietors. The plan to stifle and do away with the businesses is to be viewed with alarm and consternation. Such action can have far-reaching effect upon the populace who will fear to venture into individual enterprise, which may be done away with at the whim of the government. Side roads can not and will not supply a flow of trade to maintain the business establishments affected; therefore be it

Resolved, That this House of Representatives hereby condemns the plan of the State Highway Department to make a limited access highway of the fourteen mile stretch of Route 22 in Berks County, between Shartlesville and the Berks-Lebanon County border.

Referred to the Committee on Rules.

By Messrs. IDE, MOYER and RAGOT. RESOLUTION No. 27.

In the House of Representatives, February 11, 1957.

Whereas, State Highway Alternate Route 22 at its eastern terminus is located in the City of Easton, extending from the western boundary of the city eastwardly by a tortuous and winding route along the Bushkill Creek to the Delaware River; and

Whereas, the speed limit on the major portion of said roadway is fixed at 35 miles per hour in view of the dangerous and hazardous conditions created by the hairpin curves of said roadway; and

Whereas, said roadway is posted against speeds in excess of 35 miles an hour but the posting does not adequately warn motorists of the inherently dangerous and hazardous conditions of the roadway with the result that motorists have, time and again, proceeded into said curves at excessive speeds and have lost control of their vehicles —crossing the medial strip and colliding with traffic proceeding in the opposite direction; and

Whereas, an exceptionally high rate of serious accidents, many involving fatalities, have resulted and have prompted repeated requests to the Pennsylvania Department of Highways to install such additional facilities as may be necessary to warn motorists of the hazardous road condition; and

Whereas, The Pennsylvania Department of Highways, despite a continuing and increasing rate of serious accidents on said roadway, has failed to adopt any remedied measures as requested;

Now, therefore, be it resolved that, in the interests of the safety of the general travelling public, the Governor be and he hereby is requested to order and direct the Pennsylvania Department of Highways to install such additional warning facilities including more adequate illumination, flashing red signals and an elevated medial strip so as to impress more forcefully upon motorists about to enter upon said roadway the extremely hazardous and dangerous condition of the same.

Referred to the Committee on Rules.

By Messrs. HAMILTON, WOOD and HAUDENSHIELD. RESOLUTION No. 28.

In the House of Representatives, February 11, 1957.

Harmonie Associates, Inc., of Old Economy, Ambridge, Pennsylvania is a nonprofit voluntary organization legally incorporated for the purpose of aiding in the restoration of OLD ECONOMY, Pennsylvania's largest and most complete historical property as a national shrine. Harmonie Associates, Inc., has awakened public interest in the historical facts of OLD ECONOMY and their resulting affect upon the cultural, commercial and industrial progress of our State by the production of "Man's Reach," Pennsylvania's first historical outdoor drama.

"Man's Reach" (by Gladys L'Ashley Hoover, author and playwright) was successfully produced during the summer of 1956 and is scheduled for its second season at OLD ECONOMY during the summer of 1957, almost entirely through voluntary contributions of time, talent and financial support and the cooperation of the Pennsylvania Historical & Museum Commission; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania commend Harmonie Associates, Inc., for its outstanding contribution to the historical heritage of Pennsylvania, and that the Pennsylvania Historical and Museum Commission also be commended for its assistance to this monumental work; and be it further

Resolved, That the clerk of this body be directed to send copies of this resolution to (a) Harmonie Associates, Inc., Old Economy, Ambridge, Pennsylvania and (b) to the Pennsylvania Historical and Museum Commission.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 29.

An Act amending the act of May 9 1949 (P. L. 908) entitled "An act relating to public records of poliitcal subdivisions other than cities and counties of the first class . . ." authorizing county controllers to destroy or dispose of certain records and papers.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 30.

An Act amending the act of April 9 1929 (P. L. 343) entitled "The Fiscal Code" providing for the disposition of certain unused Commonwealth license forms tags buttons and certificates in the possession of county treasurers.

Referred to the Committee on State Government.

SENATE BILL No. 31.

An Act amending the act of June 25 1941 (P. L. 159) entitled "Municipal Borrowing Law" defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 36.

An Act amending the act of May 21 1943 (P. L. 571) entitled as amended "The Fourth to Eighth Class County Assessment Law" providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 48.

An Act amending the act of May 6 1929 (P. L. 1551) entitled "An act authorizing cities of the first class to adopt and enforce zoning ordinances . . ." regulating appeals based on invalidity of zoning ordinances.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

SENATE BILL No. 77.

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

Referred to the Committee on State Government.

SENATE BILL No. 87.

An Act reenacting certain parts of the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code" clarifying provisions relating to magistrates sending notices by registered or certified mail.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 100.

An Act amending the act of May 9 1949 (P. L. 908) entitled "An act relating to public records of political subdivisions other than cities and counties of the first class . . ." authorizing county commissioners to destroy or dispose of certain records and papers.

Referred to the Committee on Counties.

RESOLUTION

ELECTION OF CHIEF CLERK

Mr. LAFORE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, February 12, 1957.

Resolved, That Lloyd H. Wood of Montgomery County, be elected Chief Clerk of this House of Representatives.

On the question,

Will the House adopt the resolution?

The SPEAKER. Are there any other nominations?

Mr. READINGER. Mr. Speaker, I move that the nomination be closed.

The motion was agreed to.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

The SPEAKER. The Chair appoints the Members of Montgomery County, Messrs. Jones, Lafore, Willaredt, Brenninger, Mrs. Henzel; and Mr. Fetterolf, to escort the Chief Clerk-elect to the bar of the House.

The SPEAKER. The oath of office will now be administered to the Chief Clerk-elect, Honorable Lloyd H. Wood by the Honorable Walter R. Sohn, a Judge learned in the law of the Court of Common Pleas of Dauphin County.

The oath of office was administered to the Chief Clerk-elect.

The CHIEF CLERK (Lloyd H. Wood). Mr. Speaker and Members of the House I cannot say I am inspired to make a long-winded address, because I know you get enough wind thrown around here without my aiding and abetting.

I do want to say from the bottom of my heart that I feel very grateful to the Members of the House for elevating me to this high and honorable position. After all, I put 16 years of my life in government service on this Hill and it is like coming home to come back here to this honorable position.

I wish to assure you that I shall do my utmost to serve you to the best of my ability.

Thank you very much.

The SPEAKER. The Chair thanks the Chief Clerk.

The Chair extends the thanks of the House to the Honorable Walter R. Sohn, Judge of the Dauphin County Court, for administering the oath today.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Andrews, to preside temporarily. Will the gentleman from Cambria please come to the rostrum?

Mr. ANDREWS IN THE CHAIR.

The SPEAKER pro tempore. Unaccustomed as I am to instruments of this sort, I will beg the indulgence of the House if I use it unwisely.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Donaldson for Mr. GIBB because of illness in the family.

Mr. Stevens for Mr. JOHNSTON because of a serious accident and illness.

Mr. Kornick for Mr. TRUSIO for today and tomorrow because of illness in the family.

REPORTS FROM COMMITTEES

Mr. ADAMS from the Committee on Boroughs, reported as committed, House Bill No. 11, entitled:

An Act authorizing incorporated towns to regulate junk yards.

Mr. BELL from the Committee on Judiciary Special, reported as committed, House Bill No. 163, entitled:

An Act amending the act of May 16, 1945 (P. L. 594), entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings, * * *," imposing penalties for violations of the act, and in certain cases removing from office magistrates * * * failing to make monthly settlements with certain political subdivisions.

Mr. KELLER from the Committee on Education reported as committed, House Bill No. 183, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for reimbursement by the Commonwealth to school districts and vocational school districts and harmonizing the language.

Mr. MOSCRIP from the Committee on Judiciary Special, reported as amended, House Bill No. 207, entitled:

An Act amending the act of April 3 1956 (P. L. 1382) entitled "An act making the offices of constable and justice of the peace or alderman incompatible," making the offices of constable and councilman incompatible.

Mr. FARABAUGH from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 237, entitled:

An Act amending the act of March 26, 1925 (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars, and providing penalties," exempting school districts from the payment of license fees.

Mr. GRAMLICH from the Committee on Highways, reported as committed, House Bill No. 287, entitled:

An Act abolishing the Pennsylvania Tunnel Commismission, assuming its obligations, and appropriating money from the Motor License Fund.

Mr. GRAMLICH from the Committee on Highways, reported as committed, House Bill No. 288 entitled:

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge and the Saw Mill Run Interchange of the Parkway-West.

Mr. WILLAREDT from the Committee on Highways, reported as committed, House Bill No. 322, entitled:

An Act making certain bridges in the Commonwealth toll free; providing for the payment of certain bond issues; requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof.

The SPEAKER pro tempore. The Chair welcomes back to the rostrum the Speaker of the House.

The SPEAKER (W. Stuart Helm) IN THE CHAIR

Mr. SPEAKER. The Chair thanks the gentleman from Cambria. Mr. Andrews for presiding.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 32 and 82.

Resolutions for concurrence Serial No. 108 and Serial No. 109

PERMISSION TO ADDRESS HOUSE

Mr. LOPRESTI asked and obtained unanimous consent to address the House.

Mr. Speaker, I notice by reading the newspapers the Majority Leader admits that two years ago they climbed out on a limb when they suggested they were going to cut $200 million from the Governor's budget and the Majority Leader says he is not going to do much talking this time because he does not like to be caught out on a limb that way.

I want to point out, Mr. Speaker, that at the time the then minority was crawling out on a limb we in the majority were trying to pull them back, and repeatedly we suggested to the then Minority Leader, Mr. Smith, that he was perhaps crawling out on a limb. But he did not take our advice.

Now, unfortunately, it is my opinion that in this session the majority is once again crawling out on a limb, but they are not doing it on the floor of this House so that we can caution them and perhaps help them to get back.

While I recognize the power of the majority and I recognize also the prerogative on the part of the majority to conduct their cases in any manner they see fit, I am just wondering whether it would not be wise if some of the statements which are being made in the newspapers should not be made in the House in the presence of the minority so that we might have a chance to discuss it with the majority. Then if we find them crawling out on a limb too far, we could caution them a little bit and we might be able to get them back.

I hope as the session progresses we will have the chance to debate with the majority on the floor of the House and not be forced to do it through the newspapers.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 140, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing representation on the board of directors of union, merged and consolidated school districts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 130, entitled:

An Act providing for the reassessment of properties for tax purposes where new improvements have been made and the addition thereof to existing tax duplicates of political subdivisions

The first section was read.

On the question,

Will the House agree to the section?

Mr. O'Dell offered the following amendments:

Amend Sec. 1, page 1, line 4, by inserting after "completed" and occupied

Amend Sec. 1, page 2, line 5, by striking out "made" and inserting: completed and occupied

They were agreed to.

The section was agreed to as amended

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 10, entitled as follows:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," providing for minority party representation in council.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. RIGBY. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 17, entitled as follows:

An Act amending the act of July 12 1935 (P. L. 677) entitled "An act to fix the status of officers and employees of the Commonwealth and political subdivisions thereof while in training with the armed forces of the United States" including members of the United States Coast Guard Reserve.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191.

Adams,	Farabaugh,	Lippincott,	Rovansek,
Amarando,	Fetterolf,	Lopresti,	Royer,
Anderson, M. S.,	Filo,	Lovett,	Rudisill,
Anderson, S. A.,	Fineman,	Lutty,	Scarcelli,
Andrews,	Floyd,	Markley,	Schuster,
Ashton,	Foster,	Marsh,	Schwartz,
Auker,	Fox,	Maxwell,	Seltzer,
Barton,	Gailey,	McCann,	Sherman,
Bell,	Garlock,	McCormack,	Shields,
Boies,	Gelfand,	McGee,	Silverman,
Boory,	George,	McInroy,	Smith,
Bower,	Gibson,	McKeever,	Snare,
Bowman,	Goldstein,	McLaughlin,	Snider,
Brand,	Goodling,	Metz,	Spray,
Breisch,	Goodrich,	Mihm,	Steckel,
Brennan,	Gramlich,	Mikula,	Stevens,
Brenninger,	Gross,	Miller, B. Z.,	Stimmel,
Breon,	Guthrie,	Miller, H. G.,	Stone,
Breth,	Hamilton,	Monroe,	Stoner,
Brown,	Haudenshield,	Moody,	Strausser,
Brucker,	Heavey,	Moscrip,	Stuart,
Bucchin,	Heffner,	Moyer,	Taylor,
Buchanan,	Henzel,	Muldowney,	Thompson,
Capano,	Hocker,	Mullen,	Toll,
Carson,	Holt,	Munley,	Ujobai,
Cianfrani,	Horst,	Murphy,	Varallo,
Cioffi,	Ide,	Murray, H. P.	Vaughan,
Cleveland,	Isaacs,	Murray, P. G.,	Verona,
Comer,	Jenkins,	Musto,	Wall,
Cummins,	Jim,	Naugle,	Walsh,
Curwood,	Johnson,	O'Brien,	Wargo,
Dalrymple,	Jones, G. E.	O'Dell,	Weidner,
Davis,	Jones, T. H.,	Ogilvie,	Welsh,
DeLong,	Kamyk,	Parry,	Wescott,
Dengler,	Kehler,	Pashley,	Wheeler,
Dennison,	Keller,	Petrosky,	Whittaker,
Devlin,	Kernaghan,	Phillips,	Willard,
Dietterick,	Knecht,	Piper,	Willaredt,
Donahue,	Kooker,	Polaski,	Williams,
Donaldson,	Kornick,	Pomeroy,	Wilt,
Dougherty,	Korns,	Post,	Wood,
Down,	Krakow,	Price,	Worley,
Duffy,	Lafore,	Pursley,	Wyatt,
Dunn,	Lee, A. M.,	Ragot,	Wynd,
Edwards,	Lee, K. B.,	Readinger,	Yatron,
Eilberg,	Leonard,	Reidenbach,	Zimmerman,
Erb,	Light,	Renwick,	Helm,
Eshleman,		Rigby,	Speaker

NAYS—0.

NOT VOTING—18.

Agnew,	Frascella,	Magee,	Mills,
Blair,	Gibb,	Mahan,	Stroup,
Cooper,	Johnston,	Merry,	Tompkins,
Ewing,	Jump,	Miller, W. H.,	Trusio,
Flynn,	Limper,		Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk prosent the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 76, entitled as follows:

An Act reenacting and amending the act of July 7 1955 (P. L. 256) entitled "An act creating a temporary advisory commission to examine report upon and recommend reorganizations of agencies and functions of the State government * * *" reactivating and extending the life of the commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190.

Adams,	Farabaugh,	Lippincott,	Rovansek,
Amarando,	Fetterolf,	Lopresti,	Royer,
Anderson, M. S.,	Filo,	Lovett,	Rudisill,
Anderson, S. A.,	Fineman,	Lutty,	Scarcelli,
Andrews,	Floyd,	Markley,	Schuster,
Ashton,	Foster,	Marsh,	Schwartz,
Auker,	Fox,	Maxwell,	Seltzer,
Barton,	Gailey,	McCann,	Sherman,
Bell,	Garlock,	McCormack,	Shields,
Boies,	Gelfand,	McGee,	Silverman,
Boory,	George,	McInroy,	Smith,
Bower,	Gibson,	McKeever,	Snare,
Bowman,	Goldstein,	McLaughlin,	Snider,
Brand,	Goodling,	Metz,	Spray,
Breisch,	Goodrich,	Mihm,	Steckel,
Brennan,	Gramlich,	Mikula,	Stevens,
Brenninger,	Gross,	Miller, B. Z.,	Stimmel,
Breon,	Guthrie,	Miller, H. G.,	Stone,
Breth,	Hamilton,	Monroe,	Stoner,
Brown,	Haudenshield,	Moody,	Strausser,
Brucker,	Heavey,	Moscrip,	Stuart,
Bucchin,	Heffner,	Moyer,	Taylor,
Buchanan,	Henzel,	Muldowney,	Thompson,
Capano,	Hocker,	Mullen,	Toll,
Carson,	Holt,	Munley,	Ujobai,
Cianfrani,	Horst,	Murphy,	Varallo,
Cioffi,	Ide,	Murray, H. P.	Vaughan,
Cleveland,	Isaacs,	Murray, P. G.,	Verona,
Comer,	Jenkins,	Musto,	Wall,
Cummins,	Jim,	Naugle,	Walsh,
Curwood,	Johnson,	O'Dell,	Wargo,
Dalrymple,	Jones, G. E.	Ogilvie,	Weidner,
Davis,	Jones, T. H.,	Parry,	Welsh,
DeLong,	Kamyk,	Pashley,	Wescott,
Dengler,	Kehler,	Petrosky,	Wheeler,
Dennison,	Keller,	Phillips,	Whittaker,
Devlin,	Kernaghan,	Piper,	Willard,
Dietterick,	Knecht,	Polaski,	Willaredt,
Donahue,	Kooker,	Pomeroy,	Williams,
Donaldson,	Kornick,	Post,	Wilt,
Dougherty,	Korns,	Price,	Wood,
Down,	Krakow,	Pursley,	Worley,
Duffy,	Lafore,	Ragot,	Wyatt,
Dunn,	Lee, A. M.,	Readinger,	Wynd,
Edwards,	Lee, K. B.,	Reidenbach,	Yatron,
Eilberg,	Leonard,	Renwick,	Zimmerman,
Erb,	Light,	Rigby,	Helm,
Eshleman,			Speaker

NAYS—1.

O'Brien,

NOT VOTING—18.

Agnew,	Frascella,	Magee,	Stroup,
Blair,	Gibb,	Mahan,	Tompkins,
Cooper,	Johnston,	Merry,	Trusio,
Ewing,	Jump,	Miller, W. H.,	Varner,
Flynn,	Limper,	Mills,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 143, entitled as follows:

An Act amending the "Municipal Authorities Act of 1945" approved May 2 1945 (P. L. 382) providing for "Authorities" to submit copies of audits to the Bureau of Municipal Affairs in the Department of Internal Affairs.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, line 4 of Title, by striking out "providing for" and inserting: "requiring".

Amend Title, page 2, lines 4 and 5 of Title, by striking out "copies of audits to the" and inserting: "annual census reports to municipalities creating the "Authorities" and to the Bureau of Statistics in the"

Amend Sec. 1 (Sec. 8), page 3, line 8, by inserting brackets before and after "A copy of such audit" and inserting immediately thereafter: "An annual census report"

Amend Sec. 1 (Sec. 8), page 3, line 11, by striking out "Municipal Affairs" and inserting: "Statistics"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

House Bill No. 144, Printer's No. 28

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 161, entitled as follows:

An Act amending the act of May 2 1949 (P. L. 873) entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs * * *" clarifying the provisions of the act as to its application in townships.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190.

Adams,	Fetterolf,	Lopresti,	Rovansek,
Amarando,	Filo,	Lovett,	Royer,
Anderson, M. S.,	Fineman,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Markley,	Scarcelli,
Andrews,	Foster,	Marsh,	Schuster,
Ashton,	Fox,	Maxwell,	Schwartz,
Auker,	Gailey,	McCann,	Seltzer,
Barton,	Garlock,	McCormack,	Sherman,
Bell,	Gelfand,	McGee,	Shields,
Boles,	George,	McInroy,	Silverman,
Boory,	Gibson,	McKeever,	Smith,
Bower,	Goldstein,	McLaughlin,	Snare,
Bowman,	Goodling,	Metz,	Snider,
Brand,	Goodrich,	Mihm,	Spray,
Breisch,	Gramlich,	Mikula,	Steckel,
Brennan,	Gross,	Miller, B. Z.,	Stevens,
Brenninger,	Guthrie,	Miller, H. G.,	Stimmel,
Breon,	Hamilton,	Monroe,	Stone,
Breth,	Haudenshield,	Moody,	Stoner,
Brown,	Heavey,	Moscrip,	Strausser,
Brucker,	Heffner,	Moyer,	Stuart,
Buchanan,	Henzel,	Muldowney,	Taylor,
Capano,	Hocker,	Mullen,	Thompson,
Carson,	Holt,	Munley,	Toll,
Cianfrani,	Horst,	Murphy,	Ujobai,
Cioffi,	Ide,	Murray, H. P.	Varallo,
Cleveland,	Isaacs,	Murray, P. G.,	Vaughan,
Comer,	Jenkins,	Musto,	Verona,
Cummins,	Jim,	Naugle,	Wall,
Curwood,	Johnson,	O'Brien,	Walsh,
Dalrymple,	Jones, G. E.	O'Dell,	Wargo,
Davis,	Jones, T. H.,	Ogilvie,	Weidner,
DeLong,	Kamyk,	Parry,	Welsh,
Dengler,	Kehler,	Pashley,	Wescott,
Dennison,	Keller,	Petrosky,	Wheeler,
Devlin,	Kernaghan,	Phillips,	Whittaker,
Dietterick,	Knecht,	Piper,	Willard,
Donahue,	Kooker,	Polaski,	Willaredt,
Donaldson,	Kornick,	Pomeroy,	Williams,
Dougherty,	Korns,	Post,	Wilt,
Down,	Krakow,	Price,	Wood,
Duffy,	Lafore,	Pursley,	Worley,
Dunn,	Lee, A. M.,	Ragot,	Wyatt,
Edwards,	Lee, K. B.,	Readinger,	Wynd,
Eilberg,	Leonard,	Reidenbach,	Yatron,
Erb,	Light,	Renwick,	Zimmerman,
Eshleman,	Lippincott,	Rigby,	Helm,
Farabaugh,			Speaker

NAYS—1.

Bucchin,

NOT VOTING—18.

Agnew,	Frascella,	Magee,	Stroup,
Blair,	Gibb,	Mahan,	Tompkins,
Cooper,	Johnston,	Merry,	Trusio,
Ewing,	Jump,	Miller, W. H.,	Varner,
Floyd,	Limper,	Mills,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 162, entitled as follows:

An Act amending the act of June 1 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs * * *" further defining the formula used to determine the amount of payments to be made to the political subdivisions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190.

Adams,	Fetterolf,	Lopresti,	Rovansek,
Amarando,	Filo,	Lovett,	Royer,
Anderson, M. S.,	Fineman,	Lutty,	Rudisill,
Anderson, S. A.,	Floyd,	Markley,	Scarcelli,
Andrews,	Foster,	Marsh,	Schuster,
Ashton,	Fox,	Maxwell,	Schwartz,
Barton,	Gailey,	McCann,	Seltzer,
Bell,	Garlock,	McCormack,	Sherman,
Boles,	Gelfand,	McGee,	Shields,
Boory,	George,	McInroy,	Silverman,
Bower,	Gibson,	McKeever,	Smith,
Bowman,	Goldstein,	McLaughlin,	Snare,
Brand,	Goodling,	Metz,	Snider,
Breisch,	Goodrich,	Mihm,	Spray,
Brennan,	Gramlich,	Mikula,	Steckel,
Brenninger,	Gross,	Miller, B. Z.,	Stevens,
Breon,	Guthrie,	Miller, H. G.,	Stimmel,
Breth,	Hamilton,	Monroe,	Stone,
Brown,	Haudenshield,	Moody,	Stoner,
Brucker,	Heavey,	Moscrip,	Strausser,
Bucchin,	Heffner,	Moyer,	Stuart,
Buchanan,	Henzel,	Muldowney,	Taylor,
Capano,	Hocker,	Mullen,	Thompson,
Carson,	Holt,	Munley,	Toll,
Cianfrani,	Horst,	Murphy,	Ujobai,
Cioffi,	Ide,	Murray, H. P.	Varallo,
Cleveland,	Isaacs,	Murray, P. G.,	Vaughan,
Comer,	Jenkins,	Musto,	Verona,
Cummins,	Jim,	Naugle,	Wall,
Curwood,	Johnson,	O'Brien,	Walsh,
Dalrymple,	Jones, G. E.	O'Dell,	Wargo,
Davis,	Jones, T. H.,	Ogilvie,	Weidner,
DeLong,	Kamyk,	Parry,	Welsh,
Dengler,	Kehler,	Pashley,	Wescott,

Dennison,	Keller,	Petrosky,	Wheeler,
Devlin,	Kernaghan,	Phillips,	Whittaker,
Dietterick,	Knecht,	Piper,	Willard,
Donahue,	Kooker,	Polaski,	Willaredt,
Donaldson,	Kornick,	Pomeroy,	Williams,
Dougherty,	Korns,	Post,	Wilt,
Down,	Krakow,	Price,	Wood,
Duffy,	Lafore,	Pursley,	Worley,
Dunn,	Lee, A. M.,	Ragot,	Wyatt,
Edwards,	Lee, K. B.,	Readinger,	Wynd,
Eilberg,	Leonard,	Reidenbach,	Yatron,
Erb,	Light,	Renwick,	Zimmerman,
Eshleman,	Lippincott,	Rigby,	Helm,
Farabaugh,			Speaker

NAYS—1.

Auker,

NOT VOTING—18.

Agnew,	Frascella,	Magee,	Stroup,
Blair,	Gibb,	Mahan,	Tompkins,
Cooper,	Johnston,	Merry,	Trusio,
Ewing,	Jump,	Miller, W. H.,	Varner,
Flynn,	Limper,	Mills,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 203, Printer's No. 36

was passed over at the request of the SPEAKER.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

RECOMMENDED LEGISLATION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg. February 12, 1957.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

No laws, however wise, can take the place of honest public servants devoted to ethical principles and dedicated to the best interests of those they serve.

We shall always need men and women of high personal integrity in our elected and appointed offices; and for the most part, the Commonwealth has been exceedingly fortunate in getting them.

But given honest and able public servants, we still must provide the good laws under which good government flourishes.

I recommend two such bills to this Legislature.

The first defines and regulates conflicts of interest on the part of State officials and employes. An analysis of the proposed bill is attached to this message.

St. Matthew said that "no man can serve two masters."

By the same token, no public servant can serve the general weal and his own self-interest in those cases where the two are unalterably opposed to one another.

In many cases, these clashes of interest are obvious and unmistakable.

In other cases, the issue is far from being open-and-shut, and honest men find it hard to decide whether a course of action is proper or improper.

It is in the hope of defining the unmistakable conflict and of throwing light on the twilight area of conduct that we propose this legislation.

A great many conflicts of interest are unavoidable, of course. A member of this Assembly who votes on a tax law is affecting his own tax payment as well as everyone else's.

But in the twilight area of which I spoke, there are also conflicts of interest which, as things now stand, can only be resolved in terms of individual judgment.

This, then, is the problem: how are we to separate the unavoidable conflicts of interest from the dubious and the venal?

The proposed bill attempts to make that separation in clear and unmistakable fashion.

I might mention that a number of Departments in the State have long been aware of the dangers inherent in conflicts of interest. The Department of Justice, for example, has for some years prohibited its salaried attorneys from appearing for the defense in criminal cases, or from representing any plaintiff in an action against the State or a State agency. But it has taken such action through administrative decree.

This bill would clarify, define, and punish violations of the law. I strongly urge its adoption.

The second legislative act I propose would require the registration of lobbyists and a public accounting of their expenditures.

I believe that the people of this Commonwealth have the right to know officially what person and what interest is attempting to influence legislation and public policy in Pennsylvania. And I believe the people of this State have a right to know what sums of money are being spent to exert that influence.

Lobbyists represent pressure groups. As such they provide a real service in directing and stimulating expressions of opinion by their membership and other interested persons .

In presenting the opinions of a group, in bringing before the members of the General Assembly an expert knowledge of that group's opinion, they often perform an invaluable function.

The danger of such pressure groups, of course, is that they may sometimes bring about the subordination of the over-all interest to the interests of the articulate and well-organized few.

In any case, I feel that this proposed bill will spotlight their activities in a manner that cannot fail to benefit the cause of good government.

If lobbyists are required to register and account for what they spend, it cannot fail to help the legislators themselves, and the members of the press whose unofficial job it is to help guard the interests of the people.

Certainly I find it difficult to believe that the members of this Assembly could argue against this good government measure.

Pressure groups have their place in the legislative scheme of things. But so long as they seek to influence legislation, they should be required to make their activities public.

Such a law has been on the Federal Government's books since 1946, and a number of state governments have adopted similar legislation since that time.

The bills which I here recommend possesses a quality in common:

Both seek to protect the welfare of the many from erosion for the benefit of a few.

In one case, we seek to limit the action of a public servant who finds himself at cross-purposes with the over-all good of the Commonwealth.

In the other, we seek to identify pressure groups clearly enough so that the most expert technique of persuasion, and the most substantial of bank accounts, will not subordinate the general welfare to the particular goals of a few.

Together, these bills strike at the heart of special interest government—whether on the part of the individual or the pressure group.

Together, their enactment cannot fail to increase the confidence of Pennsylvania's citizens in their State Government and in its desire to serve all of them honestly and well.

GEORGE M. LEADER.

Subject: Conflict of Interest Bill

To: Hon. George M. Leader
Governor of Pennsylvania

From: Hon. Thomas D. McBride
Attorney General

The proposed conflict of interest act is designed to delineate clearly the boundary between permissible and prohibited actions by State officers, employes and legislators in matters involving the State. It accomplishes this goal by treating three broad areas of possible conflict: (1) representation during a period of service or employment; (2) sale of goods or services to the State during a period of service or employment; and (3) representation subsequent to a period of service or employment. Prohibitions with respect to the first two areas of activity also cover firms, partnerships, associations and corporations in which such State officer, employe or legislator is a member of stockholder. However, representation in one's own behalf is permitted.

Both the Federal and New York statutes have been studied in drafting the proposed act, but neither is identical to the recommended legislation for Pennsylvania. While New York's format of a separate conflict of interest statute has been adopted rather than the Federal approach of adding relevant sections to the penal code, the latter's more realistic substantive coverage has been preferred to New York's looser treatment. For example, New York bans representation by State officials during their service or employment only on a contingent fee basis; whereas, in both the Federal and Pennsylvania views, a conflict of interest is not dependent on the contingency of the compensation.

A section by section analysis of the bill will prove helpful in understanding its scope and application.

Section 1 is the short title and needs no explanation.

Section 2 contains definitions and makes explicit the broad meanings to be given to the terms defined. "Agency of the Commonwealth" includes not only State Departments, but also departmental boards and commissions (e.g. Board of Pardons), independent boards and commissions (e.g. Liquor Control Board) and independent instrumentalities (e.g. Turnpike Commission, General State Authority). "Prohibited person" includes corporations in which the officer's, employe's or legislator's stock ownership is indirect (e.g. stock owned by wife) as well as direct.

Section 3 deals with representation during service or employment. Subsection (a) prohibits the performance of compensated services in relation to any matter either pending before a State agency or in which such agency is involved. This includes informal contacts and conferences, formal hearings and court proceedings. However, the subsection makes it clear that such prohibition does not apply where the matter involved is ministerial and not discretionary in nature, such as the filing of a tax return with the Department of Revenue or of articles of incorporation with the Department of State. If, subsequently, however, the tax return is questioned by the State and an adverse situation develops, further representation would be prohibited.

Subsection (b) deals with certain lobbying activities. No prohibited person may lobby or otherwise perform services in relation to any matter or bill before the General Assembly if he receives any compensation therefor other than that received from the Commonwealth in the course of his service or employment. This exception for official compensation is necessary so that, for example, an executive officer of the State may urge passage of a bill desired by his Department, an activity in which he may rightfully engage.

Section 4 treats the sale of goods or services to the State by prohibited persons. Such sales, as is explicitly stated in the section, are completely prohibited.

Limitations on representation by an officer or employe of a State agency—but not by a legislator or officer or employe of the legislature—following the termination of his service or employment are common features of conflict of interest laws; and section 5 attempts to detail specifically what is prohibited. Any appearance before a State agency or transaction of business with a State agency or receipt of compensation for services rendered is prohibited if the matter involved is either one of two types: (a) a matter which the officer or employe handled or participated in personally during his service or employment regardless of which agency the matter was before or in at the time or (b) a matter which was before or in the agency in which the officer or employe served or was employed during the period of his service or employment regardless of whether he personally handled the matter. Since a criminal offense is involved, however, knowledge at the time the officer or employe subsequently makes his appearance or transacts his business or receives his compensation that the matter had been before or in his agency during his period of service or employment is required before penalties can be imposed. In all cases, the prohibition is limited to a period of two years following service or employment.

One exception is made to the restrictions of section 5. Occasionally, a person may leave State service or employment who, subsequently, is needed by the State to aid it in dealing with a matter handled by him during his period of service or employment. He may be retained by the State and make any appearance, transact any business and receive compensation pursuant to his retention without violating the provisions of section 5.

Section 6 is an implementation section requiring every State agency to keep a record of appearances before it at any hearing, investigation or inquiry which it may conduct.

Section 7 is a penalty provision. Any violation of the prohibition sections of the act is a misdemeanor carrying a fine up to one thousand dollars or imprisonment up to one year or both. In addition, representation or sale of goods or services during a period of employment requires removal from office or employment and subsequent disbarment from office or employment when a person is convicted of such representation or sale.

Because of the intricacies which arise in making specific application of the act, the Attorney General is empowered to promulgate rules and regulations under the act. These rules and regulations will provide more detailed guides of conduct for persons falling under the act's restrictions and more easily enable him to chart his activities.

In order that a reasonable time may be given following enactment to study the act's provisions and scope, section 9 provides that the act shall not become effective until ninety days after enactment.

RESOLUTION

LINCOLN'S BIRTHDAY

Mr. WORLEY offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, February 12, 1957.

Today marks the 148th anniversary of the birth of Abraham Lincoln, the 16th President of the United States. It is indeed fitting that we should be in our seats in the Legislature on this day while many in other walks of life are enjoying a holiday, for how better could we pay homage to this outstanding patriot than to labor in the interests of our fellow men. Abraham Lincoln was a man who undertook his labors in all sincerity and humility, whose devoted and inspired leadership, obtained through simplicity and a profound knowledge of human nature, has not only attained for him an important niche in the history of our country, but has set for us a goal; one that can only be reached by unselfishly attacking our task with the unwaivering belief that God will help us find the proper solution; therefore be it

Resolved, That we pause for a moment in our legislative tasks to pay homage to the greatness of Abraham Lincoln, and to honor him for his immeasurable contribution to the welfare and continuity of our country, and then let us pay even greater respect to him by returning to our duties with the sincerity and steadfastness with which he would have attacked our problems; and let us continue, not only on this day, but every day of our lives, to imitate his greatness and strive for that goal for which he devoted his life, to bring about a better understanding among men, and to make our nation the greatest in the world in the eyes of both God and man.

On the question,

Will the House adopt the resolution?

Mrs. ANDERSON. Mr. Speaker, I rise to support this resolution. On this anniversary of a great President I feel that the deepest tribute we can offer is to look back over Abraham Lincoln's life and realize that defeat and failure punctuated his life for many years. It is most significant to note that he did not lose courage nor did he exercise fear. He rather used these stumbling blocks to achieve success and to bring peace to a troubled nation.

As we support this resolution let us all remember Lincoln's favorite words, "With God's help I shall not fail."

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

RESOLUTION

LITHUANIAN INDEPENDENCE DAY

Messrs. TAYLOR, LUTTY, KAMYK and POLASKI offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, February 12, 1957.

Saturday, February 16, 1957, marks the 38th anniversary of the declaration of Lithuania as a free and independent Republic.

Even though the Republic of Lithuania is now under the heel of communist tyranny and suppression, the spirit of liberty and freedom lives on in the hearts of all her citizens who courageously look forward to that great day when liberty will again be enjoyed, and when her sovereign rights will be restored; therefore be it

Resolved, That the House of Representatives urge the Governor to declare Saturday, February 16, 1957, as Lithuanian Independence Day, and that all Pennsylvania citizens of Lithuanian descent and freedom loving persons everywhere be called upon to pay tribute to the Republic of Lithuania.

RESOLUTION

THADEUS KOSCIOSZKO'S BIRTHDAY

Messrs. KAMYK, PETROSKY, POLASKI and TAYLOR offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, February 12, 1957.

February 12, 1746 was the birthday of Thadeus Koscioszko, one of America's great heroes who came from abroad to help her fight her battle for freedom and independence. Koscioszko, in 1776, joined the continental army as a volunteer and distinguished himself, especially in the battles of New York and Yorktown where Cornwallis surrendered. He was a good soldier and attended some of the best military academies of Europe. Washington promoted Koscioszko to the rank of colonel and made him his adjutant. Upon termination of the American Revolution, Congress rewarded him for his heroic services by conferring American citizenship upon him and raising him to the rank of Brigadier General. He returned to Poland, his native land, and there took up her struggle against the invading hordes of Russia. After much fighting and being terribly outnumbered, wounded and insensible, he collapsed thus ending his fighting.

Later, he returned to America and lived in Philadelphia for two years before returning once again to Europe. Koscioszko was a man of ideals and beliefs in independence and the equality of men before the law. Motivated by these ideals, he came across a vast ocean, and together with men like Lafayette distinguished himself in the battle of a colonial people to set themselves apart from what they considered a rule of tyranny. Today, we are witnessing the terrible fate that the patriots of certain European nations have encountered in their attempts to rise against the tyranny of their oppressors. Many heroes have emerged from these ill-fated attempts at freedom and independence who once against remind us of the caliber of man it takes to fight and even die in a struggle for freedom. Valor and courage are marks of patriots who fight and die in their country's bid for freedom, and it is for these ideals and loyalties that we remember and commemorate the birthday of a man like Koscioszko; therefore be it

Resolved, That the members of the House of Representatives of the Commonwealth of Pennsylvania acknowledge and commend the heroic deeds and example of devotion to the ideals of freedom and brotherhood that motivated Koscioszko to take up the struggle of freedom of our great country in her hour of need.

PERMISSION TO INTERROGATE

Mr. ANDREWS asked and obtained unanimous consent to interrogate the Majority Leader.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I desire to ask the Majority Leader whether there has yet been any understanding with the admnistration as to when appropriation bills embodying budget requests will be prepared for the consideration of the committees of this House?

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman, I have had no word from the administration with respect to appropriation bills. I have received about fifteen bills from the administration which have been submitted to me for the possibility of co-sponsorship, but in that group of bills there are no appropriation bills.

Mr. ANDREWS. Another question. Therefore the majority would have no idea as to when the House can begin the consideration of the appropriations program?

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman, I would rather yield to the Chairman of the Appropriations Committee, if the gentleman would please direct that question to him. Does that meet with his approval?

Mr. ANDREWS. That is quite all right.

The SPEAKER. The gentleman from McKean, Mr Johnson, yields to the gentleman from Lancaster, Mr. Wood. Will the gentleman from Lancaster, Mr. Wood, permit himself to be interrogated?

Mr. WOOD. I shall, Mr. Speaker.

Mr. ANDREWS. Did the gentleman hear the question addressed to the Majority Leader?

Mr. WOOD. Will the gentleman repeat it please?

Mr. ANDREWS. I asked whether any understanding has been arrived at with the administration as to when bills embodying its budget requests will be prepared and submitted for the consideration of the committees of this House?

Mr. WOOD. I have had no communications from them.

Mr. ANDREWS. What is the purpose in the mind of the Chairman of the Appropriations Committee. Will he await the bills, or will the committee survey the budget and prepare its own bills?

Mr. WOOD. We expect to start next week and call some of the departments in and go to work on the budget. We do not need the bills yet. We can work without the bills.

Mr. ANDREWS. Would it not be likely to get more results if there were bills prepared for the consideration of the committee?

Mr. WOOD. I agree with the gentleman. We should have the bills. I think they should have them prepared. They have had plenty of time to get them ready.

Mr. ANDREWS. I desire further to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be further interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Is it the purpose of the majority to delay the presentation of its tax program until there has been a report from the Appropriations Committee?

Mr. JOHNSON. It is not. It is the intention of the majority to have the tax program on the floor of this House for debate at the earliest possible moment.

Mr. ANDREWS. Mr. Speaker, by what process does the majority expect to arrive at a figure for the overall appropriations, the overall take of the tax program, when it has heard from the Appropriations Committee? Is the Appropriation Committee to determine the amount of taxes that are needed, or is the Ways and Means Committee to inform the Appropriations Committee of how far it can go? Who is leading this particular procession?

Mr. JOHNSON. Mr. Speaker, I would not say that anyone is leading it particularly. I would say that as we have announced and as you read in the Press—which also appeared in the bills that were put in yesterday—we have introduced bills which reenact all the present temporary taxes, with the exception of the one cent temporary gasoline tax, which bill has not been put in for the purpose of reenactment until we have had a chance to see the Highway budget.

We have estimated that the permanent taxes on the books, plus the temporary taxes, bills for which have been introduced yesterday, will bring in about $1.5 billion. We know that the budget needs are going to at least equal that sum. Therefore, we cannot see anything wrong in processing those particular bills, getting them over to the Senate and enacting them into the law so that we will not again have a pistol at our heads along the last week of May with the necessity of reenacting emergency tax legislation which will expire at the end of the biennium. So, we cannot see anything wrong, nor is it establishing any precedent or any ceiling or any floor if those bills move and are put on the statute books.

In answer to your question, if the Ways and Means Committee chooses to release those bills for floor action, I cannot see that they are saying anything to anybody other than here is $1.5 billion worth of taxes for now, and we will then await the final decision of the Appropriations Committee. You know if the appropriations will exceed $1.5 billion, sure, new taxes will be necessary, and we will let them stand on their own two feet based on the absolute necessity for additional new revenue and new budget needs.

Mr. ANDREWS. Mr. Speaker, as a member of the Appropriations Committee, I would take it that the Appropriations Committee would operate with a pistol at its head with a predetermined destination. I have in times past argued that the Ways and Means Committee and the Appropriations Committee should be combined into a finance committee. I think that would be the wise procedure. But for the Majority Leader or the Ways and Means Committee to sit down and presume to determine metes and bounds for the Appropriations Committee, before it has even had a meeting to discuss the budget, I think is something new in the procedure of

this House. However, I am quite sure that the majority, having the majority, will run this show as it pleases.

As the Majority Leader said, he does not know whether anybody is at the head of the procession, but I think it is about time that somebody did get at the head of the procession and establish communications with the administration, coordinate the work of its committees and present an orderly program for the consideration of this House.

I would like to make a further remark along a different line.

The SPEAKER. The gentleman may proceed.

Mr. ANDREWS. Yesterday I introduced some tax legislation of my own. We went a little far afield in the legislation and we wanted to give the Ways and Means Committee a chance to pick and choose.

In the bills that I introduced, all of the corporation taxes, with the exception of an excise tax equal to the tax paid in Ohio, would be repealed. I do not expect we can go that far in protecting the business interests of this state at this session, but we can begin making a beginning of our repeated insistence that the tax load upon Pennsylvania industry, Pennsylvania corporations, should be lightened and lightened progressively in accordance with a program.

There has been a lot of talk in the newspapers about the business that was going to other states because of our tax structure. Members of the opposition at various times have expressed themselves to the same effect. Now either that has been show business, campaign twaddle, or there is a righteous intention upon the part of the majority to begin doing what they said the minority when it was in power did not do, and that was lighten the tax burden upon the corporations of this Commonwealth.

I expect that the bill I introduced will receive some consideration. I would not expect, and indeed I would oppose to go the whole distance of repealing the whole corporate tax structure with one fell swoop, but we can make a beginning. The majority party at this time can demonstrate its good faith and whether it has been talking gobbledygook to the business interests of this state for the pupose of getting elected or whether it desires to give concrete evidence of its good intentions.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, in answer to the gentleman, first in connection with his saying that the Appropriations Committee had a pistol at its heads in that we had introduced tax bills which would bring in a total revenue of $1.5 million, surely nobody had any such thing in mind. I personally cannot see anything wrong about saying to the Appropriations Committee here is $1.5 billion, $500 million more than was spent in the last biennium under Governor Fine—$500 million more money, or a total of $1.5 billion. I can see nothing wrong in saying to the Appropriations Committee, "You take a good look at those appropriations, you cut the cloth to fit that and, if you need more material, come back and let us know." But the first run around the track let us see if we cannot do business on $1.5 billion. That is a lot of money. That is taking a tremendous sum of money out of the coffers of this state.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield for an interrogation?

The SPEAKER. Will the gentleman yield and permit an interrogation?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I have noted in the Press that from the supreme command in the party the gentleman represents there has been considerable comment about reckless spending. So we have reason to suspect that maybe this $1.5 billion is more money than a wise Appropriations Committee might appropriate. Are we going to be in the position finally of saying, "Here is $1.5 billion. You do not need it, but we are going to hand it to you. Or are we going to backtrack on all that was said about reckless spending?

Mr. JOHNSON. Mr. Speaker, in answer to that, I compliment the gentleman as a statesman. What he says is absolutely true. Sure, if we can get under $1.5 billion, it will be great. I am not saying that it can be done in view of the Governor wanting $1,608 million. Someone said yesterday, where are you going to cut if you do cut $108 million? Are you going to cut Welfare? Are you going to cut Education? What are you going to cut? Naturally, at this stage of the game, I cannot say and nobody else can say what cuts, if any, can be made. Maybe it is a sound budget and maybe it is a budget we must tell the people of Pennsylvania we must enact.

But right now, if we can get away with $1.5 billion, I think we will be doing an excellent job, although I am not saying we need to spend even that much money.

Now in answer to his further statement that it is the first time he has ever heard of revenue bills being moved before the appropriation bills have been agreed upon, I can look back to last session. They moved all of their tax bills before we had any appropriation bills. The appropriation bills did not pass finally until the last week of the session, after it had been going 17 months.

I think you will find since time immemorial in this House we have moved the revenue program generally before the appropriation bills finally got on the House calendar or on the Governor's desk. We will not be violating any precedent if we now provide the revenue to be examined by the committee.

PERMISSION TO ADDRESS HOUSE

Mr. McINROY asked and obtained unanimous consent to address the House.

Mr. Speaker, today is Lincoln's birthday. Perhaps this is a good day to make the statements which I am about to make.

The Great Emancipator spoke always for justice, for equality, for freedom and for the good of all mankind. With the same aim in view, I am talking today not for Republicans but for all the people of Pennsylvania.

At this part I am disgressing from my speech. I am amazed and pleased to hear the speaker on the minority side praise the same thing that we Republicans have praised for years, that is the fact of not taxing corporations out of Pennsylvania, but giving them a chance. When they got in power the way we have been in power for years, they found out that for the good of all the

people of Pennsylvania, not for corporations alone, but for workers, for stockholders and all of us, you cannot soak the corporations.

Last Tuesday, February 5th, His Excellency, the Governor of the Commonwealth of Pennsylvania, delivered in person the new budget for the next biennium, together with certain comments on this budget and other statements on the government of this Commonwealth and certain other comments on the government in Washington.

His Excellency spoke in a mild and conciliatory manner. Was this because he recognized the fact that his party had suffered a crushing defeat at the polls last November and that this House, as well as the Senate, is now controlled by the Republican party?

Was His Excellency sincere last Tuesday when he stated that taxes should not be made a political issue? Did he practice this when he was a candidate for the high office which he now holds? Did not His Excellency, the Governor, campaign all over this great Commonwealth on the promise that he and his party could let the 1 per cent sales tax drop and save so much by cutting off unnecessary workers from the state payroll, and other efficient measures, that there would be no need for any additional taxes and that all essential services could be maintained? We Republicans, including the new Chief Clerk of the House, Mr. Wood—and I am glad he sits up there this afternoon so that he can listen to this part, because I maintain, and thousands of others maintain in Pennsylvania, that Governor Leader ran under false pretenses and told the people of this Commonwealth, either maliciously or because he did not know any better, that he could do the things that he promised he could do. We Republicans told the truth, that the present high costs of government, together with the mandated costs already agreed upon by the Legislature and signed by the Governor, made that impossible. Now let me ask you, did the present Governor really believe this statement? He certainly had all the figures for four years while a Member of the other house which pointed out that neither he nor anyone else could ever get along without some other tax or taxes. Regardless of what we tried to tell the voters by quoting the real figures, His Excellency was elected to his high office.

As Al Smith used to say, "Let's look at the record." As soon as our new Governor, with all his shining promises, was inducted into office, he and his advisors proceeded to make out the most extravagant budget in the history of this Commonwealth and to ask for new taxes for well over $300 million. Three months after taking office His Excellency and his cohorts proceeded to ram down our throats that iniquitous and unfair "Classified Income Tax." However, when this unjust tax was acted upon by the other House, it got just what it deserved—a resounding defeat. Then the "Manufacturers' Excise Tax" met the same defeat.

Next, a vicious sales tax was conceived by the "brain trust" of the Democratic Party. This unjust tax was defeated right here in this House.

Next the honest—and I underscore the word "honest"—leaders of the Democratic Party proposed a compromise plan based on a 1 per cent income and 1 per cent sales tax. I can never forget to my dying breath that historical day when we were going to vote on that tax. Before the session convened we noticed many strange people going in and out of the Governor's office. Who were they? What did they want? Why were they here? We found out the answers to those questions later in the day. When the question was asked of His Excellency as to whether he would sign this compromise plan if laid upon his desk, the word finally came back that no promise would be given. In other words, no.

I can still feel the tears trickling down my face, and I can see the then Majority Leader Al Readinger, getting up and in a broken voice say what he said. I can see his Speaker of the House, Mr. Andrews, as he rose to his feet, sitting right near where he now sits, and saying, "We now lay the problem of taxation right in the lap of His Excellency, the Governor of Pennsylvania, and his advisors." I can still see the then Minority Leader, Charlie Smith, standing where I am standing now, as he rose to his feet and said, "I feel sorry for Al Readinger for he has done a good job, only to be turned down over there." There was hardly a dry eye in this House at that moment. Tears later turned to anger.

Why, I ask, did the Governor turn down that proposition? I might also ask if anyone exerted any pressure that day? Some have asked the question, "Who was the real boss that day?" Does it not make you hesitate and ask yourself, "Just how much confidence can we place in His Excellency?"

Perhaps you say those are harsh words. Maybe they are. But listen, the Governor mentioned national politics last Tuesday. My mind goes back to the time of this last political campaign. His Excellency made a trip to California and bitterly attacked the record, and yes, the character of the greatest living man in these United States today, our beloved President Dwight D. Eisenhower. That was a terrific mistake, Mr. Governor, and was ill-becoming the head of this great Commonwealth, the home of President Eisenhower. When the votes were counted after last election, who won the election, Mr. Governor? Who won the election?

Again, Your Excellency, many of us went down to Washington to see the inauguration this last month. In the line of march were thousands of people, Democrats and Republicans alike. We are all Americans that day. "Happy" Chandler from Kentucky, Governor "Soapy" Williams from Michigan, and other Democratic Governors, as well as those from our party, were in the line of march waving to the people. I was proud of this great country as I watched the Cadets from West Point and the Midshipmen from Annapolis, together with the Air Force Cadets from our new Air Force Academy in Colorado, and all the other groups as they marched by. Then came the parade of the states. Finally, along came the float from Pennsylvania, and a beautiful one it was, too. The Valley Forge Military Band and the Penn State University Band passed by in review. I looked for His Excellency, the Governor, but I looked in vain. Our beloved President makes his home in Pennsylvania. Where, oh where, was our Governor?

Sometimes, Mr. Speaker, we wonder just who is telling the truth, and why? His Excellency, the Governor, told his listening audience and indeed this whole state and nation at his inauguration that he would surround himself with the very best of advisors and appointees. Without singling them out one by one and making it embarrassing this afternoon, I ask you this pertinent question, Mr. Speaker,

"When, oh when, have we seen a more poorly equipped group, not only in his inner circle of advisors, but all over this great Commonwealth?" Where, oh where, have you so seen so many doing so little and so much harm to the morals and morale of the people of this great state? There will be more scandals exposed in these two years of Democratic misrule than in the last 16 years of Republican administrations. Remember these words of prophecy and see if it does not turn out to be the absolute truth.

Now let us say a few words about this new budget. The message glosses over, or attempts to gloss over, the wildest and most extravagant spending of any administration in the history of this Commonwealth. The $82 million deficit would not have been necessary if the sales tax had been collected and if the stamp provision had been put in force. Why have not the stamps been printed and put out? Is it because the present administration was afraid that it would make the sales tax more popular? Was it because more money would be collected under this plan? Was it because the law could be enforced more easily? A state administration should always proceed as though a law was constitutional until proven otherwise. Has this administration done this? We charge that there has been laxity and inefficiency all the way along in the administration and collection of this sales tax. In spite of all this and all the propaganda put out against it, the tax on the whole is already a popular and almost painless method of collecting a large part of the necessary funds to run this Commonwealth.

Governor Leader and his office should get their stories straight. The Governor in his budget message presented last Tuesday said that the deficit he inherited two years ago totalled $58 million. Just about two weeks ago his office issued a so-called balance sheet wihch put the 1955 deficit at $52 million. Get the difference, $52 million and $58 million, a mere $6 million difference, they might say.

A year ago when the Governor was trying to put over his hated classified income tax, he insisted over and over again that the deficit left by the Republicans was $74 million. We Republicans insisted it was not more than $50 million. I ask you now, which one was closer to the truth? I do not suppose we will ever know accurately the real deficit because of the confusion that permeates the Leader administration.

Governor Leader in his 1955 budget requested an appropriation of $3,725,000 for the Eastern Psychiatric Institute for 1955-1957. When Republicans insisted it was loaded with fat, Secretary Shapiro came before the Appropriations Committee, then controlled by the present administration, especially to answer this criticism. He insisted that every cent was needed. When the appropriations for the Welfare Department were finally approved because of the propaganda Secretary Shapiro was able to stir up with his misleading statements, the Legislature approved a blanket appropriation for general operations and mental rehabilitation program which included everything he requested, including the $3,726,000 he requested for the Eastern Psychiatric Institute.

Now what did Secretary Shapiro do? After he received the blanket appropriation, it was necessary for him in cooperation with the Budget Office to decide how and for what to spend all of this money. Did he approve the $3,726,000 for the Eastern Psychiatric Institute? He did not. If you will look on page 153 of the budget submitted by Governor Leader last Tuesday, you will find for the first time what that allocation was that Secretary Shapiro made in the quiet and the secrecy of his own office. It was $2,071,000, or more than a million dollars less than what he swore up and down before the Appropriations Committee of this House was necessary to operate that institution.

Now I want to give you another startling bit of information. On Tuesday of last week, after I learned of this fine piece of financial and political duplicity with the Legislature and the people, I made it a point to inquire how much of this $2,071,000 remains to be expended. I was informed by the Auditor General's Department that there was an unexpended balance of $1,321,288.41 on February 1st remaining in this allocation.

In other words, Members of the Assembly, there still remains unexpended 50 per cent of the amount which had already been reduced by more than a million dollars with the greatest possible secrecy and without those interested in mental health and mental health research making a single complaint.

If the Legislature had done that, you would have thought the sky had fallen in, there would have been such an outcry and such cries of anguish from the self-styled "do gooder clique" that Secretary Shapiro has managed to organize in this state.

From these figures, which come to us from official sources, there has actually been expended in the operation of the Eastern Psychiatric Institute, approximately $1,350,000 in the 20 months of this biennium, with approximately the same amount remaining for expenditure in the remaining four months.

Now let us take a further look into the Governor's budget on this item. What is Secretary Shapiro asking for the next two years for this Institute? I will tell you, $6,374,662. Think of that, five times as much as he has been able to expend so far in this biennium.

And what has the state been getting for what it has spent so far? Well, according to the Budget, on November 30, 1956, there were exactly 44 persons receiving mental treatment at the Institute, or about 15 per cent of its capacity.

Now, don't get me wrong. We are for mental health—of course, we are. But we are not for waste and inefficiency or misleading and untrue statements on the part of anyone connected with our state or our local governments.

Our Constitution now provides that before any legislation becomes law, and that includes appropriations, it must be signed by the Governor, unless passed by a two-thirds majority of each branch over his veto.

The Governor also has the power to reduce appropriations enacted by the Legislature. I would say he certainly does exercise a great deal of control over all appropriations.

Of course, he is hiding behind what the Governor so lovingly refers to as "mandated" programs.

By his reasoning every increase for every department has been mandated in some degree or another by the Legislature. He would have the people believe he has nothing to do with this tremendous increase in the cost of our state government since he took office.

What about his own office? Where is the legislative

mandate which requires a 30 per cent increase in salaries and expenses for his office from $1,080,000 for this item in 1955 to $1,365,000 in 1957?

And what about the Department of Internal Affairs? What recent mandate from this Legislature boosted the cost of the Land Office from $55,616 in 1953 to $491,000 in 1957, 10 times as much?

In 1953 Governor Leader, then a Senator, voted with other Democrats to abolish this Department on the grounds that it was useless and a fifth wheel, yet the Governor now thinks so much of it that he is proposing twice as much money to operate it in 1957-1959 as it cost under the last Republican administration.

What special mandate did the Legislature give the Governor to nearly double the cost of administering the Department of Agriculture?

Mind you, I am not talking about the various services to the farmers, like milk sanitation, animal industry, foods and chemistry, market promotion and so forth. They all come under separate headings in this budget. I am talking now about the front office.

It was also pledged in the Democratic platform in 1954 that the Democrats, if elected, would put into effect savings of $100 million a biennium through reorganization of the state government.

In 1955 Legislature gave the Governor the broadest kind of powers to reorganize the state government and make the economies he had promised, even though the constitutionality of the reorganization plan was questioned, but nothing was forthcoming in the first two years.

When queried about these promised savings, the Governor's reply, in effect, was "Give me time. By the end of 1956, you will see the results."

We are now in 1957 and the Governor has submitted his new budget. Instead of savings, we are again presented with increases all along the line.

Disregarding for a moment the $82 million estimated deficit and the reasons for it, and assuming that all the proposed deficiency appropriations and appropriation lapses become effective, the Governor is asking this Legislature to appropriate $250 million more than the 1955 Legislature appropriated.

In a statement issued by the Governor last week after the Legislature had adjourned, the Chief Executive said, and I quote: "Eighty-eight percent of the increases recommended in the budget for the Commonwealth were expenditures over which the Governor exercises little or no control."

And I might ask, when the Governor was running against Lloyd Wood two years ago, didn't he know that we had mandated increases then? Didn't he know we had certain commitments made through this Legislature, or did he sit over there for four years in a fog, knowing nothing about finances?

In conclusion, Mr. Speaker, I would like to say this, which I think is an interesting statement. If you have not heard anything I have said so far—I know the tendency is to go to sleep, particularly on the other side of the House when someone over here is speaking—will you please listen to these last few statements.

Many years ago, when a younger fellow than I am now, I entered Dickinson School of Law in Carlisle, Pa., our neighboring town about 19 miles away. Coming from a large family and also having a wife and a son to support, it was necessary for me to earn money to help pay expenses. One of the jobs I had was working for a retired Army chaplain. He paid me 30 cents an hour. One day he asked me to look around the house and stop up any rat holes I found in the house.

Mr. Speaker, I have thought of that a good many times since, this idea of "stopping up rat holes." My colleagues and I are trying not only to "stop up these rat holes" in our State Government, but to catch some of the rats that make the holes, be they Republicans or be they Democrats.

Let us then unite not as partisan workers, but as representatives of all the people to bring about the best possible government in the state of Pennsylvania, as well as the most efficient.

As Lincoln said in his Gettysburg Address:

"With malice toward none and with charity for all, let us bind the nation's wounds. Under God we will have a new birth of freedom and this nation of the people, by the people, and for the people shall not perish from the earth."

PERMISSION TO ADDRESS HOUSE

Mr. FILO asked and obtained unanimous consent to address the House.

Mr. Speaker, just to assure the gentleman that we were not sleeping on this side, I would just like to point out that he asked the question as to who won the election, the national election I assume he was referring to. I might say that a great popular hero, President Eisenhower, won the election, and I will support him for that.

However, I want to make this statement. It cost the Republican Party $20 million to elect "Ike." Ten million dollars was spent for Stevenson. They could have gotten a President twice as good at half the cost.

Regarding costs, Mr. Speaker, Mr. McInroy stated the Governor's budget is going up higher and higher. I would like to ask the gentleman if he received an increase in his salary in the last Session. I think it is twice that which we received during previous sessions. The cost of living in the state and the nation is going up to the highest point of any time in its history.

Mr. Speaker, we were not asleep on this side.

PERMISSION TO ADDRESS HOUSE

Mr. McCORMACK asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to object very briefly to the Rev. McInroy's characterization of the Members on this side tending to fall asleep during his speech. I think this House can take judicial notice that the Members on both sides were equally bored.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, the political oratory of the gentleman from Tioga has overwhelmed me. I do gather from the gentleman's rather "brief" remarks that he does not like our Governor and that he does not like any other Democrats who are associated with the Governor.

But I would like to suggest, Mr. Speaker, that in the future if we are going to have long political orations

delivered under the unanimous consent rule, at least the leadership on this side should advise in advance to expect something of that kind so that we might give our consent with a limitation of time on the matter. We do not mind political speeches. We like to make them ourselves once in a while, and I suppose we do make them occasionally perhaps under the guise of intelligent debate on a bill wherein might slip in a few political remarks too. But in the future I certainly would like to be advised if anybody desires to make a political speech of more than five minutes duration so that I can protect myself and ask my colleagues on this side to protect themselves.

From now on if this incident occurs again I am going to refuse unanimous consent to anybody to make a speech unless he puts it in writing, or unless you get enough votes on your side to overrule our objection.

ANNOUNCEMENT

The SPEAKER. The Chair would like to suggest to the Members of the House that they be in their seats promptly at 10:00 tomorrow morning so that we can complete the business of the Session very quickly.

ADJOURNMENT

Mr. JIM. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 13, 1957 at 10:00 a. m.

The motion was agreed to, and (at 3:05 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., WEDNESDAY, FEBRUARY 13, 1957. No. 13.

SENATE

WEDNESDAY, February 13, 1957

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

Our Dear Heavenly Father, we thank Thee that Thou hast given us this new day, full of opportunities to serve Thee and to serve our fellowmen.

We pray that Thou wilt give us, through Thy Spirit, the strength and courage to meet every obligation and to resolve it in Thy favor because as we favor Thee, we favor ourselves. We ask it in Jesus' Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interstate bodies.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 61, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Scott,	Watson,
Ehrgood,	Mallery,	Seyler,	Weiner,
Elliott,	McCreesh,	Schmidt,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Mr. MAHANY. Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.
(The Senate was at ease.)

LEGISLATIVE PROCEDURE FOR THE COMING WEEK

Mr. MAHANY. Mr. President, I want the record to show that the Minority Floor Leader and the Majority Floor Leader have agreed that all of the bills on second reading shall be moved up to third reading, with the understanding that if any Members of the Senate have any amendments to be presented to these bills, they will be allowed to present them on Monday without objection.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 5, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 19, entitled:

An Act amending the act of June 19, 1913 (P. L. 534), entitled "An Act relating to appointment of deputy constables," defining the jurisdiction of deputy constables.

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 20, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for revocation of operators licenses for failure to stop on signal of a peace officer and exceeds the speed limit in an attempt to escape pursuit.

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 27, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof.

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 35, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eighth Class County Assessment Law," imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 71, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children to and from extra-curricular school activities from the definition of "common carrier by motor vehicle" and "contract carrier by motor vehicle."

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 89, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," authorizing the Department of Highways to construct and maintain cattle passes under State highways and rural State highways hereafter constructed.

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 97, entitled:

An Act to define and prohibit unauthorized interception divulgence or use of telephone and telegraph communications providing criminal penalties and civil damages including attorneys' fees for the violation thereof and limting the admissibility of evidence.

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 99, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145),

entitled as amended, "Local Tax Enabling Law," changing the over-all limit of tax revenues for certain taxing districts.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 122, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," permitting borough council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 123, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," permitting county commissioners to hold their organization meeting on the day after a holiday.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 130, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the intimidation of judges by threats of bodily harm.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 141, entitled:

An Act requiring that meetings of the governing body of authorities be open to the public.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 144, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," further regulating pedestrians' right of way upon highways in business or residence districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled, as amended, "The Realty Transfer Tax Act," requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF SENATE BILL NO. 5

Mr. MAHANY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 5, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. MAHANY. Mr. President, I voted with the prevailing side.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 5, Printer's No. 25, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL INTRODUCED AND REFERRED

Mr. WADE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE read in place and presented to the Chair Senate Bill No. 201, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," authorizing and providing a procedure for voting in the Commonwealth by qualified electors unavoidably absent from their authorized polling places on the day of any general election; and imposing duties on county boards of elections and election officers.

Which was committed to the Committee on Elections.

The PRESIDENT. The Senate will be at ease for a few moments, awaiting communication from the House of Representatives.

(The Senate was at ease.)

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 61

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 61, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

BILL SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 61, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, February 18, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:46 o'clock a. m., Eastern Standard Time, until Monday, February 18, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 13, 1957.

The House met at 10:00 a. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Donald E. Bowersox, Pastor of Loganville Evangelical United Brethren Church, York County, guest Chaplain, offered the following prayer:

Almighty God, Creator of Heaven and earth, it is in the spirit of wonder and amazement that we reverently bow in Thy holy presence. Thy eternal love does overwhelm and humble us. We realize our own unworthiness when we meditate upon Thy love which passeth all understanding. Enlighten our minds that we may understand the purpose of Thy love, although we cannot understand or fathom its depth. Accept the praise that swells within our hearts when we think of the love that Thou has shown to each of us. May Thy love create within us a sincere desire to know and do Thy will. May it be the earnest prayer of each heart that Thy kingdom come, Thy will be done in earth, as it is in Heaven. In the Master's name we pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, February 12, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. BUCCHIN and BRENNAN.

HOUSE BILL No. 386.

An Act amending the "Cigarette Tax Act" of June 14, 1935 (P. L. 341), increasing the amount of the tax for a limited period of time for the construction of flood control and water supply projects; and creating a Special Flood Control and Water Supply Fund.

Referred to the Committee on Ways and Means.

By Messrs. KAMYK and VAUGHAN.

HOUSE BILL No. 387.

An Act providing for the protection of the public safety by regulating the sale, offering or exposing for sale, at retail and the use of air rifles; * * *.

Referred to the Committee on Law and Order.

By Messrs. WEIDNER and READINGER.

HOUSE BILL No. 388.

An Act restricting persons holding certain public offices to holding one office at the same time.

Referred to the Committee on State Government.

By Messrs. READINGER and ANDREWS.

HOUSE BILL No. 389.

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228) doing away with the use of prepaid tax recepits in evidencing payments for the tax.

Referred to the Committee on Ways and Means.

By Mr. DUNN. HOUSE BILL No. 390.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), raising the degree of offense and penalty for fraudulent conversion of partnership property.

Referred to the Committee on Judiciary Special.

By Messrs. ISAACS, HOLT, FINEMAN and GRANVILLE E. JONES. HOUSE BILL No. 391.

An Act amending the act of July 11, 1917, (P. L. 802), entitled "An act authorizing county commissioners to repay moneys collected on forfeited recognizances in certain cases," providing for the return of forfeited recognizance upon application therefor.

Referred to the Committee on Counties.

By Messrs. DENNISON and SNIDER.

HOUSE BILL No. 392.

An Act amending the "Liquor Code" approved April 12, 19951 (P. L. 90), forbidding the sale by clubs of liquor or malt or brewed beverages between the hours of Saturday midnight and seven o'clock antemeridian Monday.

Referred to the Committee on Liquor Control.

By Messrs. REIDENBACH, METZ and MUSTO.
HOUSE BILL No. 393.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), further exempting from the tax certain organizations.

Referred to the Committee on Ways and Means.

By Messrs. LIGHT and SNIDER HOUSE BILL No. 394.

An Act amending the "Liquor Code," approved April 12, 1951, (P. L. 90), requiring the refusal of licenses to places within three hundred feet of churches, hospitals, charitable institutions and playgrounds.

Referred to the Committee on Liquor Control.

By Messrs. BRENNINGER, WILLAREDT and Mrs. HENZEL. HOUSE BILL No. 395.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) providing for approval to erect traffic signs, and changing the definition of the term "school zone."

Referred to the Committee on Motor Vehicles.

By Mr. THOMAS H. W. JONES. HOUSE BILL No. 396.

An Act amending "The Fiscal Code," approved April 9, 1929, (P. L. 343), changing provisions relating to the time for filing of certain petitions for refunds.

Referred to the Committee on State Government.

By Br. GOODLING. HOUSE BILL No. 397.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), extending the validity of a learner's permit in certain cases.

Referred to the Committee on Motor Vehicles.

By Mr. GOODLING. HOUSE BILL No. 398.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), making the teaching of classroom instruction in "Driver Education" compulsory in secondary schools.

Referred to the Committee on Education.

By Mrs. HENZEL and Mr. SNIDER.
HOUSE BILL No. 399.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) changing provisions relating to offers in compromise in lieu of suspension.

Referred to the Committee on Liquor Control.

By Messrs. DONALDSON and MIHM.
HOUSE BILL No. 400.

An Act amending the "Uniform Acknowledgement Act," approved July 24, 1941 (P. L. 490), deleting the reference to "Philippine Islands" the reference to "homestead" and the requirement that certain acknowledgements taken without the State be authenticated.

Referred to the Committee on Judiciary.

By Messrs. KENNETH B. LEE, MOSCRIP, METZ and BOWMAN. HOUSE BILL No. 401.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating the open season for hunting deer with bows and arrows.

Referred to the Committee on Game and Conservation.

By Messrs. DONALDSON and MIHM.
HOUSE BILL No. 402.

An Act amending the act of December 14, 1854 (1855 P. L. 724), entitled "An act relating to the authentication of Letters of Attorney Protests of Notaries Public, * * *," authorizing deeds executed and acknowledged out of State to be recorded * * *.

Referred to the Committee on Judiciary.

By Messrs. DONALDSON and MIHM.
HOUSE BILL No. 403.

An Act to validate certain acknowledgments and to regulate the effect thereof.

Referred to the Committee on Judiciary.

By Mr. AUKER. HOUSE BILL No. 404.

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) changing the provisions relating to claims and defenses with reference to certain health and accident policies.

Referred to the Committee on Insurance.

By Mr. AUKER. HOUSE BILL No. 405.

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania excluding taxes upon the transfer of property from a decedent from requirement of uniformity.

Referred to the Committee on Ways and Means.

By Mr. MULLEN. HOUSE BILL No. 406.

An Act amending the "1937 Magistrates' Court Act," approved June 15, 1937 (P. L. 1743), fixing the time for which dockets, books, records and papers of magistrates' courts shall be kept.

Referred to the Committee on Judiciary.

By Mr. MILLS. HOUSE BILL No. 407.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) regulating the display of meat packaged with transparent material.

Referred to the Committee on Judiciary Special.

By Messrs. McKEEVER and STRAUSSER.
HOUSE BILL No. 408.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting certain worldly employment or business on Sunday.

Referred to the Committee on Law and Order.

By Messrs. De LONG, WHITTAKER and DALRYMPLE. HOUSE BILL No. 409.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), authorizing cities to increase allowances paid out of the police pension fund after the termination of the services of the contributors.

Referred to the Committee on Cities—Third Class.

By Messrs. DALRYMPLE and DeLONG.
HOUSE BILL No. 410.

An Act providing leaves of absence with pay for certain employes of the Commonwealth and of political subdivisions for purpose of attending conventions.

Referred to the Committee on State Government.

By Mr. DeLONG. HOUSE BILL No. 411.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), fixing the minimum requirements necessary to entitle contributors to the police pension fund to retire; further regulating appropriations to the fund, and the payment of increments upon retirement.

Referred to Committee on Cities—Third Class.

By Messrs. VAUGHAN and McCORMACK.
HOUSE BILL No. 412.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) permitting the Secretary of Revenue to provide for the sale by subscription or otherwise of lists of learners' permits as issued.

Referred to the Committee on Motor Vehicles.

By Mr. AUKER. (By Request) HOUSE BILL No. 413.

An Act amending "The Borough Code," approved May 4, 1927, (P. L. 519), making the offices of burgess and justice of the peace incompatible.

Referred to the Committee on Boroughs.

By Mr. NAUGLE. HOUSE BILL No. 414.

An Act amending "The Penal Code" of June 24, 1939 (P. L. 872), prescribing penalties for furnishing false information to police officers in certain cases.

Referred to the Committee on Judiciary.

By Mr. NAUGLE. HOUSE BILL No. 415.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) prescribing penalties for giving false information to telephone operators in certain cases.

Referred to the Committee on Judiciary.

By Messrs. CURWOOD, MUSTO, POST and DEITTERICK HOUSE BILL No. 416.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) providing for count of votes on voting machine by the county board and comparison thereof with district returns and correction of district returns.

Referred to Committee on Elections and Apportionment.

By Mrs. HENZEL and Mrs. MARKLEY.
HOUSE BILL No. 417.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), permitting electors who have changed their residence from one election district to another during a certain period to vote in the election district in which they are registered with certain exceptions.

Referred to Committee on Elections and Apportionment.

By Messrs. LIGHT, GIBSON and ANDREWS.
HOUSE BILL No. 418.

An Act amending the "Municipality Authorities Act of 1945" approved May 2, 1945 (P. L. 382) requiring municipalities to secure the approval of the electorate prior to organizing authorities or extending their scope.

Referred to Committee on Municipal Corporations.

By Messrs. WEIDNER and PIPER.
HOUSE BILL No. 419.

An Act providing for assistance by the Commonwealth to its political subdivisions or institution districts in the maintenance of and services to pulmonary tuberculosis patients in tuberculosis hospitals, wings or pavilions and isolation wards in general hospitals; * * *

Referred to Committee on Public Health and Sanitation.

By Messrs. MULDOWNEY and McKEEVER.
HOUSE BILL No. 420.

An Act amending the act of June 1, 1956 (P. L. 1997) entitled, "An act relating to comic books, magazines and other publications; * * *" changing penalties.

Referred to Committee on Law and Order.

By Messrs. TOLL, SHERMAN, GOLDSTEIN and Mrs. SARAH A. ANDERSON. HOUSE BILL No. 421.

An Act declaring the policy of the State with regard to discriminatory practices in education institutions based upon race, religion, color or national origin * * *.

Referred to Committee on Education.

By Mr. TAYLOR. HOUSE BILL No. 422.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) eliminating residence requirements for individuals, partnerships and associations, and for officers, directors and stockholders of corporations that may be licensed as malt and brewed beverage manufacturers, and requiring stockholders to be citizens.

Referred to the Committee on Liquor Control.

By Messrs. READINGER and GIBSON.
HOUSE BILL No. 423.

An Act providing for the regulation of lobbying; requiring registration of lobbyists; keeping accounts of contributions and of receipts and expenditures, reports and statements under oath by lobbyists and persons receiving contributions or expending money to influence legislation.

Referred to the Committee on State Government.

By Messrs. VAUGHAN and RIGBY.
HOUSE BILL No. 424.

An Act regulating the conduct, demeanor and behavior of members of the General Assembly during the time the General Assembly is in session; * * * and providing a penalty for the violation hereof.

Referred to the Committee on State Government.

By Mrs. DUFFY and Mr. STEVENS.
HOUSE BILL No. 425.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) changing penalties with respect to cruelty to cows to enhance appearance of udders.

Referred to the Committee on Judiciary Special.

By Mrs. DUFFY and Mr. STEVENS.
HOUSE BILL No. 426.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing penalties with respect to cruelty to animals.

Referred to the Committee on Judiciary Special.

By Mrs. DUFFY and Mr. STEVENS.

HOUSE BILL No. 427.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) changing penalties with respect to hours of labor of animals.

Referred to the Committee on Judiciary Special.

By Messrs. GRANVILLE E. JONES and HOLT.

HOUSE BILL No. 428.

An Act amending the "Magistrates' Courts Act, one thousand nine hundred and twenty-seven" approved May 10, 1927 (P. L. 866) establishing three additional magistrates' courts in Philadelphia.

Referred to the Committee on Cities—Counties, First—Second and Second Class A.

By Mr. GRANVILLE E. JONES.

HOUSE BILL No. 429.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), decreasing the number of signatures required on magistrates' nomination petitions in cities of the first class and increasing the filing fee therefor.

Referred to the Committee on Cities—Counties, First—Second and Second Class A.

By Mr. GRANVILLE E. JONES.

HOUSE BILL No. 430.

An Act prohibiting discrimination in leases or rental agreement against occupancy by children; making unlawful refusal to enter into a lease or actual agreement because of occupancy by children and providing penalties therefor.

Referred to the Committee on Judiciary Special.

By Mrs. HENZEL. HOUSE BILL No. 431.

An Act amending the "Pennsylvania Election Code" of June 3, 1937 (P. L. 1333), changing the method and manner in which ballots may be marked.

Referred to the Committee on Elections and Apportionment.

By Messrs. KRAKOW and SILVERMAN.

HOUSE BILL No. 432.

An Act requiring every person under twenty-one years of age registering a motor vehicle in the Commonwealth to furnish proof of financial responsibility with respect to liability for injury or destruction of property or personal injury or death arising from the ownership, operation or use of such motor vehicle * * *.

Referred to the Committee on Motor Vehicles.

By Messrs. READINGER, GOLDSTEIN, McCORMACK and DONALDSON. HOUSE BILL No. 433.

An Act defining and regulating the conduct and activities of officers and employees of the Commonwealth; members, officers and employees of the General Assembly; and firms, partnerships, associations and corporations in which such persons are members or stockholders; forbidding certain situations which may involve a conflict of interest between the discharge of official duties and private business or professional activity; providing for the keeping of records; authorizing the issuance of rules and regulations hereunder; and providing penalties for the violation hereof.

Referred to the Committee on State Government.

By Messrs. OGILVIE, HOCKER, BELL and WALSH.

HOUSE BILL No. 434.

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during the Korean Conflict; * * * making an appropriation and providing penalties.

Referred to the Committee on Military Affairs.

By Messrs. GRANVILLE E. JONES, GELFAND and FINEMAN. HOUSE BILL No. 435.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for a city college in each school district of the first class and making an appropriation.

Referred to the Committee on Education.

POINT OF ORDER

Mr. CAPANO. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. CAPANO. Mr. Speaker, you announced on Monday we were going to have full sessions three days a week. I feel at this time that possibly there is not a quorum in the House. I suggest the absence of a quorum and ask for a roll call.

CALL OF THE HOUSE

The SPEAKER. The gentleman from Washington, Mr. Capano, raises the point of order that there is not a quorum present.

The Sergeant-at-Arms will close the doors of the House.

Mr. PARRY. Would I be in order to request a leave of absence at this time?

The SPEAKER. The gentleman is not in order at this time. There will be no business before the House until a quorum is established.

The Sergeant-at-Arms will keep the doors of the House closed. Only Members, Officers of the House, and the employees designated by the Chief Clerk will be admitted.

The Clerk will call the roll. Members will answer "present" when their names are called.

The roll was called and was as follows:

PRESENT—155

Adams,	Dunn,	Light,	Price
Amarando,	Edwards,	Lippincott,	Pursley,
Anderson, M. S.,	Eilberg,	Lopresti,	Ragot,
Andrews,	Erb,	Lovett,	Readinger,
Ashton,	Eshleman,	Markley,	Reidenbach,
Barton,	Farabaugh,	Marsh,	Renwick,
Bell,	Fetterolf,	Maxwell,	Rigby,
Boles,	Filo,	McCann,	Rovansek,
Bower,	Floyd,	McGee,	Rudisill,
Bowman,	Flynn,	McInroy,	Seltzer,
Brand,	Fox,	McKeever,	Sherman,
Breisch,	Gailey,	McLaughlin,	Shields,
Brennan,	Garlock,	Metz,	Snare,
Brenninger,	Gelfand,	Mikula,	Snider,
Breon,	Gibson,	Miller, B. Z.,	Spray,
Breth,	Goldstein,	Miller, H. G.,	Steckel,
Brown,	Goodling,	Miller, W. H.,	Stimmel,
Brucker,	Goodrich,	Mills,	Stoner,
Bucchin,	Gramlich,	Monroe,	Strausser,
Buchanan,	Gross,	Moody,	Thompson,
Capano,	Guthrie,	Moscrip,	Toll,
Carson,	Heavey,	Moyer,	Ujobai,
Cianfrani,	Heffner,	Munley,	Vaughan,
Cioffi,	Henzel,	Murphy,	Verona,
Cleveland,	Hocker,	Murray, H. P.,	Wall,
Cummins,	Horst,	Murray, P. G.,	Walsh,
	Ide,	Musto,	Wargo,

Curwood,	Isaacs,	Naugle,	Weidner,
Dalrymple,	Jim,	O'Brien,	Welsh,
Davis,	Johnson,	O'Dell,	Wescott,
DeLong,	Jones, T. H.,	Ogilvie,	Whittaker,
Dengler,	Kamyk,	Parry,	Willaredt,
Dennison,	Kehler,	Pashley,	Williams,
Devlin,	Keller,	Petrosky,	Worley,
Dietterick,	Kernaghan,	Phillips,	Wyatt,
Donahue,	Knecht,	Piper,	Wynd,
Donaldson,	Korns,	Polaski,	Yatron,
Dougherty,	Krakow,	Pomeroy,	Zimmerman,
Duffy,	Lee, K. B.,	Post,	Helm, Speaker

ABSENT—54

Agnew,	Hamilton,	Magee,	Stevens,
Anderson, S. A.,	Haudenshield,	Mahan,	Stone,
Auker,	Holt,	McCormack,	Stroup,
Blair,	Jenkins,	Merry,	Stuart,
Boory,	Johnston,	Mihm,	Taylor,
Comer,	Jones, G. E.	Muldowney,	Tompkins,
Cooper,	Jump,	Mullen,	Trusio,
Down,	Kooker,	Royer,	Varallo,
Ewing,	Kornick,	Scarcelli,	Varner,
Fineman,	Lafore,	Schuster,	Wheeler,
Foster,	Lee, A. M.,	Schwartz,	Willard,
Frascella,	Leonard,	Silverman,	Wilt,
George,	Limper,	Smith,	Wood,
Gibb,	Lutty,		

The SPEAKER. One hundred and fifty-five Members having answered present to their names, a quorum is present.

Mr. JOHNSON. Mr. Speaker, in view of the presence of a quorum I move that further proceedings under the call of the House be dispensed with.

The motion was agreed to.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Lippincott for Mr. GEORGE because of illness.

Mr. Lippincott for Mr. LAFORE because of highway conditions.

Mr. Lippincott for Mr. ROYER because of highway conditions.

Mr. Lippincott for Mr. FOSTER because of illness.

Mr. Lippincott for Mr. WOOD because of absence at Washington, D. C. on State business.

Mr. Parry for Mr. JUMP because of death in the family.

Mrs. Donahue for Mrs. KOOKER because of highway conditions.

Mr. Pomeroy for Mr. A. M. LEE because of highway conditions.

Mr. Stimmel for Mr. DeLONG because of highway conditions.

Mr. Amaranda for the MEMBERS OF THE PHILADELPHIA DELEGATION that were authorized to go back to Philadelphia for a special meeting last evening and are now in transit back to Harrisburg.

The SPEAKER. Does the Chair understand that the Members are expected to arrive back in the Hall of the House this morning?

Mr. AMARANDO. Yes, Mr. Speaker.

The SPEAKER. The Chair would appreciate it if the gentleman from Philadelphia, Mr. Amarando, would give us a list of the name so that they can be placed in the Journal. Their names will be removed from the request for leave of absence as they enter the Hall of the House. If there is no objection to this list being filed, leave of absence is granted.

Mr. ADAMS. I object, Mr. Speaker.

The SPEAKER. The gentleman's objection comes too late. Leave has already been granted.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 32.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

Referred to the Committee on Counties.

SENATE BILL No. 82.

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

Referred to the Committee on Judiciary.

SENATE RESOLUTION SERIAL No. 108.

Referred to the Committee on Rules.

SENATE RESOLUTION SERIAL No. 109.

Referred to the Committee on Rules.

RESOLUTIONS INTRODUCED AND REFERRED

By Mrs. MUNLEY, Messrs. WARGO and MUSTO.

(Concurrent) RESOLUTION No. 29.

In the House of Representatives, February 12, 1957.

The General Assembly requires for its use factual information and legal opinions concerning the possibility of enacting a law censoring movies; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study, investigate and obtain legal opinions concerning the possibility of enacting a law providing for the prohibition of obscene movies; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

By Messrs. WORLEY and ERB (By request).

RESOLUTION No. 30.

In the House of Representatives, February 12, 1957.

The observance of daylight saving time during the spring, summer and fall seasons of the years has caused inconvenience and hardship to many, this being especially true of people living in rural communities and to those engaged in farming and the raising of live stock, as well as to the health of children who are attending school.

In sections of our State where its observance has not been universaly adopted by a surrounding towns and viages, the result has been confusion and disappointment in travel; therefore be it

Resolved, That the House of Repreesntatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to establish and adopt U. S. Standard Time as the standard time for the Nation throughout the entire year; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 61.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 12, by striking out after the word "refunds" the following words: "changing existing maximum gross weights and annual registration fees and."

Amend Bill, Section 1, page 3, line 7, by striking out bracket before the word "eight" and by striking out after the figure "(8)" the bracket and the words "thirty-one 31"; by striking out lines 15 to 19 inclusive, as follows:

SA	9000		30.00	
T	11000		35.00	
TA	13000		40.00	
U	[16500]	15000	[55.00]	50.00
UA	17000		62.00	

Section 1, page 4, by striking out lines 4, 5, 6, 11, 12, 13, 14, and 15, as follows:

V	[21000]	19000	[90.00]	76.00
VA	21000		90.00	
W	[26000]	23000	[120.00]	102.00
WA	25000		$116.00	
Y	[30000]	27000	[190.00]	140.00
YA	29000		180.00	
Z	[33000]	31000	[225.00]	200.00
ZA	33000		225.00	

Page 6, by inserting lines 8 to 16 inclusive, as follows:

Provided That as to new two-axle commercial motor vehicles and truck tractors originally titled in this Commonwealth on or after January 1 1957 but not later than May 31 1957 there shall be ten classes in addition to the eight classes hereinabove prescribed therefor and the fee for annual registration of such vehicles in each of the respective additional classes based on the maximum gross weight shall be as follows

Page 7, by inserting lines 1 to 14 inclusive, as follows:

2 Axles

Class	Maximum Gross Weight In Pounds	Fee
SA	9000	$30.00
TA	13000	40.00
TB	15000	50.00
UA	17000	62.00
UB	19000	76.00
VA	23000	102.00
VB	25000	116.00
WA	27000	140.00
WB	29000	180.00
YA	31000	200.00

Page 8, by tsriking out lines 9 to 17 inclusive, as follows:

U	[16500]	15000
UA	17000	
V	[21000]	19000
VA	21000	
W	[26000]	23000
WA	25000	
Y	[30000]	27000
YA	29000	
Z	[33000]	31000

Page 9, by striking out line 4, as follows:

ZA	33000

Page 11, by striking out Section 2, lines 8 to 15, as follows:

Section 2 Notwithstanding any of the provisions of this amending act the class maximum gross weight allowed and annual registration fee shall remain as heretofore for any commercial motor vehicle or truck tractor originally titled in this Commonwealth on or before December 31 1956

Section 3 This act shall be effective retroactively to January 1 1957 as to any commercial motor vehicle or truck tractor originally titled on or after that date and inserting in lieu thereof the following:

Section 2 This act shall be effective immediately upon final enactment

Mr. JOHNSON asked and obtained unanimous consent for the immediate consideration of the amendments.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Adams,	Eilberg,	Lippincott,	Price,
Amarando,	Erb,	Lopresti,	Pursley,
Anderson, M. S.,	Eshleman,	Lovett,	Ragot,
Andrews,	Farabaugh,	Markley,	Readinger,
Ashton,	Fetterolf,	Marsh,	Reidenbach,
Barton,	Filo,	Maxwell,	Renwick,
Bell,	Floyd,	McCann,	Rigby,
Boles,	Flynn,	McGee,	Rovansek,
Bower,	Fox,	McInroy,	Rudisill,
Bowman,	Gailey,	McKeever,	Seltzer,
Brand,	Garlock,	McLaughlin,	Sherman,
Breisch,	Gelfand,	Metz,	Shields,
Brennan,	Gibson,	Mikula,	Snare,
Brenninger,	Goldstein,	Miller, B. Z.,	Snider,
Breon,	Goodling,	Miller, H. G.,	Spray,
Breth,	Goodrich,	Miller, W. H.,	Steckel,
Brown,	Gramlich,	Mills,	Stimmel,
Brucker,	Gross,	Monroe,	Stoner,
Bucchin,	Guthrie,	Moody,	Strausser,
Buchanan,	Heavey,	Moscrip,	Thompson,
Capano,	Heffner,	Moyer,	Toll,
Carson,	Henzel,	Munley,	Ujobai,
Cianfrani,	Hocker,	Murphy,	Vaughan,
Cioffi,	Horst,	Murray, H. P.,	Verona,
Cleveland,	Ide,	Murray, P. G.,	Wall,
Cummins,	Isaacs,	Musto,	Walsh,
Curwood,	Jim,	Naugle,	Wargo,
Dalrymple,	Johnson,	O'Brien,	Weidner,
Davis,	Jones, T. H.,	O'Dell,	Welsh,
Dengler,	Kamyk,	Ogilvie,	Wescott,
Dennison,	Kehler,	Parry,	Whittaker,
Devlin,	Keller,	Pashley,	Willaredt,
Dietterick,	Kernaghan,	Petrosky,	Williams,
Donahue,	Knecht,	Phillips,	Worley,
Donaldson,	Korns,	Piper,	Wyatt,
Dougherty,	Krakow,	Polaski,	Wynd,
Dunn,	Lee, K. B.,	Pomeroy,	Zimmerman,
Edwards,	Light,	Post,	Helm, Speaker

NAYS—0

NOT VOTING—57

Agnew,	Gibb,	Lutty,	Stevens,
Anderson, S. A.,	Hamilton,	Magee,	Stone,
Auker,	Haudenshield,	Mahan,	Stroup,
Blair,	Holt,	McCormack,	Stuart,
Boory,	Jenkins,	Merry,	Taylor,
Comer,	Johnston,	Mihm,	Tompkins,
Cooper,	Jones, G. E.	Muldowney,	Trusio,

DeLong,	Jump,	Mullen,	Varallo,
Down,	Kooker,	Royer,	Varner,
Duffy,	Kornick,	Scarcelli,	Wheeler,
Ewing,	Lafore,	Schuster,	Willard,
Fineman,	Lee, A. M.,	Schwartz,	Wilt,
Foster,	Leonard,	Silverman,	Wood,
Frascella,	Limper,	Smith,	Yatron,
George,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 61.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 24, 65 and 124.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 11, entitled

An Act authorizing incorporated towns to regulate junk yards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 163, entitled

An Act amending the act of May 16, 1945 (P. L. 594), entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings, * * *," imposing penalties for violations of the act, and in certain cases removing from office magistrates * * * failing to make monthly settlements with certain political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. ISAACS. Mr. Speaker, I do not believe these bills are on the Members' desks.

The SPEAKER. For the information of the gentleman from Delaware, these are bills on first reading and under the Rules of the House are not required to be on the Members' desks.

Mr. ISAACS. I thank the Speaker.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 183, entitled

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for reimbursement by the Commonwealth to school districts and vocational school districts and harmonizing the language.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 207, entitled

An Act amending the act of April 3, 1956 (P. L. 1382) entitled "An act making the offices of constable and justice of the peace or aldermen incompatible," making the offices of constable and councilman incompatible.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 237, entitled

An Act amending the act of March 26, 1925, (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars, and providing penalties," exempting school districts from the payment of license fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 287, entitled

An Act abolishing the Pennsylvania Tunnel Commission, assuming its obligations, and appropriating money from the Motor License Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 288, entitled

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge and the Saw Mill Run Interchange of the Parkway-West.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 322, entitled

An Act making certain bridges in the Commonwealth toll free; providing for the payment of certain bond issues; requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 57, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting sales by publishers or distributors of magazines, newspapers, periodicals or other publications which require purchase of other such publications.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 140, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing representation on the board of directors of union, merged and consolidated school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON SECOND READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. GUTHRIE.

The House resumed the consideration on second reading of House Bill No. 62, entitled:

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017) authorizing the granting of financial assistance by deferred loan or otherwise to political subdivisions or municipality authorities for construction of water supply system with service available to an institution of the district.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. READINGER.

The House resumed the consideration on second reading of House Bill No. 159, entitled:

An Act reenacting and amending the act of July 20, 1953 (P. L. 550) entitled "An act providing for and regulating the annexation of parts of a second class township to boroughs ciites and townships" eliminating from the provisions of the act cities of the second and second class A * * *

The first section was read.

On the question,

Will the House agree to the section?

Mr. PETROSKY offered the following amendment:

Amend Section 1, Page 2, Line 11, by striking out the words: "proposed annexed territory" following the word "The" and inserting after the word "The" the following: "Township whose territory is proposed to be annexed".

On the question,

Will the House agree to the amendments?

Mr. PETROSKY. Mr. Speaker, this is merely an amendment that is made to make more equitable, so far as our various categories of political subdivisions are concerned, the procedure in annexation proceedings and petitions for annexing any adjacent territory to another municipality. In effect, it brings the Act that governs second class townships in line with the Act on annexation petitions for first class townships, boroughs and third class cities.

I believe it is a just and equitable amendment. I appeal to the membership on both sides of the House to rectify the wrong which has existed for many years and to provide this necessary measure on behalf of those second class townships whose most valuable properties are being pillaged by neighboring municipalities.

Some may argue that this may stop the expansion and growth of larger municipalities. I do not believe it will, Mr. Speaker. If adjacent municipalities are to expand, and if they are to expand at the expense of neighboring municipalities by taking away their best properties in terms of assessed valuation and leave them with what is left over, I do not think that is the fair way. I do not believe it is the American way.

In this instance, all of the property holders of a second class township would be able to petition for the proposed annexation. In event a municipality adjacent to that second class township wanted to expand and continue its growth, it would seem to me they should be sufficiently interested in expansion and growth to endeavor to merge with that municipality, which would be a better way of doing it and it would redound to the benefit and welfare of all the people within the given municipality or the portion of it proposed to be annexed.

It is fair. It is equitable. This has been a continuing heartache and a sore spot in all counties as regards annexation. We have an opportunity to correct it now. I do not believe this affects Philadelphia, or the City of Pittsburgh, or the City of Scranton. Here we have a chance to lay aside political expediency, to do a good job and render justice to those who have been hurt by annexation proceedings as they exist under present law. You know it and I know it. I have had it in my legislative district and many of you have been troubled with this problem.

We can now do a job for the people back home, set this up on a fair and equitable basis and know that a job is well done.

So I appeal to the membership on both sides of the House to vote in favor of this amendment and then vote for the bill on final passage.

Mr. JOHNSON. Mr. Speaker, this of course is a Local Government Commission bill, and I think it deserves more than just casual treatment this morning.

I would, therefore, like to interrogate the gentleman further before we vote on these amendments.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Petrosky, permit himself to be interrogated?

Mr. PETROSKY. I shall, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, I would like to ask the gentleman to first explain the bill that is on our calendar now, that is, I would like to have him explain what the section in the bill on the calendar does. Then I would like to have him explain just what his amendments will do to that particular section.

Mr. PETROSKY. Mr. Speaker, the section I am amending has some correctional language in it and sets forth that a majority of the taxable inhabitants and a majority in numebr and interest of property owners in the proposed annexed territory shall petition the borough, city or township requesting the annexation.

This is the only place that my amendments make a change. My amendments make it read that a majority of the taxable inhabitants and a majority in number and interest of property owners in the township in which the proposed annexation is to take place shall petition

the borough, city or township for the purpose of annexing any portion or all of that township.

Mr. JOHNSON. Mr. Speaker do I understand if the gentleman's amendment is adopted it will be much more difficult for a third class city, or a borough, or any other municipality other than a township, to annex township property? Is that correct?

Mr. PETROSKY. No, Mr. Speaker, I would not say that. I believe in the event that the particular municipality which is going to annex the properties has a sufficient program to offer for the welfare of the people, then you will find a further move of expansion and the possibility that they can expand in the entire area. If it is feasible, then I say that all of the residents of that township ought to have something to say about that portion that is going to be annexed rather than just those holders in the immediate area. As you know, they are usually given promises of certain benefits over and above the nominal ones in order to entice them to annex that adjacent territory to the other municipality.

Mr. JOHNSON. Mr. Speaker, may I further ask the gentleman, is it not true that in a first class township the question is submitted to a vote of the people, whereas the effect of these amendments would be that you must have the written signatures of a majority of the people on the petition? Is that right?

Mr. PETROSKY. That is not the effect of my amendments, Mr. Speaker.

The Act that governs first class townships, it is true, provides for a vote of the people. The amendments of the Local Government Commission have taken out freeholders and have named taxable inhabitants and a majority in number and interest of property owners for petitioning another municipality for annexation.

I merely say in my amendments that a majority of the entire municipality affected would petition the other municipality for any portion or all of its territory to be annexed. Is that clear?

Mr. JOHNSON. Mr. Speaker, may I further ask the gentleman, has he discussed his proposed amendments with the Local Government Commission, who I understand made quite a study of this problem?

Mr. PETROSKY. No, I have not discussed it with them, but I believe we are all given the prerogative to determine here on the floor of the House what is best for the people back home, are we not?

Mr. JOHNSON. Mr. Speaker, I believe that is the end of the questions that I want to ask the gentleman. If there are any other Members who want to get this clarified any further, I suggest they ask the gentleman further questions.

I think the question of annexation is a very vital question throughout the state, not only to our second class townships and to our first class townships, but to our cities as well. We certainly want to have something that will be fair and equitable for everybody. If in the opinion of the House the amendments of Mr. Petrosky are fair. I believe that you on your own individual basis, depending on your own districts, should determine how you decide to vote on this amendment.

Mr. PETROSKY. I would like to interrogate the gentleman from McKean, Mr. Johnson.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, I desire to know from the gentleman from McKean, Mr. Johnson, whether it would not take a majority vote of the citizens in a borough, third class city, or any other municipality, in the event that a portion of their territory was wanted to be annexed by a second class township?

Mr. JOHNSON. Mr. Speaker, the gentleman has quite a number of third class cities in his county and I believe he knows the answer. Why do you not answer your own question?

Mr. PETROSKY. Mr. Speaker, I asked the gentleman a question, if he knows. I can answer it for him. That would be, in the event that a second class township would want to annex some territory of a borough or city, then, it would necessitate a vote of the entire citizenry of the township or borough in order to make that annexation.

I would further like to ask the gentleman, Mr. Speaker, as to whether or not the—I might as well wait until he gets through with the side bar conference there. Are you through with your side bar conference, Mr. Johnson?

Mr. JOHNSON. I just want to repeat that the question and problem of annexation in this state is a great one and it really should be studied. We should have an annexation code to apply throughout the state to all municipalities.

The gentleman says, yes, a second class township could annex a portion of a third class city. I do not know if that is the law; maybe it is. It is a novel situation which does not come up very often. Perhaps they could do it. If they cannot, they should be allowed to do it, and it should be vice versa, I grant you that.

As I understand the gentleman's amendment, it gives greater protection to the people out in the second class townships with respect to annexation than even this bill on the calendar of the Local Government Commission does. That is correct, is it not?

Mr. PETROSKY. That is correct. Beyond that it gives an inducement for further expansion, because if the municipality that wants to make an annexation can give a sufficient value to the municipality of which it wants to annex a portion, they have the possibility of annexing all of it and giving the benefit that will redound in that instance to all of the area and allow for further growth and further expansion. There may be some isolated instances where this would not be feasible for a city or borough. However, you will find that it will protect the wealth and growth of our municipalities and promote the giving of better services to the people back home.

MOTION TO POSTPONE

Mr. LOPRESTI. Mr. Speaker, if I am in order, I would like to move that this bill, together with the amendments, be placed on the Second Reading Postponed Calendar for the reason that the bill we are voting on is a very, very important piece of legislation. I think the entire membership, or as near to the entire membership as we can get, should vote on these amendments.

These amendments in my opinion can mean the difference between the passage or the defeat of this particular legislation. I think the amendments should be debated at length and the full membership of this House should pass upon them.

The SPEAKER. For what purpose does the gentleman from Berks, Mr. Readinger, rise?

Mr. READINGER. To debate the motion.

The SPEAKER. Will the gentleman yield temporarily?

The Chair would suggest to the gentleman from Cambria, Mr. Lopresti, if action on the bill is to be postponed, that the bill with the amendments be laid upon the table rather than placed on the Second Reading Postponed Calendar.

MOTION TO LAY ON TABLE

Mr. LOPRESTI. That is agreeable, Mr. Speaker, and I change that to a motion to lay on the table.

On the question,

Will the House agree to the motion?

The SPEAKER. Does the gentleman from Berks now desire to be recognized?

Mr. READINGER. Mr. Speaker, I believe this motion is not debatable, is that right?

The SPEAKER. That is correct.

Mr. READINGER. I am effectively quieted, Mr. Speaker.

POINT OF ORDER

Mr. PETROSKY. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. PETROSKY. Just for the information of the Members of the House, will the Speaker reiterate the fact that today is a working day?

The SPEAKER. There is nothing in order at the moment except the question on the motion to lay upon the table.

On the question recurring.

Will the House agree to the motion?

It was agreed to.

BILL ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House Bill No. 143, Printer's No. 46

was passed over at the request of the SPEAKER.

PARLIAMENTARY INQUIRY

Mr. GELFAND. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GELFAND. Mr. Speaker, is it our intention to have consent calendars on Wednesdays?

The SPEAKER. It certainly is not the intention of the Chair to have consent calendars.

Mr. GELFAND. If it is not our intent to have consent calendars on Wednesdays, can I ask why we are passing over important legislation when Members were instructed to be here for a full working day? Merely because of the absenteeism, we are requested to pass over or lay on the table without debate bills that are important legislation to the Commonwealth because Members see fit not to appear for a full working day.

The SPEAKER. The gentleman is in error for the reason that the bill that we just took action upon was given full consideration by this House after considerable debate.

As to the bill we are now approaching, the Chair has been informed that there are amendments to be offered to this bill which are not quite ready.

It is the intent of the Chair to have a full working day.

Mr. READINGER. Mr. Speaker, I believe the gentleman's remarks are directed to the passing over of House Bill 143, is that correct?

The SPEAKER. The Chair believes that is correct.

Mr. READINGER. I agree with the feeling that the gentleman has just voiced. But on every day, whether it is Wednesday, Monday or Tuesday, there will be times when there are legitimate reasons for passing over a bill.

I did not know until this morning that the Department of Internal Affairs in examining House Bill 143 found that certain amendments should be suggested to us to improve this bill. Certainly we do not want to rush bills through if any legitimate amendments should be considered by the House.

While I am speaking about this matter of passing over bills, I too have the feeling that if we are going to pass over any controversial bills just because there happen to be some absentees on a Wednesday, then we will be back to the old system of consent calendars.

I realize there are some people missing today who could not get here on account of the weather. That might happen on any day. But if we are going to support motions to lay bills on the table on a Wednesday just because they happen to be controversial, then I say we might as well go back to the old system openly and willingly and have consent calendars on a Wednesday.

I do not want them. I do not think we should have them. I know we can get this session through much earlier if we do not have consent days.

The reason I wanted to debate Mr. Lopresti's motion to place House Bill 159 on the postponed calendar was to say exactly what I am saying now. It is an important bill and I think the Members have given thought to it. Those of us who are here are ready to vote on it. But we are going just right back to where we were if we are going to put bills on the table.

Mr. JOHNSON. Mr. Speaker, I think both of the gentlemen have made points that are well taken. The reason that I on our side felt we should go along with the motion to lay House Bill 159 on the table with the amendments, I personally would like to thoroughly discuss the amendments in our caucus on Monday. That is the reason why, when Mr. Lopresti made the motion to lay on the table, I thought it was an excellent idea. I am sure some of us come from second class townships, some of use come from third class cities, and I do not feel, had we voted on the amendment this morning, that the membership would have known exactly what was taking place.

Therefore, I would like to in our caucus on Monday have the bill again thoroughly explained together with the proposed amendments.

With respect to House Bill 143, as Mr. Readinger has said, we came here this morning intending to move that bill because the Department of Internal Affairs was here yesterday and brought in amendments which they thought were adequate. Apparently in their overnight study of the bill, as amended, they feel that further amendments should be offered and they are not ready this morning. So, of necessity, we must pass over that bill.

I might say with respect to page 4, the bill on the top of the page, just to show you how thinygs happen overnight, that particular measure was amended yesterday and it was thought it became a much fairer bill than before. Well, in the overnight reading of the bill as

amended quite a lot of Members have decided that those particular amendments are not a good thing for their particular localities and they have asked to have the bill bassed over until next Monday so that it can be further amended.

You run into situations like that. You think you have bills ready for action, and in deference to the sincere wishes of Members you just have to pass them over.

I want to say that I am gratified with the attendance here today. The reason for a lot of the absenteeism, quite a few Members who live in adjacent counties went home overnight and they have called in to say that the roads are a glare of ice and they just could not get here. Quite a number of them turned around and went back home.

I want to say that next Wednesday we will undoubtedly have a full House here, and we will have some very important bills on the calendar which will be up for second reading and possible amendment. Today, perhaps is not as full a working day as we expected, but we are going to move everything that we can move today.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 130, Printer's No. 45,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 144, entitled as follows:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) reducing annual registration fee for certain two-wheeled semi-trailers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Jefferson, Mr. Dennison, permit himself to be interrogated?

Mr. DENNISON. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, I desire to know of the gentleman from Jefferson, Mr. Dennison, what effect this amendment will have on the budget which we are awaiting for highway purposes.

Mr. DENNISON. You mean the total effect on revenue?

Mr. PETROSKY. That is right.

Mr. DENNISON. Mr. Speaker, it is estimated that this will affect the revenue in the amount of about $350,000.

Mr. PETROSKY. Mr. Speaker, would that be for each year or for the biennium?

Mr. DENNISON. For each year, Mr. Speaker.

Mr. PETROSKY. In effect, would that be approximately $700,000 for a biennium, more or less?

Mr. DENNISON. That would be, if my addition is correct. That would be about right.

Mr. PETROSKY. I desire to further ask the gentleman what particular type of vehicle this amendment would affect?

Mr. DENNISON. Mr. Speaker, this would affect the small utility trailer which is most commonly used by being towed by a passenger car and used for the transportation of light materials, boats, camping equipment and a similar type of load.

Mr. PETROSKY. A further question, Mr. Speaker. This would affect a trailer that could carry a gross weight of 3,000 pounds, is that correct?

Mr. DENNISON. That is the Class A.

Mr. PETROSKY. And the effect of the reduction in the registration fee would be 50 percent, from $10 to $5.00, is that correct?

Mr. DENNISON. I might give the gentleman a little further illumination on that point.

For the gentleman's information, there has been a considerable drop in registration of this type of vehicle since the $10 instead of the $5.00 fee went into effect. For the information of the gentleman, the 1956 registration figure of 66,250 is the number of vehicles presently registered in this classification in Pennsylvania. This is a figure just furnished me by the Department of Revenue.

This represents a loss of 6,418 over the registration in 1955, or approximately 10 percent in number of vehicles registered.

Mr. PETROSKY. Mr. Speaker, would the gentleman be able to tell me whether there are a considerable number of registered vehicles on the highways in the way of passenger cars that carry a gross weight of 3,000 pounds, or less?

Mr. DENNISON. Mr. Speaker, I will just have to hazard a guess on that. In your light car classification, all vehicles just in the light car classification, which includes the Chevrolet, Ford and Plymouth, nearly all of those vehicles weigh more than 3,000 pounds road weight.

Mr. PETROSKY. But the gentleman did say that the lighter classifications, which are more numerous on our roads and do pay a $10 registration fee, weigh less than 3,000 pounds?

Mr. DENNISON. That is correct.

Mr. PETROSKY. Mr. Speaker, I believe we are very premature in our effort to approve this type of legislation. We have not received the budget for highway purposes as yet. You know we are today in an age of expanded highway building or growth. It is very necessary to the communities throughout our Commonwealth. We must of necessity participate in the expanded Federal highway setup which we are just entering into, and I believe the impact of the loss of revenue on that budget will be noticeable.

I recognize, too, that primarily the people who use these vehicles, these trailers, are those who have already taken into consideration the cost of the registration fee and charged it against their rates, as is done normally under our Public Utility Commission setup for those utilities.

I ask the membership of the House to vote down this measure for those reasons. I believe we have to recognize that the user of the highway on an escalator scale is paying a reasonable and just registration fee all along the line. I do not believe there is any reason for us to give a 50 percent reduction to one segment of the highway users at this particular time. If in the future there should be such a drastic reduction in the use of this type of vehicle and in the registration of this type of vehicle, then I think we can consider the possibility of a reduction, provided we can be shown that it would increase the use of this type of vehicle and, of course, bring the

income into the fund which is necessary to meet the requirements of the budget.

So, Mr. Speaker and Members on both sides of the House, I ask that you vote down this proposal.

May I suggest, Mr. Speaker, that we have a slow roll call and only those answering to their names be recorded.

I ask the membership of both sides to vote "no" on this measure.

The SPEAKER. There will be a slow roll call when this vote is taken.

Does the gentleman from Cambria, Mr. Andrews, desire to be recognized?

Mr. ANDREWS. I yield to the gentleman from Jefferson, Mr. Dennison.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, yields to the gentleman from Jefferson, Mr. Dennison.

Mr. DENNISON. I will yield to the gentleman from Cambria if he thinks what he has to say is more important.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. The gentleman from Jefferson, Mr. Speaker, is a very powerful but diminutive Member of this House. The weight he pulls bears no relation to his size.

Yesterday, Mr. Speaker, I asked a pertinent question. That question was, "What do you propose to do for business?" I did not expect the sort of answer that this bill presents. The cost of registration of these trailers which we want to reduce is already embodied in the rate structures of the utilities. These trailers represent an annual cost, and we all know under the practice and under the law the utilities include in their rates their standard charges. There would be no justification on the part of this House in enacting the legislation proposed unless we had assurance that utility rates would be reduced in exact proportion to the amount that we by act here in the House reduce utility expenses.

I would suggest that in our quest to do something for business we start from some other angle.

Mr. JOHNSON. Mr. Speaker, I believe the gentleman is misinformed as to what this bill really does. I will just have to tell you my experience with it.

I got home last session after working very, very hard and, I thought, doing a good job for the taxpayers. A little fellow living next door to me has a boat trailer and he goes to Canada fishing every year. He hauls his boat on it and that is the only time he uses it. He said to me, "Albert, for goodness sake, why did you raise my boat trailer from $5 to $10?" I said, "Did we raise your boat trailer to $10?" He said "You certainly did."

That is the case all over Pennsylvania. I do not believe utilities use these small trailers to any extent. It is the average guy who uses them.

I would say this is a working man's bill. It is giving the vacationer, the fellow who has a little trailer behind his garage and just occasionally hauls some material, or hauls his boat, or does something like that with it. I think we are giving the small man a break, that is the way it looks to me.

I have had any number of just ordinary people say to me, "Well, I am just going to junk my trailer if I have to pay $10 to have a license on it every year." I may be wrong, but it seems to me that this bill gives that particular person a break. I think when we doubled his fee that was too much. If we would have made it another dollar, or something like that last session it probably would have been all right. I would not say it is party principles, or anything, but it is just my own personal feelings about this bill.

Mr. DENNISON. Mr. Speaker, I want to thank the Majority Leader for the assist. I hope he has cleared up in the minds of some of you the use to which this trailer is adapted.

It is not largely used by utility companies. It is not the pole type trailer that is used in the transportation of utility poles. That trailer comes under the B classification.

This, as the Majority Leader has told you, is the trailer used by the vacationer, the farmer, the camper and the small operator in every respect. There is a very potent reason I think why this bill should be passed.

In checking over Act 70 of the 1955 Session, it is the only case in which we have increased the registration fee 100 percent. All registration fees went up, but in this case they went up 100 percent. If it is the idea of the membership that it is fair to raise one class 100 percent and another one 20 percent then I will have to reorient my thinking and propose different legislation.

As the Majority Leader has told you, this bill is an important bill to the small man, to the small operator, to the farmer and to the camper. I urge you to support this bill because I feel, and I am sure many of you feel the same, it is good, sound legislation.

Mr. McCANN. Mr. Speaker, I would like for a moment to inject a thought into the minds of the Members of the House on this reduction of revenue for the Department of Highways.

First, I would like to say we have legislation being drawn to reduce the truck license fees for farm trucks to help the farmers. We coming from the western part of Pennsylvania bordering close to Ohio are well aware, as are our farm people, of the advantages they have in operating their farms with the farm truck license law that exists in the State of Ohio.

If we are going to reduce a license fee to help somebody who needs help and needs it badly, I would like to ask that you postpone this action and move first this legislation which we will have ready within a week to help the farm people on a bona fide truck license fee reduction.

I realize we cannot reduce license fees in every category, we must raise the revenue that is needed. Here we have this bill on the calendar and it is due for a vote today. In injecting this thought into the minds of the Members of this House, I hope they would support such legislation that would then be the second reduction.

I was really amazed at the figures that the gentleman from Jefferson quoted as to the number of trailers. I would like to say that the rental trailer business has certainly increased over the years in Pennsylvania when we have licensed that many in this Commonwealth.

But that is not a point of this thought. If we want to reduce and help somebody that needs help, why not postpone this action and give a reduction and financial help to people who you all agree need help the most, and they need it now. On that ground, I will today

vote "no" when we vote in an effort to reduce the license fee for the other category that I spoke of.

Mr. MAXWELL. Mr. Speaker, I would to take issue with the Majority Floor Leader. When Mr. Johnson said this bill was intended for poor working people who have trailers and boats and are going to make trips to Canada, I do not call those people poor. They can afford trailers, and some of the boats these poor people have are rather expensive and luxurious boats. If they can afford a trailer and a boat and a trip to Canada, they can afford the extra $5.00 for the license fee.

I will be forced to vote against this bill.

Mr. PETROSKY. Mr. Speaker, I do not want to delay this much longer, but I took the gentleman from Jefferson, Mr. Dennison, at his word when I questioned him and he stipulated that the trailer was primarily used for utility use. He very distinctly said that, I believe.

Since he received his assist from the gentleman from McKean, Mr. Johnson, I want to say this, that the principal registration of this type of trailer is by fleet ownership and a very small, minimum percentage is registered in individual ownership.

I again would ask the House to vote "no" on this measure.

Mr. McCANN. Mr. Speaker, may I interrogate the Majority Floor Leader?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, regarding my statement to the House a moment ago, would the Majority Floor Leader consider the request I made in which I asked for a postponement of a vote on this bill in an effort to bring out the other legislation which will be introduced next week?

Mr. JOHNSON. Mr. Speaker, in answer to that question, I think each piece of legislation should stand on its own two feet. If he has a bill in mind to help the farmer, I think that should be on the calendar and debated on its merits and should not have a tie-in, as it were.

We have a bill here on the calendar to do away with tie-in sales, you know. If you get your bill in, we have a very able Chairman of the Motor Vehicles Committee. I believe we should proceed to vote on this bill today. I think that is the spirit of the House and we should do it.

Mr. DENNISON. Mr. Speaker, for the information of the gentleman from Westmoreland, I want to point out to him that this trailer has wide use by highway caretakers. One of the purposes behind this bill is that in the coming two years we can take care of our people who are going to use these trailers on the highways.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. PETROSKY, ROVANSEK and CAPANO.

The roll was verified and was as follows:

YEAS—88

Adams,	Edwards,	Lee, K. B.,	Piper,
Ashton,	Erb,	Light,	Pomeroy,
Barton,	Eshleman,	Lippincott,	Post,
Bell,	Fetterolf,	Lovett,	Price,
Bower,	Fox,	Markley,	Pursley,
Bowman,	Gibson,	Marsh,	Rigby,
Brand,	Goodling,	McInroy,	Seltzer,
Breisch,	Goodrich,	Metz,	Snare,
Brenninger,	Gross,	Mikula,	Spray,
Breon,	Guthrie,	Miller, B. Z.,	Steckel,
Brown,	Heffner,	Miller, H. G.,	Stimmel,
Brucker,	Henzel,	Miller, W. H.,	Stoner,
Buchanan,	Hocker,	Moody,	Strausser,
Carson,	Horst,	Moscrip,	Ujobai,
Cleveland,	Ide,	Murphy,	Wall,
Curwood,	Isaacs,	Murray, H. P.,	Weidner,
Dalrymple,	Jones, T. H.,	Murray, P. G.,	Wescott,
Davis,	Kehler,	Naugle,	Willaredt,
DeLong,	Keller,	O'Dell.	Worley,
Dengler,	Kernaghan,	Ogilvie,	Wyatt,
Dietterick,	Knecht,	Parry,	Wynd,
Donahue,	Korns,	Phillips,	Helm, Speaker

NAYS—60

Amarando,	Dunn,	Maxwell,	Reidenbach,
Anderson, M. S.,	Eilberg,	McCann,	Renwick,
Andrews,	Farabaugh,	McKeever,	Rovansek,
Boies,	Filo,	McLaughlin,	Rudisill,
Brennan,	Flynn,	Mills,	Sherman,
Breth,	Galley,	Monroe,	Shields,
Bucchin,	Garlock,	Moyer,	Snider,
Capano,	Gelfand,	Munley,	Toll,
Cianfrani,	Goldstein,	Musto,	Vaughan,
Cioffi,	Heavey,	O'Brien,	Verona,
Cummins,	Jim,	Pashley,	Walsh,
Dennison,	Johnson,	Petrosky,	Wargo,
Devlin,	Kamyk,	Polaski,	Welsh,
Donaldson,	Krakow,	Ragot,	Williams,
Dougherty,	Lopresti,	Readinger,	Yatron,
Duffy,			

NOT VOTING—63

Agnew,	Gramlich,	Magee,	Stone,
Anderson, S. A.,	Hamilton,	Mahan,	Stroup,
Auker,	Haudenshield,	McCormack,	Stuart,
Blair,	Holt,	McGee,	Taylor,
Boory,	Jenkins,	Merry,	Thompson,
Comer,	Johnston,	Mihm,	Tompkins,
Cooper,	Jones, G. E.	Muldowney,	Trusio,
Down,	Jump,	Mullen,	Varallo,
Ewing,	Kooker,	Royer,	Varner,
Fineman,	Kornick,	Scarcelli,	Wheeler,
Floyd,	Lafore,	Schuster,	Whittaker,
Foster,	Lee, A. M.,	Schwartz,	Willard,
Frascella,	Leonard,	Silverman,	Wilt,
George,	Limper,	Smith,	Wood,
Gibb,	Lutty,	Stevens,	Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 203, entitled as follows:

An Act amending "The Insurance Company Law of 1921" approved May 17 1921 (Pamphlet Laws 682) providing for guaranteed arrest bond certificates issued by automobile clubs or associations and for sureties thereon and defining the use and effect thereof

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 666), page 4, line 5, by inserting after "State": "pay any fine or forfeiture imposed"

Amend Sec. 1 (Sec. 666), page 4, line 9, by striking out "municipality" and inserting in lieu thereof: "local authority"

Amend Sec. 1 (Sec. 667), page 5, line 5, by striking out "municipality" and inserting in lieu thereof: "local authority"

Amend Sec. 1 (Sec. 667), page 5, line 8, by striking out "or municipal ordinances"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They are agreed to.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

THANKS EXTENDED

The SPEAKER. The Chair at this time would like to express its sincere appreciation to the Members on both sides of the House for their splendid cooperation in this first full Wednesday working day. It is gratifying to know that the Chair has the support and the cooperation of the membership.

It is the hope of the Chair that by next Wednesday, committee chairmen can start holding committee meetings on Wednesday morning so that we may have a fuller calendar. The Chair does thank the Members of the House.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair at this time notes the presence in the hall of the House of a former Member of this House, the gentleman from Delaware, Hon. J. Warren Bullen.

COMMITTEE MEETING

The SPEAKER. The Chairman of the Committee on Military Affairs requests a short committee meeting in Room 323 to meet the Adjutant General and general officers of Pennsylvania and their staffs.

PERMISSION TO ADDRESS HOUSE

Mr. LOPRESTI asked and obtained unanimous consent to address the House.

Mr. Speaker, just to make a brief statement. I would like to request, if possible, that the calendar on Monday be placed on the Members' desks early in the afternoon. Some of us who do come in early would like to have the calendar before our caucus in order to have an opportunity of looking over the bills.

This last Monday the calendar was not on our desks until about 3:00 o'clock when we went into caucus, and that was the first time we knew what was on the calendar. So if it is possible, I would like to have them put on the desks early on Monday afternoons.

The SPEAKER. The Chair thanks the gentleman for the suggestion and directs the Chief Clerk to see that the request is complied with.

PERMISSION TO ADDRESS HOUSE

Mr. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, yesterday the gentleman from Cambria, Mr. Andrews, requested relief for business. I wish now to announce that there is a 90 percent cut on behalf of business in so far as taxes are concerned.

If the gentleman from Cambria, Mr. Andrews, and the other members of the House will read the Governor's budget and general fund report, they will note the following language:

> The Capital Stock Tax is a property tax levied at five percent on the taxable value of capital stock of domestic corporations.

Under this statement the tax is 50 mills. The law today is five mills. I guarantee it will remain at five mills, therefore, we have a 90 percent reduction in taxes for business already.

In addition, I suggest that the budget and the entire report be scrutinized, perhaps there are other glaring errors such as this.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 8

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 13, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 8, Printer's No. 34, entitled "An Act making an appropriation to the House of Representatives AND TO THE SENATE for payment of expenses of members AND SENATORS."

GEORGE M. LEADER.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, tax reduction by typographical error is an expedient which we have learned in times past from the powerful opposition.

RESOLUTION

Mr. TOLL offered a resolution which was filed with the Clerk.

ADJOURNMENT

Mr. DALRYMPLE. Mr. Speaker, I move that this House do now adjourn until Monday, February 18, 1957 at 4:30 p. m.

The motion was agreed to, and (at 11:58 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, FEBRUARY 18, 1957. No. 14.

SENATE

MONDAY, February 18, 1957

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. DUNCAN K. MacPHERSON, Pastor of the First Presbyterian Church, Mechanicsburg, offered the following prayer:

Let us pray.

Eternal and Sovereign God, Who hast revealed Thyself to the ever-changing pattern of men's lives in a word that stands fast forever, speak now to our hearts as we wait upon Thee. Remind us of all Thy mercies which have shone forth Thy love in the past, and in that love make us, on the holy ground of each present day, steadfast and very sure.

Keep us, we pray Thee, from thinking too poorly of ourselves whom Thou dost honor with Thy daily tenderness and care. Fit us for the full stature which is ours, whatever be our task, by cleansing us from all sin. Hold steadly before our eyes that pure will of Thine for us until we learn to choose it above all wealth or position or esteem of men.

Make our timorous faith more sure and our high, if sometimes bewildered, loyalties more firm. Hearten us by Thine own undiscouraged presence here in the place whereon we stand, and in Thy word, by which the heavens and earth are held in store, bring us to find strength for our weakness, wisdom for our ignorance and an undiscourageable hope for all the future, through Jesus Christ, our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. MULLIN, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE MONROE COUNTY BOARD OF ASSISTANCE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. Edward DePuy, Esq. (Democrat), 20 North Seventh Street, Stroudsburg, Monroe County, for reappointment as a member of the Monroe County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE HUNTINGDON COUNTY BOARD OF ASSISTANCE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Frances E. Lincoln (Democrat), 201 Penn Street, Huntingdon, Huntingdon County, for appointment as a member of the Huntingdon County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Mrs. Rachel N. Showalter, Huntingdon, resigned.

GEORGE M. LEADER.

MEMBER OF THE BUTLER COUNTY BOARD OF ASSISTANCE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Bernice Alma Montgomery (Democrat), 601 East Pearl Street, Butler, Butler County, for appointment as a member of the Butler County Board of Assistance, until December 31, 1957, and until her successor is duly appointed and qualified, vice Mrs. Rhoda Kopelman, Butler, resigned.

GEORGE M. LEADER.

COMMUNICATIONS FROM THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF MERLE D. MUSICK AS A MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

February 18, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the confirmation of the appointment of Merle D. Musick, Latrobe, as a member of the Board of Trustees of Slippery Rock State Teachers' College, from May 29, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

RECALLING THE NOMINATION OF MRS. EMMA GUFFEY MILLER AS A MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 22, 1957, for the reappointment of Mrs. Emma Guffey Miller, Wolf Creek Farm, Slippery Rock, Butler County, as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

REPORT FROM COMMITTEE

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 202, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto, connecting the State highways system in Armstrong County with the State highway system in Clarion County.

Which was committed to the Committee on Highways.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 203, entitled:

An Act amending the act of June 21, 1939 (P. L. 565), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended 'The Pennsylvania Workmen's Compensation Act' as reenacted and amended, to exempt domestic servants and agricultural workers from the provisions thereof, except in certain cases," providing for withdrawal of election and acceptance to be covered by act.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 204, entitled:

An Act amending the act of May 29, 1931 (P. L. 280), entitled "Local Delinquent Tax Return Law," further regulating tax sales and payment of the purchase money.

Which was committed to the Committee on Local Government.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 205, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," requiring trucks travelling on highways to have protective rearguards.

Which was committed to the Committee on Highways.

Mr. PROPERT read in his place and presented to the Chair Senate Bill No. 206, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," increasing the sum of money county commissioners may pay to the county historical society.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, in order to clarify the situation for my colleagues and the members of the press, the bill I am about to introduce is a bill which would give to blind persons free registration plates for their automobiles.

Before going any further, I would like to clarify this by stating that the Federal Government gives to the blind veterans, the same as to the paraplegic veterans, free automobiles. Up until this time, the blind veterans have not had the same privilege as the paraplegics in receiving free license plates.

BILLS INTRODUCED AND REFERRED

Mr. VAN SANT read in his place and presented to the Chair Senate Bill No. 207, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," exempting blind veterans from the payment of certain fees.

Which was committed to the Committee on Highways.

Messrs. HARNEY and PECHAN read in place and presented to the Chair Senate Bill No. 208, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State University for the use of the School of Agriculture for the erection of experimental mushroom houses and research in the communicable diseases of mushrooms and other places of the mushroom industry.

Which was committed to the Committee on Agriculture.

Mr. HARNEY read in his place and presented to the Chair Senate Bill No. 209, entitled:

An Act making an appropriation to the Trustees of

Lincoln University for the rehabilitation of two dormitories

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 210, entitled:

An Act making an appropriation to the Trustees of Lincoln University, Chester County.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 211, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the completion and furnishing of a new girls' dormitory.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 212, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Which was committed to the Committee on Education.

Messrs. SILVERT and VAN SANT read in place and presented to the Chair Senate Bill No. 213, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," raising the minimum hourly wage of certain teachers.

Which was committed to the Committee on Education.

Mr. SEYLER read in has place and presented to the Chair Senate Bill No. 214, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the throwing of certain articles upon roads, into streams and land adjacent thereto.

Which was committed to the Committee on Judiciary General.

Mr. DONOLOW, on behalf of Mr. BARR, read in his place and presented to the Chair Senate Bill No. 215, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "A supplement to the act, approved the second day of June one thousand nine hundred and fifteen (P. L. 736), entitled as amended 'The Pennsylvania Workmen's Compensation Act,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," extending the provisions to auxiliary policemen and civil defense volunteers.

Which was committed to the Committee on Labor and Industry.

Messrs. KESSLER, TAYLOR, BERGER, FLEMING and GLASS read in place and presented to the Chair Senate Bill No. 216, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," empowering the chairman of the Board of Finance and Revenue to appoint a secretary and make certain rules and regulations.

Which was committed to the Committee on Finance.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 217, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code," requiring club licensees to file monthly returns showing purchases and sales of liquor and malt or brewed beverages and certain expenditures.

Which was committed to the Committee on Law and Order.

He also read in his place and presented to the Chair Senate Bill No. 218, entitled:

An Act amending the act of August 6, 1941 (P. L. 861) entitled "Pennsylvania Board of Parole Law," removing the ceiling on salaries of the secretary of the board and of district supervisors.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 219, entitled:

An Act amending the act of September 26, 1951 (P. L. 1536), entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged; . . ." further providing for refusal to grant, refusal to renew and revocation of licenses; changing license fees.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 220, entitled:

An Act providing for the incorporation of park and conservation districts; permitting two or more civil divisions herein defined to unite in the establishment of a regional park and conservation district for the planning, promoting, acquiring, constructing, owning, developing, maintaining, and operating within their limits a system of parks, parkways and areas for recreation and conservation of the natural landscape and reduction of the vulnerability of built-up areas to enemy attack; providing for financial support from participating civil divisions; granting the power of eminent domain; providing for referral of plans to regional county or city planning agencies and providing procedures for such incorporation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. KALMAN and MURRAY read in place and presented to the Chair Senate Bill No. 221, entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," changing provisions relating to disability or death due to silicosis and anthro-silicosis; and making an appropriation.

Which was committed to the Committee on Labor and Industry.

Mr. SARRAF read in his place and presented to the Chair Senate Bill No. 222, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "Second Class City Law," authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, as we all know, this month has been designated as Brotherhood Month and this week, particularly, has been designated as Brotherhood Week. I do not believe it is necessary for me to belabor this group with the basic elements which make up brotherhood or Brotherhood Week. We know that with all of us who live in this Commonwealth, this brotherhood will continue on a fifty-two week basis and we rededicate ourselves everytime we think of brotherhood.

Recently—in fact, in yesterday's edition of the Philadelphia Inquirer—there appeared an article which I think we all might give heed to. The article has to do with a gentleman, if I may call him that, named John Kasper who has been working on the problem of the white supremacy situation in the South, and has been writing to people in this Commonwealth asking them to send three dollars to become members in a white supremacy league. I believe that all of us who are elected representatives ought to uphold the Constitution not only of this State, but the Constitution of the United States and realize that this gentleman is breaking the law. He is going against the supreme law of the land as laid down by the Supreme Court dealing with problems in regard to bias.

According to this article, they have sent out letters on the letterhead of "Seaboard White Citizens' Council." This is just a minor refinement of what we have known as the Klu Klux Klan, and the imagination of that group and some of the problems that they try to create and which they try to "solve."

I believe we have, as a body, looked into many problems and have even gone into the problem of investigating some of the more intricate problems. I believe all of us during this week should not only rededicate ourselves to brotherhood and the problems of man, but should also go into this problem of outside groups trying to come into our State and setting up organizations of this type.

The day is long since past when these organizations and the thoughts they try to provoke the people that they attract and are popular, if they ever were popular. Their only purpose is to create hate between groups of people who might otherwise live harmoniously and peacefully.

I, therefore, on behalf of myself and my colleage, Senator Donolow, am presenting this resolution.

SENATE RESOLUTION

REFERRED TO COMMITTEE

SENATE COMMITTEE TO CONDUCT INVESTIGATION INTO THE ATTEMPTED CREATION OF A CHAPTER OF THE "SEABOARD WHITE CITIZENS' COUNCIL" IN PHILADELPHIA

Messrs. WEINER and DONOLOW offered the following resolution which was twice read and referred to the Committee on Law and Order:

In the Senate, February 18, 1957.

Philadelphia, according to newspaper accounts, has been the victim of the attempted creation of a chapter of the "Seaboard White Citizens' Council," an anti-integration group. It is reported that a person connected with John F. Kasper has already solicited some citizens of the City of Philadelphia to induce them to join this council. This individual, John F. Kasper, is supposed to have originally created the council which has as its purpose the combating of the United States Supreme Court's ruling against segregation in the Nation's public schools and vehicles of public transportation. The reputation of John F. Kasper's diabolical scheme to combat integration in the schools of the South has already attained the height of infamy in the way of riots and unrest. The lamantable riots that occurred at the site of Clinton, Tennessee's public high school were due in no small part to the tireless efforts of Kasper in haranguing the citizens of an otherwise peaceful community. Now, reputed henchmen of Kasper are attempting to recruit members for this vile organization from among the citizenry of the City Philadelphia. While there is doubt that the good people of the City of Philadelphia will ever be duped into joining this organization, it is of the gravest concern to the General Assembly to assure itself and all the citizens of the Commonwealth that no group with the avowed purpose of undermining by violence and class hatred the law of the land, ever establishes itself in the Commonwealth; therefore be it

Resolved, That the President pro tempore of the Senate of Pennsylvania name a committee of four members to conduct an immediate investigation into all matters pertaining to this attempt at creating a branch of the Seaboard White Citizens' Council in Philadelphia or any other such unlawful organization; and be it further

Resolved, That the committee make a report of its findings, together with recommendations for appropriate legislation at the earliest possible date before the adjournment of this session of the General Assembly.

PERMISSION TO ADDRESS THE SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, as most of you know, I come from southwestern Pennsylvania and we are fast becoming the victims of automation. Southwestern Pennsylvania produces more bituminous coal than any other part of the United States, and we are today producing this coal in greater tonnage but with the employment of less men. Therefore, we are faced with an economic castastrophe unless something is done to alleviate the conditions existing in Washington, Fayette and Greene Counties.

We have coal mines and we do have steel mills, but as the days go by our young people are leaving for Ohio, West Virginia, New York and other parts of the United States because we do not have the industry to employ these people.

Now in these counties we do have industrial redevelopment committees that are doing the very best they can to alleviate the conditions existing there. Nevertheless, we have need for additional assistance, and this resolution will memoralize Congress to help southwestern Pennsylvania because we are one portion of Pennsylvania that is becoming destitute. We have ghost towns and it is something unusual for any State to have ghost towns, but they are there. It is reality and there will be more unless something is done.

Therefore, on behalf of Senator Barr, Senator Kopriver, Senator Mahany, Senator Kalman, Senator Dent and myself, I am offering this resolution.

SENATE RESOLUTION

MEMORIALIZING CONGRESS TO MAKE A STUDY OF THE POSSIBILITY OF LOCATING GOVERNMENT SUBSIDIZED INDUSTRIES IN WASHINGTON, GREENE AND FAYETTE COUNTIES

Messrs. LANE, BARR, KOPRIVER, JR., MAHANY, KALMAN and DENT offered the following resolution, which was twice read as follows:

In the Senate, February 18, 1957.

The impending cessation of operations of the Vesta Coal Mine, a subsidiary of Jones and Laughlin Steel Corporation, in the Borough of California, in Washington County, Pennsylvania, will rapidly increase unemployment in surrounding communities located in Washington, Greene and Fayette counties.

Unemployment and consequent hardship in these three counties is of vital concern to the people of this entire Commonwealth. The economic dislocation of any large area within this Commonwealth has its repercussions throughout the entire State, and effects the economic well being of the entire State as well as arousing the humanitarian instincts and sympathetic concern for fellow Pennsylvanians in their hour of need and duress. Economic need and want vitally effects not only adults, but many helpless children who will feel the want of proper food, clothing, housing and medical facilities, and should the economic dislocation continue for a long period of time, the want of proper educational facilities through lack of teachers and buildings.

Government should be concerned with helping areas with serious economic difficulties through aiding business and any type of productive economic enterprise to locate in the suffering areas.

Washington, Greene and Fayette Counties have a large, skillful and willing labor force which has proven its desire in the past to produce the essential products of our modern economy. The tax structures in these three counties are favorable to business, and many industrial sites are available to manufacturing enterprises and other business activities which care to locate in communities where the public and its leadership will lend the utmost cooperation in establishing an atmosphere favorable to the establishment and growth of business; therefore be it

Resolved, That the Senate of Pennsylvania memorialize the Congress of the United States to make a thorough study of the possibility of locating Government subsidized industries in Washington, Greene and Fayette Counties, and to take into consideration the huge labor pools available, as well as the large number of available industrial sites and favorable tax structures existing in these three counties, and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

RULE 39 SUSPENDED

Mr. LANE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, February 18, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 25, 1957 at three o'clock p.m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, February 25, 1957 at four-thirty o'clock p.m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON. Mr. President, I report at this time, from the Committee on Executive Nominations, communications from His Excellency, the Governor of the Commonwealth, recalling the nominations of Merle D. Musick and Mrs. Emma Guffey Miller as members of the Board of Trustees of Slippery Rock State Teachers' College.

The Clerk read the communications as follows:

RECALLING THE NOMINATION OF MERLE D. MUSICK AS A MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the confirmation of the appointment of Merle D. Musick, Latrobe, as a member of the Board of Trustees of Slippery Rock State Teachers' College, from May 29, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

RECALLING THE NOMINATION OF MRS. EMMA GUFFEY MILLER AS A MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

Harrisburg, February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 22, 1957, for the reappointment of Mrs. Emma Guffey Miller, Wolf Creek Farm, Slippery Rock, Butler County, as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. WATSON. Mr. President, I further report from the Committee on Executive Nominations the nominations of Merle D. Musick and Mrs. Emma Guffey Miller, and ask that they be read by the Clerk.

The Clerk read the nominations as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

Merle D. Musick, Latrobe, from May 29, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Mrs. Emma Guffey Miller, Wolf Creek Farm, Slippery Rock, Butler County.

GEORGE M. LEADER.

COMMUNICATIONS FROM THE GOVERNOR AND NOMINATIONS BY THE GOVERNOR LAID ON THE TABLE

Mr. DENT. Mr. President, I move that the communications from the Governor recalling the nominations of Merle D. Musick and Mrs. Emma Guffey Miller together with the nominations, be laid on the table.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 19, entitled:

An Act amending the act of June 19, 1913 (P. L. 534), entitled "An act relating to appointment of deputy constables," defining the jurisdiction of deputy constables.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. SILVERT. Mr. President, as I understand it, this bill will amend the constable act so as to make it: "unlawful for any deputy constable to exercise any powers or duties relative to or arising out of any case or action originating in or brought before the court of any magistrate alderman or justice of the peace outside of the ward borough or township from which the appointive constable was elected"

Mr. President, I assume that the application of this bill is State-wide. It means that a deputy constable, from a ward wherein the constable is elected, cannot solicit any business outside of his ward. I cannot think of anything more unfair which could happen in the city of Philadelphia.

In the city of Philadelphia, we have some wards with one division, with less than 1,000 people. A deputy constable in that ward would be limited to that particular ward. We have another ward in the city of Philadelphia with 159 divisions and a population of 200,000 people. I do not know what good a bill of this kind would do, except to hinder deputy constables in the performance of their work.

Therefore, Mr. President, I wish to state that I am opposed to this bill.

Mr. SCHMIDT. Mr. President, this bill is a bill which has appeared in the Legislature every Session since I have been a Member of either the House of Representatives or the Senate.

The purpose behind this bill, I know in the mind of the sponsor, is a very high one. However, he does not realize that if this bill were to become law, every justice of the peace, every duly elected alderman, every magistrate who must depend upon a constable for the performance of the duties of his office, would be at the mercy of the duly elected constable. If a siutation would arise whereby a constable would refuse to work in cooperation with the justice of the peace, the alderman or the magistrate, and he would just walk out, that justice of the peace or alderman may as well close his doors because, under the bill, he would then be unable to secure the services of a deputy constable.

That is what we are doing by this bill. I speak from experience, because I argued against this bill during the last Session. We had in a ward, of which I am a resident, a situation where the duly elected constable and the duly elected alderman, although of the same poitical faith, did not see eye to eye and, as a result, the constable walked out of the office, refused to appoint any deputy, went into another ward to work, and it was absolutely impossible for that alderman to conduct the duties of his office.

Mr. President, I say there is no necessity for this. The Constables Association has been policing its organization; they have a State-wide organization. They have a code of ethics among them, and I feel that what wrongs were done in the past have been cleaned up by the campaign that was begun in some of the counties where some of these deputy constables and constables were charged with and convicted of malfeasance, misfeasance and nonfeasance in office.

Therefore, I ask each and every one of you to give this bill your serious thought and vote against it.

Mr. LANE. Mr. President, I imagine that quite a number of the Members of the Senate may have the opinion that deputy constables, generally speaking, are disreputable persons. Frankly, that is not the case. There might be some abuse in some of the metropolitan areas, but I want you to know that some of the constables, quite a number of them, and the deputies are fine upstanding men and are trying to do a proper job.

What we are doing here if we vote for this legislation, as Senator Schmidt has said, we are going to put some of

the aldermen and some of the justices of the peace out of business.

I was a justice of the peace for fifteen years and I believe that the sponsor of this piece of legislation was also a justice of the peace, and he knows very well that in a number of cases a constable might take the attitude that he does not want to work with you, and if you do not have a deputy, there is not much you can do. Now if you confine it to a ward or township or a borough, it just will not work because there are not too many active justices of the peace in the State. I know over in our town there are only about four or five men who do all the work. The rest of them do not do any work, but if they do not get a constable or a deputy, they are going to have to close up their offices. In lots of cases the only law enforcement that you have, especially in the rural areas is the office of the justice of the peace and the constable and his deputy.

For that reason, Mr. President, I am voting against this piece of legislation.

Mr. FLEMING. Mr. President, as the sponsor of this legislation, as I have in previous Sessions, I certainly would have to disagree with the previous speakers. This does not in any way interfere with the orderly conduct of any alderman or justice of the peace office in the Commonwealth of Pennsylvania. It does not in any way interfere with any elected constable. He can work out of any justice of the peace or alderman's office in the same county in which he is elected.

This legislation does, however, prohibit a deputy constable from being appointed in one ward, borough or township and then going into another borough or township and serving warrants and executions and like papers for that particular alderman or justice of the peace.

I would draw to the attention of the Chair, and the Members of this Body, that when a deputy constable is appointed by a court in any county in this State, the elected constable of that ward, borough or township goes before the court and says that there is too much business in his ward, borough or township for him to take care of and, because of that fact, he wants to have appointed a deputy or deputies to help him conduct the business out of that particular office. With that I have no quarrel. That deputy constable can be appointed and he can serve papers out of that office in any other part of the Commonwealth of Pennsylvania or in any part of the county. In many counties, you must get the permission of the district attorney's office to go into the other county to serve the warrant. If he does that, he acts exactly the same as the elected constable.

However, this is what I do object to and it is a direct violation of everything that this applicant says when he applies for the commission as a deputy constable; that he will work out of only the office in the ward, borough or township from which his preceptor, his duly elected constable, comes. He wipes that completely out, and goes into any part of the county and from there he serves papers. Nobody knows what he is doing, he is answerable to nobody and he is certainly answerable to no one in the particular ward, borough or township out of which he is working. The elected constable under whom he was appointed does not know what he is doing; he has no control over his actions, none whatsoever.

I wish to respectfully draw to the attention of this Body that many of the abuses of the minor judiciary and of the serving of papers and summons and warrants have come from the actions of deputy constables.

This in no way will interfere with any elected constable in any ward, borough, township or city of Pennsylvania. This in no way will interfere with the workings of the deputy constable who confines his activities to the ward, borough or township where the court appointed him to work.

Mr. SCHMIDT. Mr. President, we are all acquainted with the fact that there are certain deputy constables who are specialized in certain types of work. There is landlord work, there is collection work and these men really know how to do a job. The duly elected constable of many of the wards does not want to do that type of work, and because of that it is necessary to get someone who is acquainted with that type of work and bring him into that office.

Getting back to my original premise, and that is the situation where under the present existing law the duly elected constable, if he so desires, is able to actually put the justice of the peace out of business. He can refuse to work for him, and it is absolutely impossible for the justice of the peace to get any work done unless he brings in a deputy constable from some other ward where that deputy has been appointed. He cannot get a deputy from his own constable because a deputy in that ward, or that city or that borough cannot be appointed unless the duly elected constable so desires to have him appointed.

Now we have had those situations arise. There was one time when we felt it was the wrong thing to do, but we cleaned those situations out.

Therefore, I say again, you are absolutely going to penalize the minor judiciary if you pass this piece of legislation.

Mr. LANE. Mr. President, I recall last week when we had the committee meeting and we reported this bill out, I said to Senator Fleming, "There certainly is going to be a difference of opinion on this particular piece of legislation." Of course, this is a repetition of what happened two years ago because the same bill was before us.

I might remind the distinguished Senator from Allegheny County that in case there is a deputy constable who is not doing the right thing, all the constable has to do is to relieve him of his commission by notifying the court. In that way he operates under the constable's bond and the constable can relieve him of those duties.

I must agree with Senator Schmidt that you must have deputy constables, because in a great number of cases your regularly elected constables will not do the work. In a number of cases they are quite popular politically and they have other means of securing an income and, therefore, they appoint these deputies. Of course, there might be abuses; I do not say that all of them are perfect. However, I say what we are doing here, if we pass this legislation, we are certainly going to restrict law enforcement and we are going to penalize innocent men.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WADE. Mr. President, not having heard my name called, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman from Cumberland will be so recorded.

Mr. KALMAN. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman from Fayette will be so recorded.

Mr. RUTH. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman from Berks will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Fleming,	Mallery,	Wade,
Blass,	Harney,	Pechan,	Wagner,
Camiel,	Kessler,	Propert,	Walker,
Chapman,	Kopriver, Jr.,	Scott,	Watkins,
Ehrgood,	Kromer,	Stevenson,	Watson,
Elliott,	Madigan,	Taylor,	Whalley,
Flack,	Mahany,	Van Sant,	

NAYS—16

Barr,	Hays,	Mullin,	Seyler,
Dent,	Kalman,	Ruth,	Silvert,
Derk,	Lane,	Sarraf,	Stiefel,
Donolow,	McGinnis,	Schmidt,	Yosko,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 20, on third reading, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for revocation of operators licenses for failure to stop on signal of a peace officer and exceeds the speed limit in an attempt to escape pursuit.

be recommitted to the Committee on Highways.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 27, on third reading, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," authorizing the issuance of dealer registration plates to certain collector-repossessors and limiting their use thereof.

be recommitted to the Committee on Highways.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 35, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eighth Class County Assessment Law," imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. SEYLER. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman from York will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Fleming,	McMenamin,	Stevenson,
Berger,	Harney,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Silvert,	Whalley,
Flack,	McGinnis,		Wolfe,

NAYS—3

Hays,	Seyler,	Yosko,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 71, Printer's No. 31, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 89, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," authorizing the Department of Highways to construct and maintain cattle passes under State highways and rural State highways hereafter constructed.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,

Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SCOTT. Mr. President, I move that Senate Bill No. 97, on third reading, entitled:

An Act to define and prohibit unauthorized interception divulgence or use of telephone and telegraph communications providing criminal penalties and civil damages including attorneys' fees for the violation thereof and limiting the admissibility of evidence.

be recommitted to the Committee on Judiciary General for the purpose of holding a public hearing.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 99, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended, "Local Tax Enabling Law," changing the over-all limit of tax revenues for certain taxing districts.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 122, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," permitting borough council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 123, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," permitting county commissioners to hold their organization meeting on the day after a holiday.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Silvert,
Berger,	Hays,	Miller,	Stevenson,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Stiefel,	Wade,
Dent,	Kromer,	Pechan,	Wagner,
Derk,	Lane,	Propert,	Walker,
DiSilvestro,	Madigan,	Ruth,	Watkins,
Donolow,	Mahany,	Sarraf,	Watson,
Ehrgood,	Mallery,	Schmidt,	Weiner,
Elliott,	McCreesh,	Scott,	Whalley,
Flack,	McGinnis,	Seyler,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 130, on third reading, entitled:

An Act amending the act of June 24 1939 (P. L. 872) entitled "The Penal Code" prohibiting the intimidation of judges by threats of bodily harm

be recommitted to the Committee on Judiciary General.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. STIEFEL. Senator Mahany, your statement is incomplete. You omitted stating whether this is for further study or for final execution.

Mr. MAHANY. Do you want to find out from me which it is?

Mr. STIEFEL. The euphemism would be for further study.

Mr. MAHANY. I would say that the committee would like to study it a little further so that, perhaps, it might be indicated that they would like to have Members of the Senate also put in a class with the judges.

Mr. STIEFEL. I am satisfied, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 141 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 144, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," further regulating pedestrians' right of way upon highways in business or residence districts.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. SCHMIDT. Mr. President, I intend to cast a negative vote on this bill.

I feel that the law in negligence now takes care of the situation whereby it is within the right of a jury to determine whether one, as a pedestrian, traversing the highway is guilty of contributory negligence. I feel that there are situations which arise where a pedestrian would or would not be guilty of such negligence. I feel that there are various situations or cases which would alter the case.

I think for us to legislate negligence here in this situation may at some time deprive some citizen who is a pedestrian, who may be injured, of some right in court.

Therefore, Mr. President, I say let us leave the law as it is, and let a jury determine whether or not a pedestrian has been negligent.

Mr. MAHANY. Mr. President, I want to tell the Members of the Senate how it came about that I sponsored this piece of legislation.

When I was out to the West Coast last August, I found that the taxicab drivers were very careful about pedestrians. When they approached a crosswalk, every taxicab in which I rode stopped to let the pedestrians get across. I said to the taxicab driver, "This seems to be a bit different than what we experience in the eastern States. It seems that it is open season for all pedestrians when taxicabs move down on them." He said, "Out here, all of us know that the pedestrian has the right of way and we respect it. If we do not respect the right of way of a pedestrian when he is going across on a crosswalk, then we are in trouble."

I wonder how many of you have had the same experience as I have had when you have gone from Capitol Park over to the Penn-Harris Hotel. You really do not know whether or not you are going to get across. Those motorists are moving down on you from every direction. I had one autoist almost run me down when I had the light with me, about a year ago. Although he stopped and apologized, if he had hit me my estate might have been able to recover, but I do not think I would have.

Mr. President, I think this bill definitely protects the pedestrian. You would not have so many accidents if this bill becomes law.

Today, when you have a green light in your favor and you are going across a crosswalk, so many cars today will not respect your right of way when they are moving around the corner from the right of you. In other words, when you are going across a crosswalk and you have the green light and a car is making the turn, which also has the green light, the car will move ahead and you must step back or else be run down by the car.

Therefore, Mr. President, it was with the purpose of protecting the right of way of pedestrians that I put this bill in. I feel that if we, all of us, understand, both the driver and the pedestrian, that the pedestrian has the right of way on crosswalks when he has the light in his favor, then certainly we are going to reduce the number of accidents and we are going to reduce the number of close escapes which seem to be the case at the present time.

Mr. SCHMIDT. Mr. President, as Senator Mahany knows, being a member of the legal profession, we do have a law now which gives the right of way to the pedestrian at an intersection. The situation which Senator Mahany described, if such a law as we now have before us would go into effect, it would not change the situation one bit from what it is today.

As I said, at a crosswalk, where it is controlled by a traffic light with traffic going in the same direction, the pedestrian has the right of way. If an automobile driver does not respect that and, thereby, causes damage, the law— of course, after you are gone, that is not going to do any good; yet, it will not do any good if you have this act—says that you still have the right of damages for anyone who does not obey that law.

What you are going to do by passing this bill is to confuse the law on contributory negligence to the point where a jury, then, will not know where they stand. I say, let us leave the law as it is now.

Mr. LANE. Mr. President, I read this bill over carefully and I have had similar experiences as Senator Mahany. I was also out on the West Coast and I marveled at the fact that vehicles and taxicab drivers, especially, recognize the rights of the pedestrians. I think this is a good safety measure and I am going to vote for this bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. MULLIN. Mr. President, I desire to be recorded as voting against this bill.

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Fleming,	McCreesh,	Stiefel,
Berger,	Harney,	McMenamin,	Taylor,
Blass,	Hays,	Miller,	Van Sant,
Camiel,	Kalman,	Murray,	Wade,
Chapman,	Kessler,	Pechan,	Wagner,
Dent,	Kopriver, Jr.,	Propert,	Walker,
Derk,	Kromer,	Ruth,	Watkins,
DiSilvestro,	Lane,	Sarraf,	Watson,
Donolow,	Madigan,	Scott,	Weiner,
Ehrgood,	Mahany,	Seyler,	Whalley,
Elliott,	Mallery,	Silvert,	Wolfe,
Flack,		Stevenson,	Yosko,

NAYS—3

McGinnis,	Mullin,	Schmidt,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled, as amended, "The Realty Transfer Tax Act," requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "ayes," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 5, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendments

Amend Sec. 1, page 2, by inserting between lines 2 and 3; "The provisions of this act shall not limit to any extent any common law liability of a parent for damages caused by his or her child."

It was agreed to,

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

SENATE RESOLUTION, SERIAL No. 3, TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Resolution, Serial No. 3.

The resolution was read by the Clerk as follows:

DIRECTING THE LOCAL GOVERNMENT COMMISSION TO INVESTIGATE THE RISING COSTS OF RECORDING LEGAL DOCUMENTS

In the Senate, January 22, 1957.

It has come to the attention of the Senate that the cost of recording deeds, papers for estates, and all other legal documents has been steadily rising.

It is contended, that these costs in the Commonwealth are much higher than in most other states of the Union.

The matter of rising costs of recording legal documents constitutes a great burden upon the ability of small estates and less affluent persons to pay; therefore be it

Resolved, That the Local Government Commission be directed to make a thorough study and investigation on the problem of rising costs of recording legal documents. The Commission should compare the costs of administering comparable recording services in other states and should consider the impact that these costs have upon smaller estates and persons in lower income brackets, and be it further

Resolved, That the Local Government Commission submit a report to His Excellency the Governor and to the Senate of its findings and recommendations, with drafts of legislation necessary to carry these recommendations into effect.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 3, ADOPTED

Mr. MAHANY. Mr. President, I move that the Senate adopt the resolution just read by the Clerk.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

SENATE CONCURRENT RESOLUTION, SERIAL No. 105, TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Concurrent Resolution, Serial No. 105,

The resolution was read by the Clerk as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY AND INVESTIGATE THE PENNSYLVANIA MORTGAGE SYSTEM

In the Senate, January 28, 1957.

Due to economic changes, the raising of the standards of living and the facility of financing the purchase of property for business and dwelling purposes, each year untold thousands of deeds and mortgages are left for recording with the Recorder of Deeds of the several counties of this Commonwealth.

As a result of the recording of this vast number of deeds and mortgages, the various offices of the Recorder of Deeds are being filled to capacity.

Our Legislature saw fit years ago to enact legislation providing for a short "form" deed which was designed to conserve space in the office of the Recorder of Deeds.

Many states have appropriate legislation, which provide a title abstract system and the incorporation of descriptions in conveyance which result in shorter deeds and mortgages.

Attorneys at law, financing institutions, public officials and the general public would be greatly benefited by legislation that would simplyfy the conveyancing and mortgaging of property; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to study and investigate:

1. The various types of "short form mortgages" and the integration thereof into the Pennsylvania system of mortgaging property;

2. The establishment of abstract of title systems with respect to the ownership and conveyancing of property together with methods whereby descriptions of property may be incorporated into deeds and mortgages by reference to prior deeds; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL No. 105, ADOPTED

Mr. MAHANY. Mr. President, I move that the Senate adopt the resolution just read by the Clerk.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR AND NOMINATIONS BY THE GOVERNOR TAKEN FROM THE TABLE

Mr. DENT. Mr. President, I call from the table communications from the Governor recalling certain nominations, together with the nominations, and ask that they be read by the Clerk.

The Clerk read the communications and nominations as follows:

RECALLING THE NOMINATION OF MERLE D. MUSICK AS A MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the confirmation of the appointment of Merle D. Musick, Latrobe, as a member of the Board of Trustees of Slippery Rock State Teachers' College, from May 29, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

RECALLING THE NOMINATION OF MRS. EMMA GUFFEY MILLER AS A MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 22, 1957, for the reappointment of Mrs. Emma Guffey Miller, Wolf Creek Farm, Slippery Rock, Butler, County, as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

Merle D. Musick, Latrobe, from May 29, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

Mrs. Emma Guffey Miller, Wolf Creek Farm, Slippery Rock, Butler County.

GEORGE M. LEADER.

NOMINATIONS RETURNED TO THE GOVERNOR

Mr. DENT. Mr. President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nominations will be returned to the Governor.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

SENATE RESOLUTION

REFERRED TO COMMITTEE

DECLARING THE TRANSFER OF FUNDS TO THE COMMONWEALTH MENTAL HEALTH RESEARCH FOUNDATION TO BE CONTRARY TO THE LEGISLATIVE INTENT OF APPROPRIATION ACT No. 146-A

Mr. PECHAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. PECHAN and BERGER offered the following resolution which was twice read as follows:

In the Senate, February 18, 1957.

Whereas, The General Assembly by Act No. 146-A, approved the first day of June, 1956, appropriated to the Department of Welfare the sum of $143,500,000.00 "for the payment of salaries, wages or other compensation of the superintendents and other employes, for the payment of general expenses, supplies and printing, for repairs, alterations and improvements to plant and equipment, for improvements to lands, for the purchase of equipment, furniture and furnishings, for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Eastern Pennsylvania Psychiatric Institute"; and

Whereas, It is reported that the Secretary of Welfare proposes to pay the sum of $250,000.00 out of the aforesaid appropriation to the Commonwealth Mental Health Research Foundation for research and training to be undertaken by the Foundation; and

Whereas, The language of the appropriation act does not authorize any such transfer of state funds to said foundation; therefore, be it

Resolved, That the Senate of Pennsylvania hereby declares such a transfer of funds to be unauthorized by law and contrary to legislative intent as expressed in the Appropriation Act No. 146-A.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. PECHAN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. DENT. Mr. President, I suggest, since this resolution covers such a very important subject, that the resolution be sent to the Committee on Rules. Therefore, I object to its immediate consideration.

The PRESIDENT. There being objection to the immediate consideration of this resolution, the resolution is referred to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, a story appeared in one of the Philadelphia newspapers over the week end on the question of the Department of Public Instruction employing a number of consultants, fees paid, and the type of work they were supposed to have performed. Some of these consultants come from the area which I represent. They were interviewed by a reporter from one of our newspapers back home, the Allentown Call-Chronicle, and there seems to be a difference in the amount that was paid to some of these educators and the amount indicated in the newspaper story.

Therefore, Mr. President, I am going to read the story which has some quotes from the people who are involved, not for the purpose of either defending or condemning the method by which these consultants were employed. I am not condemning nor defending the fees which were paid or the services they rendered, but I am simply trying to clarify the situation because I do not think it is fair to say that these people received a certain sum of money if they did not actually receive it. I think, in that case, it would reflect on their characters.

My resolution, Mr. President, after I read the newspaper story, will call for the Superintendent of Public Instruction to submit to the Chairman of the Senate Committee on Appropriations a statement of the persons employed as consultants, the total amount paid to each, a description of the type of work they were employed to do, and the time spent on the assignment.

I now read from the Sunday Call-Chronicle of February 17. The title of the article is:

"Educators Deny Fees Exorbitant.

"Prominent Lehigh Valley educators who have served as part-time consultants with the Pennsylvania Department of Public Instruction last night denied that they were paid exorbitant fees for their services.

"In answer to a story in a Philadelphia newspaper that consultants had been paid fees that ranged as high as $100 a day plus expenses, area educators mentioned, stated either that they had received nothing but expense money or nothing at all.

"The Philadelphia story reports that the State Senate had started an investigation of the Department of Public Instruction practice of hiring these consultants.

"Listed among the consultants and the salary they allegedly received were:

"Dr. Harold Thomas, Lehigh University, $50 a day for 15 days; Wray H. Congdon, dean of students at Lehigh, $50 a day for 30 days; Thomas W. Watkins, superintendent of Southern Lehigh Schools, $50 a day for 20 days; Dr. George C. Ackerlund, Lehigh University, $50 a day for 30 days, and John S. Cartwright, superintendent of Allentown schools, $50 a day for 30 days.

"Dr. Thomas said he had served only one day in an

advisory capacity and that for this service he had, up to now, received nothing but expense money for his single trip to Harrisburg. He said payment for his services had never been mentioned. The head of Lehigh's Department of Education, Dr. Thomas, said he served as consultant in revision of the state curriculum.

"Dr. Ackerlund could not be reached for comment last evening, but Dr. Thomas, for whom he works at Lehigh, denied that Ackerlund had been away from Lehigh for the 30 days mentioned in the Philadelphia story.

" 'He was not away from Lehigh on this type of business more than a day at a time for not more than three times,' Dr. Thomas said. 'I couldn't spare him for the time he was allegedly in Harrisburg.'

"Superintendent Cartwright said that since last summer he had spent three days in Harrisburg as a consultant on curriculum and reorganization of the State Department of Public Instruction.

" 'I received a total of $50 for those three days. That was for driving my car to Harrisburg, for staying at a hotel one night during that time and other expenses incidental to the trips. The expenses were figured on a mileage basis.'

"Superintendent Watkins reported he had received no money for any services to the state and up to now had spent no time in Harrisburg.

"Watkins said that about a year ago when Dr. Charles Boehm became state superintendent of public instruction, he had received an original request asking if he could assist the department. He said he answered the letter, telling Dr. Boehm that he had the approval of the Southern Lehigh School Board to serve without any compensation to himself.

" 'That was the last I heard of it until I received a letter dated Feb. 3, reporting that a meeting was scheduled in Harrisburg Feb. 25.

" 'That's all there is to it as far as I'm concerned. Nothing was mentioned about salary, nor was there any specific assignment given me.'

"Dean Congdon said that the Philadelphia story was incorrect in saying that he was aiding in curriculum revision. He said that he did serve five days and received $50 a day for studying the state's higher education setup. He visited five teachers' colleges in the area, spending a day at each one. As far as he knows, he says, that is the end of his assignment. He says he started last December on an 'open assignment' and knows nothing about 30 days.

"The story quotes Donald B. Moore, administrative officer for the Department of Public Instruction as saying such fees as were allegedly paid were legal.

" 'Some time ago, when the department budget became tight, we decided we could save money by bringing in high-level people at fees for a limited period rather than hiring them on a regular salary,' Moore was quoted as saying.

"He also was quoted as saying that the department felt 'employes of public schools could be hired in this capacity because the state gives each district a lump reimbursement which we do not consider a direct payment toward the salaries of local district employes.'

"Approximately 50 consultants were listed, including some educational leaders from Penn State, New York University, Columbia, Westminster College, Syracuse and University of Illinois."

Mr. President, I repeat that in order to get a true statement of the issue involved and to get a clarification so that no one is embarrassed, I am presenting this resolution.

SENATE RESOLUTION

REQUESTING CERTAIN PAYROLL INFORMATION FROM THE SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC INSTRUCTION

Mr. YOSKO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, February 18, 1957.

Resolved, That the Honorable Charles H. Boehm, Superintendent of the Department of Public Instruction, submit to the Chairman of the Senate Committee on Appropriations, on or before February 25, 1957, a statement of persons employed as consultants, the total amount paid to each, and a description of the type and time spent on the assignment given to such consultants.

RULE 39 SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION ADOPTED

Mr. YOSKO. Mr. President, I move that the Senate adopt the resolution just read by the Clerk.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 140, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing representation on the board of directors of union, merged and consolidated school districts.

Which was committed to the Committee on Education.

House Bill No. 203, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) providing for guaranteed arrest bond certificates issued by automobile clubs or associations and for sureties thereon; and defining the use and effect thereof.

Which was committed to the Committee on Insurance.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, February 18, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 25, 1957 at three o'clock p. m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, February 25, 1957 at four-thirty o'clock p. m., E.S.T.

PETITIONS AND REMONSTRANCES

Mr. PECHAN. Mr. President, two weeks ago, a highly irritated gentleman contacted my office here in Harrisburg with an urgent message. Unfortunately, I was on this floor and could not be reached. However, the caller left a message and, in an apparent threat, he asked my secretary to tell me to go easy in investigating what appears to be a host of parasites on the public payroll. This caller, identifying himself as James Macry of Beaver County, was spurred into making the call by a news story which appeared in a Pittsburgh newspaper.

The news story also brought other responses. Alert, indignant citizens wrote letters, called me by telephone, reporting several instances on the part of State jobholders. They, too, seemed to think we were investigating. I was not investigating. It was a story that was in the newspaper and the reporter quoted me as saying that I thought it should be looked into.

However, Mr. President, after that story appeared in the newspaper, as I said, a great many people called me and gave me information.

All of us have taken notice of recent actions and statements made by the Governor. It seems that at long last he may be starting to clean up his Administration. When I say he is cleaning up his administration, I mean that if there are parasites on the payroll, he is just as responsible as anybody else in having them on that payroll. It is his Administration and if he is going to clean up, if there is anything to clean up—I am not a judge; I am not going to be the prosecutor and the jury. I am just going to tell what citizens think about certain people who hold dual jobs.

I want to tell the Governor that I, on this side of the Senate, will be glad to help. If there are persons getting paid for something which they do not do, I think they should be removed from the payrolls and I will help him if I can. However, up until this moment, I am not investigating. I am just going to give you some facts as I have them.

Mr. President, it seems to me that we, on this side of the Senate, should properly encourage the Governor to carry out his announced policies. I would not openly suggest that the Governor is merely giving lip service to good intentions. I feel that he can be spurred on by what encouragement and assistance we may be able to lend.

Therefore, Mr. President, I would like to bring to the attention of the Administration, and this Senate, some reports given to me by conscientious citizens who want to see State employees earn their day's pay by doing a full day's work.

Again, I want to reiterate that I am not saying that these people are guilty. However, I have checked the facts which I am giving you and, as best I can ascertain, they are true. For instance, we have a fellow who is doing double duty, known as Orlando Capretto, of Vandergrift, Pennsylvania. He is employed full time at the United States Steel Company plant in Vandergrift. He is a hardy individual and he also manages to draw $3,560 annually as a result of being appointed to serve the Commonwealth as a Claims Adjuster for the State Fund. Capretto, a councilman in Vandergrift's sixth ward, is reportedly in disfavor among his fellow Democrats who are disgruntled to see a man serve as a steel employee, State employee and councilman.

Then we have Anthony Dzikowski—D-z-i-k-o-w-s-k-i—of Ambridge, Pennsylvania, who is making hay while the sun shines. In a manner which remains unexplained, he receives payment for holding two full time jobs. One job is with the Spang-Chalfont Company, in Ambridge, where he reportedly earns $8,000 annually. Apparently, this requires little attendance at the place of business, for Mr. Dzikowski manages to serve the people of Pennsylvania as a Safety Inspector in the State Insurance Fund. For this, he receives $3,925 each year. These salaries would give Mr. Dzikowski about forty-eight dollars a day.

The fellow I spoke to you about a little while ago, James Macry, has many talents. He is an unusual man. Mr. Macry is an employee of the Inheritance Tax Division. That is one phase of his daily life. He also holds down a full time job at the Townsend Nails Corporation establishment in Fallston, Pennsylvania. A civic-minded gentleman, he serves the Democratic organization of Beaver County as its secretary. Apparently, Mr. Macry feels that his positions give him considerable influence and, undoubtedly, they do in certain quarters.

As I stated awhile ago, on February 5, 1957, an irritated gentleman, identifying himself as Mr. Macry—I do not know whether it was Mr. Macry; he did not talk to me—telephoned the office of Senator Albert Pechan. Mr. Macry had heard that Senator Pechan was looking into the matter of certain political elements which are milking the public payroll. Unable to contact me personally, he left word for me to go easy in investigative work. He added that he was Sam Neff's campaign manager. Mr. Neff, of course, is "Mr. Democrat" of Beaver County and appears to carry considerable weight in high administrative circles.

Here is an invisible man. A mystery at present surrounds the circumstances of a gentleman named Clyde M. Titler of Brownsville, Pennsylvania. Mr. Titler, reportedly a Railway Brotherhood official, is said to be employed in Greensburg in the State Workmen's Insurance Fund office. He was appointed November 1, 1955. Sources tell us that Mr. Titler has not reported for work for some time and that his checks have been mailed to him. The district manager, a commendable fellow, is said to have written officials in Harrisburg complaining of the unexplained absence and refusing to accept liability for checks mailed to him.

Here is a triple threat burgess. Our Commonwealth has a unique burgess who, it seems, must work twenty-four hours each day. He is either sacrificing his health or his principles, according to reports given to us.

Burgess James L. Bruno, of Aliquippa, Pennsylvania,

serves his community for $2,500 annually. Since this does not require his full time, he manages to serve as a foreman at J. & L. Steel. Possibly inspired by his success in handling these two jobs, he spurs himself onward and serves the Commonwealth as a Safety Inspector for the State Workmen's Insurance Fund at a salary of $3,925.

Assuming that his task as burgess requires some time, that he puts in eight hours daily as a steel plant employee, and that Governor Leader has him working another eight-hour day for the State, we wonder just how Mr. Bruno manages to live up to all of his obligations and yet retain his health. We would caution him against such overexertion, with the thought in mind that such action might lead to a physical breakdown, in which case Mr. Bruno would undoubtedly be one seeking certain welfare assistance from the State. We would caution Mr. Bruno and Governor Leader to conserve such talented manpower as Mr. Bruno.

Each day, Joseph A. Belcastro, of West Aliquippa, punches the time clock at a mill job at 3:00 p. m. Prior to this routine task, he apparently leads a hectic daily life.

Mr. Belcastro is also employed by the State at $3,666 annually, as a Professional License Investigator. The only comment we have to make concerning this situation is to express concern for citizens who apparently are being dragged from their beds in the wee hours of the night for the purpose of having their licenses inspected.

I have another gentleman here by the name of Frankie Lombardo, of Monessen, who leads a band to entertain customers in an establishment known as the Twin Coaches, each night until 2:00 a. m. When I say each night until 2:00 a. m., that is the information that I have. However, I talked to a gentleman just a little while ago and he said that he only played there on week ends. I am not going to say what I have written here; I am just going to say this. I do not want to do the gentleman any injustice However, I do want to say that when the name was given to us, it was given to us under the name of Frankie Barr, and we were to find that he is no relative of Senator Joe Barr. It seems, however, that Mr. Barr was not on the payroll, but further inquiries told us that Frankie Barr is employed by the State as Frank Lombardo. Frankie Barr, who has the band at the Twin Coaches, and Frank Lombardo, of Monessen, Pennsylvania, are one and the same person.

It seems that Mr. Lombardo holds down a full time Statejob as Automobile Equipment Inspector in the Department of Property and Supplies. For this he receives $4,329 annually. He has been a State employee since April 25, 1955. A report from Westmoreland County says that no one seems to know when he works at the State job. To hear him lead his band, visit Twin Coaches—I am giving him a plug now—on Route 51, Belle Vernon, Pennsylvania.

Mr. President, there are ten or fifteen more that I have not fully completed. I do not want to bring their names out here on the floor, but they are available to the Governor if he is sincere about what he wants to do, and I am here to help him.

Mr. DENT. Mr. President, when I was a little boy, I read a story about Rip Van Winkle. Rip slept for twenty years and suddenly awakened and found that the whole world had changed.

My good friends on the Republican side slept for sixteen full years under four Republican Governor's and all of a sudden they found out that the practices they had enjoyed for sixteen years were suddenly very bad.

There is not a job filled in the State of Pennsylvania that was not filled by a Republican prior to the Administration of George Leader and taken, by and large I would say, by about the same caliber of persons.

I am torn here today between two emotions. One is an emotion that I have always tried to follow, and that is to do the best that I can for all of the people that I can. In this group of people, I consider the little defenseless persons to be just as important as those who have all of the means at their command to defend themselves.

I do not know the circumstances surrounding the man whom Senator Pechan is talking about. I know one of them. Knowing him personally for a number of years, I intend to state for the record this man's case, since he is not here to defend himself.

I resent with every fiber of my body the classification of this gentleman as a parasite. He is a man with a rather large family, as families go. It is much larger than mine, and I found it rather a problem during my lifetime to raise two children according to the standards that I would like to raise them by and to give to them the things that I would like for them to have.

I have been on the other side of this fence, and I would like to call your attention to a man that I knew very intimately, who worked for fifty-five years on two jobs. He worked from the time he came to America as a young immigrant boy, at the age of sixteen, by day at whatever job he could get and by night as a barber. That little barber shop was the only parlor that we knew for all of my young lifetime, until I grew up and got married. My father was the only barber in three coal mining towns in the very county that Senator Pechan comes from and the county that I was born in. I would like to have him go back to that county and ask about my father among those who still know him, and find out whether he in any way neglected his family or his duties in the mines, in the pits, and the shops while he was raising a family and working from the time he came home at night until way into the night as the town barber.

Later on when we moved to the city of Jeannette, he became a worker in the Pennsylvania Rubber Company, but he still had that revolving chair in our only parlor, in which he barbered every night of his life and every Sunday of his life. I do not remember eating a Sunday dinner with my father sitting at the table throughout all these years. He worked at two jobs.

Some of the greatest men in American history, as I have known American history, have never been satisfied with toiling at one particular job. They worked wherever they could, to do whatever they could in order that they could give their families the little extras that are needed sometimes in order to provide that which a family man believes his family needs.

I am not going to protect, nor will I ever protect, any body that is proven to be a drone, but I will stand up in the defense of citizens of this State who are called parasites without investigation or without any proof whatsoever that I know of.

I say to you that Frankie Barr, whose real name is Frank Lombardo—yes, Frankie Barr is a name. It is

name well-known in Pennsylvania in the days gone by as a wonderful orchestra leader, and he is still hanging on to an orchestra that plays at nights in a bar or any place that will give them a job, and particularly of late at the Twin Coaches in western Pennsylvania. His entire orchestra is made up of men who work in the shops and the mills and factories of Westmoreland County, and at night go to work so that you and I may be entertained. Those of us who can afford the entertainment pay for it, and they work and see to it that we are entertained for a few dollars a night.

I have a telegram here and I would like to read it to the Members of this Assembly. Under dateline of Harrisburg, Pennsylvania, February 16, by L. R. Lindgren, appearing in the Pittsburgh Press, the following:

"Five more cases of double jobs in which State employees also have outside work will be disclosed on the floor of the Senate Monday. The expose will be made by Senator Albert R. Pechan of Ford City, Republican, and Assistant Majority Leader. I ask you, as my Senator, if my activities as a band leader, accepting only engagements from 9:30 at night to 1:00 a. m. in the morning, conflict with my State duties from 8:30 in the morning to 5:00 in the afternoon. My annual earnings as a band leader do not exceed $1,800 a year. Can Senator Pechan exist on such an annual income?

"If this is considered to be a conflict of interest, I shall submit my resignation to my superiors at once. Please advise."

Signed, "Frank Lombardo."

The way the words were twisted around here on the floor, you would think that the man was operating under an alias. No, he has a name like many authors have names, and actors have names and bandleaders all over this Country have names. I can name you, offhand, a half dozen well-known bandleaders who have never operated under their given and Christian names, because in this business of entertainment it is oftentimes proper, and probably beneficial to them financially, to take another name in order that it may be more attractive to the listening and entertained public.

I say to all of you that I also checked with the Secretary of Property and Supplies, a man in whom I have a great deal of confidence, Senator John Rice, and here is what he wrote to me this afternoon, or rather sent a note to me this afternoon:

"Secretary Rice called on Frank Lombardo. He has a $4,329 job in Property and Supplies as Automotive Inspector for western Pennsylvania. He was transferred from the Department of Labor and Industry on December 14, 1956 to Property and Supplies."

The Secretary is getting a written report from his supervisor, and that report indicates, from telephone conversation, that since he has had the job of Automotive Inspector, the only engagements he takes are for week ends. He works the required number of specified hours for the State of Pennsylvania. This has been checked and verified.

Now, Senator Pechan, all I can say to you is this; that before you put that man's name out into the public where it can be ridiculed by people who do not think about the damage that can be inflicted by ruining a man's good name, you could have checked as much as I did. You could have asked whether this man was a parasite. You could have asked whether or not he was receiving money for something that he was not doing, for some services he was not rendering.

In so far as what the Governor is doing, there is not a man on this side that will impeed the Governor one inch in his strides to make this government of Pennsylvania a better government as he sees it, and I am sure that he will eliminate not only the jobholders, but I am sure that with the help of the Democratic side, he will eliminate the parasitic jobs which, in the main, are the cause of any parasites being on the payroll prior to this Administration or even since if there are such.

I refuse to admit that Frankie Barr is a parasite. I refuse to admit that any person that tries to help his family by taking more than one job, if he can handle them, is a parasite. I refuse to admit that any person has not the right, under our great democratic form of government, to try to better himself and to try to provide, perhaps, for his family some education that he himself could not attain.

I was one of the unfortunate ones that had to quit school when I was in the eighth grade, because there were were too many mouths in our family to feed and my father, working night and day, could not provide the necessary funds for education. That is why I have here on my desk a bill, which I intend to introduce and ask cooperation on the other side for co-sponsorship, setting up in this State a higher education assistance authority, with the right to take moneys from whatever sources that can be provided to loan to worthy students in order that they can acquire an education.

Does any man in this room think that I did not want a higher education? Does any man think that there are thousands of young men in this United States, and in Pennsylvania, who do not want a higher education? Do you think that eighty per cent of the youngsters who graduate from the high schools of Pennsylvania want to quit school? No, and I did not want to quit school either. I would have loved to have gone on to school and on to higher education because all my life, up until this time and from that time until this, I have always regretted that I have not been cloaked with the sanctity that comes, in talking about knowledge, when you can hide behind a Master's Degree or some other degree. Those of us who have tried to self-educate ourselves have no standing whatsoever in the field of intelligence, as it were.

I want to say that there are a lot of men in this country of ours and in the State of Pennsylvania who can qualify for one job and if they can handle another job on the outside, so long as it does not interfere with the services they are bound by duty to give to the Commonwealth, I see nothing wrong with it. There is nothing wrong with the professors and the college men who come here to the State if they can provide some needed service to the State of Pennsylvania, and give it at the time the service is rendered and be paid for those services, if they render the services.

There is not any difference in my mind between a lawyer who is on the payroll of the Commonwealth, making anywhere from $3,000 to $10,000 a year and maintaining his law practice back home, and a young man who works in a job for the Commonwealth and then works at night, while the rest of us are playing

or sleeping, in order to earn extra money for his family. I cannot see any conflict of interest.

A man working in a line that he knows and, incidentally, you might have found that out if you would have investigated. All of Frank Lombardo's mature life, he has been in the automobile business and he is in the automotive inspection equipment department of the Commonwealth. I see nothing more that would qualify him for that job than the training that he has had throughout his lifetime.

That is just one of the incidents. I do not know how many innocent people are being hurt by this kind of business that is being pulled here in the State by going to the newspapers with a story and immediately branding these men as being parasites or drones. They are not all drones and they are not all parasites, and maybe none of them are for all I know. I hesitate to say that any of them are. I believe that we owe something to the people of this Commonwealth and when I say people, it is all inclusive. It is people, whether they dig ditches, whether they work for the State of Pennsylvania, whether they are bandleaders, whether they are Senators, whether they are doctors, or dentists or educators. To me there is no difference, and in the eyes of God there is no difference in all men. Maybe some of us are not as smart as others, but all of us are entitled to the dignities and the rights which accrue to our citizenship as men of this great country.

I want to say to the Members of this Senate that I do not know what prompted this particular release. I do not know whether some newspaper needed a story or some writer wanted one. I do not know about that, but I do know that there are also newspapermen who have more than one job, because I have known some of them in my time and I still know some of them.

There are many persons who work at more than one thing. I doubt if there is a Member of this Senate that tries to exist on the $6,000 a year that we recently received as the salary and expense account for remuneration as Members of this Senate. I think there might be some Members of this Senate who are working for corporations, working for their own law firms, working in their own dental office, working in their own public accountancy or working for other people. I doubt if your employers feel that they are being cheated because of the fact that you devote a couple of days a week to the work of the Commonwealth, and I doubt if the Commonwealth can say that it is cheated of you giving the best of your time.

How many of us devote a great many more hours to the business of being Senator than just those hours which we spend upon the floor of this Senate? How many of us attend meetings of all types of committees out home at all hours of the day and night, and Sundays and any other day of the week? I do not believe that I have ever sat down to a Sunday dinner without being interrupted either by a telephone call or visitors, pertaining to business that belongs to the State Senate of Pennsylvania and to the Commonwealth. All of us are harassed time in and time out again by people who have problems, but remember this. When we ask people to vote for us—and I emphasize people—we do not ask them what they do for a living or how they do it. We try to receive every vote that we can from any citizen qualified to vote.

I go beyond that as an individual. It has always been my philosophy that if I can ask that man for a vote before election day, that man has a right to ask me for any kind of a favor that he feels can help him in his own business or in his own way of life any time after election day. I do not close the door on any person that has been good to me. I live by a simple creed. I live by the creed that every man that treats me right is all right in my book and what he does to another is his and that person's business.

Mr. BARR. Mr. President, I want to speak now as the Democratic State Chairman and not just as the Senator from the Forty-third District.

I was away, as you probably know, for approximately three weeks, and I did read some insinuating articles in the newspapers that Barr knew that the heat was going to go on at the Capitol and he ducked.

Well, Mr. President, that is not the truth, and I think every Member of the Senate knows it. They know that my in-laws have a place in Florida at the Flamingo Hotel, a cottage, and they divide their time among their six children. The schedule was made out late last fall as to when I was to go with my family to Florida, and I want to get that on the record.

I want to say to Senator Pechan that I have always bewared of Greeks bearing false gifts; that he is going to help us clean this situation up. I thank you, but I think we are fully capable of doing it ourselves. I do not like to be as personal as this, but I think you are guilty of McCarthyism. You have made these people guilty by association.

I want to say to you further, Al Pechan, that you could have gone to each and any one of their superiors and received their work sheet, and determined if these people were doing a job. If they were not, you probably could have done a service by having them eliminated from the payroll, but if they are doing their job, they should not have their names bandied about in the public print.

I think that all of us know there is a great legal staff here on the hill. Some may say it is no good, some say it is mediocre, some say it is fine. I am no judge of lawyers and I am not a good judge of dentists either, but I do know this. You cannot get a lawyer to come up here and work on this Hill and give up his solicitorship of a borough or township back home, and I do not expect them to as long as they do a job for the Commonwealth.

I think also that any man who gives the Commonwealth forty hours time a week, that is all that is expected of him and, by golly, I do not give a darn if he works around the clock. Some people have more vitality than others. I know in my job I almost have to work around the clock, but I do that because I get compensation other than what I get here in the Senate, and the people of the Democratic Party in the State expect me to deliver to them.

I presume with this fellow, Barr, because he has taken a name like a newspaperman takes a pen name, the reason his name is bandied around is because it is Barr. I think that man has been unduly criticized in the newspapers and probably the people back in his locality, as

you probably know, will look at him with rather a fishy eye.

I think these things are wrong, and if you have any further names like this, I think you will do yourself a favor, your party a favor, and the people a favor if you would go to their superiors. If you want to go to their superiors, I will go with you and give them their names and we will find out if they are drones, because I am for eliminating them just as fast you are.

Mr. MAHANY. I note that the curfew has tolled the knell of parting day and, therefore, I would now like to move that the Senate adjourn.

Mr. McMENAMIN. I think we are making a mountain out of a molehill but if I could just have a minute, I would like to ask my good friend, Al Pechan, the Senator from Armstrong County, for a little help.

Al, you fellows had sixteen years to find out about these gravy jobs and you seem to be able to put your fingers on them pretty quickly. Now we have not been able to get any in my county and I wish you would give me a list of them. I do not know whether they are all named Barr or they are all going to Westmoreland County or what, but if you help me out, maybe I can get a few of my relations on the payroll, if you will tell me where these jobs are.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, February 19, 1957, at 1:30 o'clock, p. m., Eastern Standard Time.

Mr. EHRGOOD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:12 o'clock, p. m., Eastern Standard Time, until Tuesday, February 19, 1957, at 1:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, February 18, 1957

The House met at 5:30 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Dr. Roy E. Manne, Pastor of the South Avenue Methodist Church, Wilkinsburg, Pa., guest of the gentleman from Allegheny, Mr. Spray, guest Chaplain, offered the following prayer:

Our Father, we thank Thee that Thou dost require so much of us. Thou dost not deal with us as though we were incompetent, but as if we were greatly competent for greater things. Thou dost want us to love Thee. Thou dost want us to love the world—to plough the world's fields and dig the world's gardens. We thank Thee that men may put their hands in the hands of God and become mighty. We thank Thee that Thou hast plenty of room for plenty of workmen, and that Thy job is not yet done. There are still shavings on Thy workbench; there are still boards to be smoothed; there are anvils to be hammered on; there are instruments yet to be shaped. And here we are! May we not fail Thee, for in failing Thee, we fail ourselves. May the spirit of Thy wisdom and goodness hover over this assembly in its deliberations. May every individual member be worthy of the responsibility that is his. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, February 11, 1957? If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, February 13, 1957, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. McINROY and CIANFRANI.

HOUSE BILL No. 436.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), including clubs in determination of license quota.

Referred to the Committee on Liquor Control.

By Messrs. WESCOTT and GUTHRIE.

HOUSE BILL No. 437.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), fixing registration fees for trailers used for office purposes.

Referred to the Committee on Motor Vehicles.

By Messrs. DAVIS, GIBSON, JOHNSON and GRAMLICH. HOUSE BILL No. 438.

An Act making an appropriation to the Bureau of Topographic and Geologic Survey of the Department of Internal Affairs for conducting, interpreting and publishing an aerial magnetometer survey of oil and gas fields in Pennsylvania.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WILLAREDT, BRENNINGER, FETTEROLF and Mrs. HENZEL. HOUSE BILL No. 439.

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire by gift on behalf of the Commonwealth, the property known as Graeme Park, in Horsham Township, Montgomery County, ***, and making an appropriation.

Referred to the Committee on State Government.

By Messrs. CIANFRANI and McINROY.

HOUSE BILL No. 440.

An Act amending the "Liquor Code," approved April 12, 1951, P. L. 90, prohibiting sale of liquor and malt and brewed beverages on Good Friday and Christmas eve and day.

Referred to the Committee on Liquor Control.

By Messrs. FILO and GOLDSTEIN.

HOUSE BILL No. 441.

An Act requiring the erection and maintenance of medial barriers or guards on existing turnpikes.

Referred to the Committee on Highways.

By Messrs. ESHLEMAN and HAMILTON.

HOUSE BILL No. 442.

An Act requiring the consent of the electors of a township of the second class in annexation proceedings.

Referred to the Committee on Townships.

By Messrs. BELL and LOPRESTI.

HOUSE BILL No. 443.

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. TOLL, GOLDSTEIN, GELFAND and WELSH. (Concurrent) RESOLUTION No. 31.

In the House of Representatives, February 13, 1957.

Whereas; the Joint Resolution now before the Congress of the United States relating to problems in the Middle East is known as the Eisenhower Doctrine; and

Whereas; the Joint Resolution has passed the House and is now being considered by the United States Senate; and

Whereas; the Joint Resolution has not included provisions to eliminate discrimination by some Middle East countries against Americans of Jewish Faith; and

Whereas; American tourists of the Jewish Faith are not granted passport to countries in the Near East because of the opposition of the Arab countries; and

Whereas; American Air Force personnel of Jewish Faith are not permitted on the Dharan Air Base because of Arabian opposition; and

Whereas; shipments by American export firms cannot be approved for Arabian countries unless the firms are certified to be free of owners or stockholders of Jewish Faith; and

Whereas; such discrimination of American citizens by the Arabian countries has also extended in many instances to American citizens of Catholic Faith; and

Whereas; the approval of the Arabian attitude tends to divide American citizens into two classes and tends to sacrifice the things we believe in to the interest of of appeasement; therefore be it

Resolved (the Senate concurring), that the two United States Senators from Pennsylvania be requested to urge the Senate to adopt an amendment to the Eisenhower Doctrine as follows:

"Furthermore, it is the sense of the Congress, pending a more complete survey of United States policy in the Middle East, that it should be the aim of the United States policy to prevent indirect as well as overt Communist aggression in the area and accordingly to prevent further Communist penetration in the Mid East by seeking to cure the causes of present disturbed conditions in that area, including such matters as a) lack of assurance of uninterrupted use of the Suez Canal without discrimination by the shipping of all nations b) the lack of effective arrangments to protect the states of the area against aggression by their neighbors; c) the economic and social warfare currently being carried on against Israel and against Americans and others of Jewish faith, and d) the traffic in arms to the areas; provided that the authority herein granted shall be carried to the greatest extent deemed practicable to the President through the United Nations or by any other multi-national means;" and be it further

Resolved: that copies of this Resolution be fowarded to both members of the U. S. Senate representing the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 24.

An Act providing for the rendition of certain reports by joint interstate bodies.

Referred to the Comimttee on State Government.

SENATE BILL No. 65.

An Act amending the act of June 27, 1923 (P. L. 858) entitled "State Employes' Reitrement Law" extending the time within which State employes may become "original members."

Referred to the Committee on State Government.

SENATE BILL No. 124.

An Act amending the act of July 13, 1953 (P. L. 431) entitled "The Pennsylvania Civil Procedural Support Law" further providing a procedure for enforcement of the act.

Referred to the Committee on Judiciary.

REPORT OF THE DOLLAR SAVINGS BANK

The SPEAKER laid before the House the semi-annual report of The Dollar Savings Bank as of December 1, 1956 together with copies of the advertised list of depositors.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 61

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 18, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 61, Printer's No. 47, entitled "An Act amending the act of May 1, 1929 (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Depratment of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' establishing additional registration classes and fixing their annual registration fees and maximum gross weights for commercial motor vehicles and truck tractors."

GEORGE M. LEADER.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Goldstein for Mr. WORLEY for the week because of state business.

Mr. Wargo for Mrs. MUNLEY because of illness.

Mr. McCann for Mr. RUDISILL for the week because of state business.

Mr. Johnson for Mr. STROUP for the week because of state business.

Mr. Johnson for Mr. KORNS for the week because of state business.

Mr. Johnson for Mr. NAUGLE for the week because of state business.

Mr. Johnson for Mr. STRAUSSER because of death in family.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 18, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 25, 1957 at three o'clock p. m. EST and when the House of Representatives adjourns this week, it reconvene Monday, February 25, 1957 at four-thirty o'clock p. m. EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 183, entitled:

An Act amending the "Public School Cole of 1949," approved March 10, 1949 (P. L. 30), further providing for reimbursement by the Commonwealth to school districts and vocational school districts and harmonizing the language.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 207, entitled:

An Act amending the act of April 3, 1956 (P. L. 1382) entitled "An act making the offices of constable and justice of the peace or aldermen incompatible," making the offices of constable and councilman incompatible.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 237, entitled:

An Act amending the act of March 26, 1925, (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars, and providing penalties," exempting school districts from the payment of license fees.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 287, entitled:

An Act abolishing the Pennsylvania Tunnel Commission, assuming its obligations, and appropriating money from the Motor License Fund.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 288, entitled:

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge and the Saw Mill Run Interchange of the Parkway-West.

The first section was read.

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I desire to interrogate any one of the sponsors of this bill before it passes second reading.

The SPEAKER. Will the gentleman from Allegheny, Mr. Ewing, permit himself to be interrogated?

Mr. EWING. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, this House Bill 288, Printer's No. 43, is a bill purporting to authorize the Department of Highways to do certain things.

I would like to ask the gentleman from Allegheny when bids will be opened for the construction of this particular tunnel?

Mr. EWING. I understand, Mr. Speaker, they are going to ask for bids on this tunnel sometime in the early part of March.

Mr. ANDREWS. A further question Mr. Speaker. If this project has proceeded to the point where bids will be asked for during the early part of March, why are we acting on this bill authorizing something to be done which has already been authorized?

Mr. EWING. Mr. Speaker, we are of the opinion, since the legislation was passed back in 1953 creating the Tunnel Commission, it is necessary to have an act to repeal that Commission and give the authority to the Highway Department under Bill 288 to go ahead with the work. We had legislation introduced last session to do this very thing before the Federal Government passed the road program financing bill.

Mr. ANDREWS. A further question. Do I understand that anyone connected with the Highway Department, or

with this administration, in the absence of enabling legislation has projected a major project to the point where bids are about to be asked for?

Mr. EWING. Mr. Speaker, the Governor made a statement, I think it was back in October—I do not know whether he got a ruling from the Attorney General or not—that he could do this on his own. We are of the opinion that he cannot.

Mr. ANDREWS. Mr. Speaker, I am very glad to have the gentleman make that answer, but if they are of the opinion that this cannot be done and it has already been done, that is, the plans and specifications have been drawn and the Department of Highways has authorized this work, which it is authorized to do under the basic Highway Code of this Commonwealth, I still do not understand why, except for the purpose of somebody getting his name in the paper, this bill should have been introduced.

Mr. EWING. Mr. Speaker, that was not the intent at all. We had these bills introduced in the last session to abolish the Tunnel Commission, and as I stated before, we were out of session last May, then the Federal Act I think was passed sometime in July to take care of the situation as far as the expenditures and their portion of the money to be expended on the tunnel were concerned. Of course, the Governor came out in the newspapers and said he had the authority to do that on his own and we feel that he does not have the authority to do it.

Mr. ANDREWS. I thank the gentleman.

I would just like to conclude with one observation, if the Highway Department without authority has authorized a project involving the expenditure of millions of dollars, something should be done in the direction of impeaching the Highway Department. If the Highway Department is correct, then this legislation is absolutely unnecessary and I suggest it has been drawn for the purpose, simply, of a little helpful publicity.

Mr. EWING. Mr. Speaker, all we are trying to do with this bill is make it legal. That is all.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second, third, fourth, fifth and sixth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 322, entitled:

An Act making certain bridges in the Commonwealth toll free; providing for the payment of certain bond issues; requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 143, entitled:

An Act amending the "Municipal Authorities Act of 1945" approved May 2 1945 (P. L. 382) providing for "Authorities" to submit copies of audits to the Bureau of Municipal Affairs in the Department of Internal Affairs.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. READINGER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, fifth line of Title, by striking out "CENSUS".

Amend Title, page 2, next to last line of Title, by striking out "Bureau of Statistics In The".

Amend Sec. 1 (Sec. 8) page 3, line 10 by striking out the bracket before "a" where it appears the second time.

Amend Sec. 1 (Sec. 8) page 3, line 10 by striking out "a" where it appears the second time and inserting in lieu thereof "A".

Amend Sec. 1 (Sec. 8) page 3, lines 10 and 11 by striking out the bracket after "audit" and striking out "AN ANNUAL CENSUS REPORT".

Amend Sec. 1 (Sec. 8) page 3, lines 12 and 13 by striking out "and to the Bureau of STATISTICS in the Department of Internal Affairs" and inserting in lieu thereof "Every Authority shall file an annual report with the Department of Internal Affairs, and with the municipality or municipalities creating the Authority on forms prepared and distributed by the Department of Internal Affairs."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended,

It was agreed to.

Ordered, that the bills as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 203, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) providing for guaranteed arrest bond certificates issued by automobile clubs or associations and for sureties thereon and defining the use and effect thereof

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Ewing,	Light,	Reidenbach,
Agnew,	Farabaugh,	Limper,	Renwick,
Amarando,	Fetterolf,	Lippincott,	Rigby,
Anderson, M. S.	Filo,	Lopresti,	Rovansek,
Anderson, S. A.,	Fineman,	Lovett,	Royer,

Andrews,	Floyd,	Lutty,	Scarcelli,
Ashton,	Flynn,	Magee,	Schuster,
Auker,	Foster,	Mahan,	Schwartz,
Barton,	Fox,	Markley,	Seltzer,
Bell,	Frascella,	Marsh,	Sherman,
Blair,	Gailey,	Maxwell,	Shields,
Boies,	Garlock,	McCann,	Silverman,
Boory,	Gelfand,	McCormack,	Smith,
Bower,	George,	Merry,	Snare,
Bowman,	Gibb,	McGee,	Snider,
Brand,	Gibson,	McInroy,	Spray,
Breisch,	Goldstein,	McKeever,	Steckel,
Brennan,	Goodling,	McLaughlin,	Stevens,
Brenninger,	Goodrich,	Metz,	Stimmel,
Breon,	Gramlich,	Mihm,	Stone,
Breth,	Gross,	Mikula,	Stoner,
Brown,	Guthrie,	Miller, B. Z.,	Stuart,
Brucker,	Hamilton,	Miller, H. G.,	Taylor,
Bucchin,	Haudenshield,	Miller, W. H.,	Thompson,
Buchanan,	Heavey,	Mills,	Toll,
Capano,	Heffner,	Monroe,	Tompkins,
Carson,	Henzel,	Moody,	Trusio,
Cianfrani,	Hocker,	Moscrip,	Ujobai,
Cioffi,	Holt,	Moyer,	Varallo,
Cleveland,	Horst,	Muldowney,	Varner,
Comer,	Ide,	Mullen,	Vaughan,
Cooper,	Isaacs,	Murphy,	Verona,
Cummins,	Jenkins,	Murray, H. P.,	Wall,
Curwood,	Jim,	Murray, P. G.,	Walsh,
Dalrymple,	Johnson,	Musto,	Wargo,
Davis,	Johnston,	O'Brien,	Weidner,
DeLong,	Jones, G. E.	O'Dell,	Welsh,
Dengler,	Jones, T. H.,	Ogilvie,	Wescott,
Dennison,	Jump,	Parry,	Wheeler,
Devlin,	Kamyk,	Pashley,	Whittaker,
Dietterick,	Kehler,	Petrosky,	Willard,
Donahue,	Keller,	Phillips,	Willaredt,
Donaldson,	Kernaghan,	Piper,	Williams,
Dougherty,	Knecht,	Polaski,	Wilt,
Down,	Kooker,	Pomeroy,	Wood,
Duffy,	Kornick,	Post,	Wyatt,
Dunn,	Krakow,	Price,	Wynd,
Edwards,	Lafore,	Pursley,	Yatron,
Eilberg,	Lee, A. M.,	Ragot,	Zimmerman,
Erb,	Lee, K. B.,	Readinger,	Helm,
Eshleman,	Leonard,		Speaker

NAYS—0

NOT VOTING—7

Korns,	Naugle,	Strausser,	Worley,
Munley,	Rudisill,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE ON HOUSE BILL 144

Mr. DENNISON. Mr. Speaker, I move that the vote by which House Bill No. 144, Printer's No. 28, entitled:

An Act amending "The Vehicle Code," approved May , 1929 (P. L. 905) reducing annual registration fee for certain two-wheeled semi-trailers.

was defeated on final passage Wednesday, February 13, 1957, be reconsidered.

Mr. VAUGHAN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Jefferson, Mr. Dennison vote on the final passage of this bill?

Mr. DENNISON. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Allegheny Mr. Vaughan vote on the final passage of this bill?

Mr. VAUGHAN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. READINGER. Mr. Speaker, I understood this bill was to be placed on the postponed calendar. If nobobdy else will make the motion, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. JOHNSON. Mr. Speaker, we have our membership here, so what would be more lovely than to have a roll call right now?

Mr. McCANN. Mr. Speaker, it was my understanding that this bill would go on the postponed calendar, as we are gathering some percentage statistics which will be ready Friday of this week. We will be ready to debate and vote next week. Is there any misunderstanding about that agreement?

Mr. JOHNSON. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, before I ask the question, I will say I do not know of any agreement having been made to hold this bill over, but I would like to ask the gentleman, if such an agreement was made, with whom was the agreement made?

Mr. McCANN. Mr. Speaker, I requested this information from the Minority Floor Leader and he informed me that this bill would be brought back and placed on the postponed calendar. Therefore, I did not go any further in following through with either that gentleman or Mr. Dennison. I expect to have these figures ready this Friday, that is why I did not follow through, since it was agreed to be placed on the postponed calendar. That was my understanding.

Mr. JOHNSON. Mr. Speaker, I am informed that somewhere along the line an understanding was had that it would be placed on the third reading postponed calendar, therefore, Mr. Readinger's motion is in order.

On the question recurring

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 57, Printer's No. 33 and

House Bill No. 62, Printer's No. 23

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 130, as follows:

An Act providing for the reassessment of properties for tax purposes where new improvements have been made and the addition thereof to existing tax duplicates of political subdivisions.

On the question,

Will the House agree to the bill on third reading?

Mr. ASHTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 1, line 4, by striking out "And Occupied"

Amend Sec. 1, page 2, line 6, by striking out "Completed and Occupied" and inserting "made".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 140, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing representation on the board of directors of union, merged and consolidated school districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Ewing,	Light,	Renwick,
Agnew,	Farabaugh,	Limper,	Rigby,
Amarando,	Fetterolf,	Lippincott,	Rovansek,
Anderson, S. A.,	Filo,	Lopresti,	Royer,
Anderson, M. S.,	Floyd,	Lovett,	Scarcelli,
Andrews,	Fineman,	Lutty,	Schuster,
Ashton,	Flynn,	Magee,	Schwartz,
Auker,	Foster,	Mahan,	Seltzer,
Barton,	Fox,	Markley,	Sherman,
Bell,	Frascella,	Marsh,	Shields,
Blair,	Gailey,	Maxwell,	Silverman,
Boles,	Garlock,	McCann,	Smith,
Boory,	Gelfand,	McCormack,	Snare,
Bower,	George,	McGee,	Snider,
Bowman,	Gibb,	McInroy,	Spray,
Brand,	Gibson,	McKeever,	Steckel,
Breisch,	Goldstein,	McLaughlin,	Stevens,
Brennan,	Goodling,	Merry,	Stimmel,
Brenninger,	Goodrich,	Metz,	Stone,
Breon,	Gramlich,	Mihm,	Stoner,
Breth,	Gross,	Mikula,	Stuart,
Brown,	Guthrie,	Miller, B. Z.,	Taylor,
Brucker,	Hamilton,	Miller, H. G.,	Thompson,
Bucchin,	Haudenshield,	Miller, W. H.,	Toll,
Buchanan,	Heavey,	Mills,	Tompkins,
Capano,	Heffner,	Monroe,	Trusio,
Carson,	Henzel,	Moody,	Ujobai,
Cianfrani,	Hocker,	Moscrip,	Varallo,
Cioffi,	Holt,	Moyer,	Varner,
Cleveland,	Horst,	Muldowney,	Vaughan,
Comer,	Ide,	Mullen,	Verona,
Cooper,	Isaacs,	Murphy,	Wall,
Cummins,	Jenkins,	Murray, H. P.,	Walsh,
Curwood,	Jim,	Murray, P. G.,	Wargo,
Dalrymple,	Johnson,	Musto,	Weidner,
Davis,	Johnston,	O'Brien,	Welsh,
DeLong,	Jones, G. E.	O'Dell,	Wescott,
Dengler,	Jones, T. H.,	Ogilvie,	Wheeler,
Dennison,	Jump,	Parry,	Whittaker,
Devlin,	Kamyk,	Pashley,	Willard,
Dietterick,	Kehler,	Petrosky,	Willaredt,
Donahue,	Keller,	Phillips,	Williams,
Donaldson,	Kernaghan,	Piper,	Wilt,
Dougherty,	Knecht,	Polaski,	Wood,
Down,	Kooker,	Pomeroy,	Wyatt,
Duffy,	Kornick,	Post,	Wynd,
Dunn,	Krakow,	Price,	Yatron,
Edwards,	Lafore,	Pursley,	Zimmerman,
Eilberg,	Lee, A. M.,	Ragot,	Helm,
Erb,	Lee, K. B.,	Readinger,	Speaker
Eshleman	Leonard,	Reidenbach,	

NAYS—0

NOT VOTING—7

Korns,	Naugle,	Strausser,	Worley,
Munley,	Rudisill,	Stroup,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, the matter I am going to talk about is of great interest to every employe in this Commonwealth and is, of course, of interest to students of government and to the people of Pennsylvania generally.

I am referring to the statement of the Governor made last week that by executive order he would establish a certain large number of job classifications in this Commonwealth within the cassified service. In other words, he would establish civil service for a large number of positions which are presently not covered through, as I say, an executive order.

My comment on this particular move is that up until now we have had the spoils system in Pennsylvania. That is to say, when Governor Leader became Governor there were, I will not say, "wholesale firing," but there has been a gradual and systematic replacement of Republicans by Democrats pretty generally throughout the departments.

It is true there are still a number of holdover Republicans throughout the state service, but by and large I believe you can say that many skilled employes in the classifications of engineers, doctors, lawyers, chemists surveyors, laboratory technicians, superintendents and skilled employes, who have devoted a greater part of their working lives to the Commonwealth, have been relieved of their jobs.

The Governor has now, shall we say, gotten religion along this line, and after he has very comfortably placed into these jobs what we might call deserving Democrats he is freezing them into their jobs. As I understand it the way he plans to do it is to give the particular employe a qualifying examination and, if that particular present employe proves to be qualified, he is the one who will be certified as being the person entitled to that particular position.

I might say we deplore a procedure of that kind. I have been sitting on a committee which has been studying this very thing and it is true that throughout the Commonwealth there are certain technical employes who are willing to devote themselves to governmental service who should have job protection. That goes without saying.

Even in the last session in 1953 there were various

bills put in to eastablish a classified service which, as we look back now, should have been passed. I am thinking particularly of the bill for the Highway Department where if we had passed the bill, large numbers of skilled, able workers in that Department would have been saved from the axe, shall I say. I am thinking now of the surveyors, crewmen, surveying crews and numerous draftsmen throughout the several departments.

I have said on this Floor that the reason there is the lag in highway building, the reason for the large sum of money presently in the Motor License Fund, which I understand is the highest amount of money in peacetime history for this time of the year is because of the inability of the State—and I am not blaming anybody—to secure the type of personnel that has left the service either by being discharged or because of fear of being discharged. That is the type of person which you just cannot get today in the open market, and this is causing a great lull, shall I say, in the activities of our Highway Department. All you have to do is take a drive through Pennsylvania and notice the roads, and it is a self-evident fact.

Now, here is what should be done. If this executive order is to stand, immediately a competitive examination should be given so that those who formerly held these positions, who are skilled, who are able and know how to do the job and who have devoted practically all their lives to governmental service should be given an opportunity to take this examination the same as the present employes. Then the marks should be graded in a fair and impartial manner, and let the chips fall where they may. If this former employe scores high in the examination, regardless of his politics, he should be reinstated and given the job.

That is the way we on this side feel about it. We know that in the last month or so since the administration was planning on putting in this civil service there have been wholesale discharges of some very able people around this state. Some have come to my attention and it would be interesting to know just how many able people have been relieved of their jobs in the last two months in anticipation of this executive order by the Governor.

I realize that if we return to power two years from now a new Governor could, by executive order, upset what this Governor has done. But, if they are going to put civil service in where it should be, in these technical positions, in order for it to receive full faith and credit by succeeding administrations it should be done now on a fair, sound, equitable and impartial basis. That is all we are asking at this time.

If we find that only a qualifying examination is given to present employes so as to freeze them into the jobs, you are going to see legislation next session which will rip out the whole shebang.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I desire, first of all, to say that I am in general agreement with what the Majority Leader says about competitive examinations.

I would also very much like to have for my perusal a list of the eminently qualified expert employes or servants of the Commonwealth who during the last year have been asked to resign or have been fired.

But I rise primarily to say to this House that at the last session I sponsored a bill which at that time I pointed out would do in an orderly public way just exactly what His Excellency, the Governor has done. The bill I sponsored would have given every employe now in the public service who was unjustly discharged a public hearing. We had a fair, square bill which would have met all of the objections and all of the objectives to which the Majority Leader has now professed his adherence. That bill was tossed contemptuously aside by the majority side of the House, or rather, not by the majority side of the House, but because there were a few disaffected ones on our side of the House it was unanimously decided, I was told, by the minority caucus that there were no votes for the bill.

I am again calling attention to the fact that the bill turned down at the last session would have met the objections which the Majority Leader has voiced.

Further, I am in general agreement with the idea that those who pass a qualifying examination should later be subjected to a competitive examination.

PERMISSION TO ADDRESS HOUSE

Mr. RAGOT asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to inform our Majority Leader, since he says there are some cases which have been brought to his attention where this relieving of state employes has taken place, that I had a case where a man had been in the employ of the state for five and a half years, with established merit rating reports every six months, which I have examined and which were found to be satisfactory. The gentleman in question took a qualifying examination, there were 89 persons who took the examination for Sanitary No. 1 in the Health Department. He was No. 14 out of the 89, with a 93 average. Last month he received his notice and he is no longer an employe of the state.

I am still investigating the case and if there is any further news on it I will be very glad to inform the Members.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, after listening to the remarks of the Majority Leader, I now think I have heard every conceivable shade of opinion on this subject.

Not too long ago I read in the public Press that there were some vehement protests being made by certain Members of the General Assembly about the then proposed Governor's executive order giving some security of tenure to the people who are working for the state in technical positions.

Those who believe strongly in the spoils system will not like even what is being done now. Those who do not like the spoils system would certainly favor this step being taken by the Governor as a means of getting and holding people who are qualified and able to fill these jobs properly.

All of us have opinions, I suppose, between one extreme and the other. Some of us would like to see all

of these positions under civil service by law, so that another administration would not mean removal of many people from their jobs. Others of us would like to see the spoils system as it has worked in the past. Most of us understand that to mean that when you find a qualified person you give him a job, if he happens to belong to your party, and kick somebody out who belongs to the other party. But you should have qualified personnel.

I think this administration has found it increasingly difficult to hold qualified people who have been working for the state, perhaps a short time, perhaps a long time, because they have no security of tenure whatsoever.

I would like to remind the majority side today that when Governor James was elected in 1938 he came in as Governor and just went through this state with a very big scythe and cut out every Democrat he could lay his hands on. Were they qualified? I dare say many of them were. Did he put qualified people in all those jobs? I dare say in many cases he did not. So there you have it. You have a Republican Governor doing the same thing you are now complaining about.

We did replace many Republican jobholders. I dare say there are more who will be replaced before Governor Leader leaves office. I know many Democrats who have a rightful complaint that people from their districts cannot get a job with the state because the Governor has not seen willing to fire more Republicans faster than he has.

I think this a good move in the right direction for the Governor to do what he is doing. If he gives only a qualifying examination to determine whether the present jobholders are qualified to hold their jobs and finds through that examination that they are qualified, then he should close the door and say, "This is the man we are keeping as long as I am Governor." I dare say you will be doing the same thing some day in the very distant future when you get a Governor.

PERMISSION TO ADDRESS HOUSE

Mr. McCORMACK asked and obtained unanimous consent to address the House.

Mr. Speaker, I am not concerned about Governor James' Administration and his firing of Democrats. What I am concerned about is Governor Leader firing the Democrats. I think if we can remedy that, why, I will certainly be in favor of a good bill.

I heard Mr. Andrews make a statement about a bill he introduced last year and I recall quite clearly that when he introduced the bill, and I say this facetiously, he hid behind the Speaker's rostrum and when he did condescend to come down to explain it, he quite readily admitted that it was a lawyer's bill, meaning that it was unintelligible to most everybody in the House.

Further, he said at the time that he put the bill on the calendar just as a feeler, to see how the House felt about it in general, that he had no reason to believe it would be passed.

He said further he hoped the Members would not question him too much because he did not really understand too much about the bill himself.

Now, Mr. Speaker, I am in favor of a good civil service bill, a bill that is not only understandable to the lawyers of the House, who constitute a very small minority of the entire membership, but a bill that is understandable to everyone. I think there is no question about it, both sides agree, that we need some security to protect those men who qualify as technical men or professional men in this Commonwealth. I think some day we must have it because we just do not have the workers, but I certainly think we ought to have a bill which everyone understands.

RESOLUTIONS

Mr. JOHNSON offered a resolution which was filed with the Clerk.

Mr. TOLL offered a resolution which was filed with the Clerk.

Mr. LOPRESTI offered a resolution which was filed with the Clerk.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House, two former Members of the House, the lady from Lehigh, Miss Mary E. Leiby and the gentleman from Lehigh, Mr. Samuel W. Frank.

MEMBER WELCOMED

The SPEAKER. The Chair is happy to see the gentleman from Erie, Mr. Blair, back in the Hall of the House without having had to have an operation.

COMMITTEE MEETINGS

EDUCATION, Mrs. Barkley, Chairman, Room 324, Tuesday, February 19, at 9:30 a. m.

JUDICIARY, Mr. Tompkins, Chairman, Room 145, Tuesday, February 19, at 10:00 a. m.

LABOR RELATIONS, Mr. Brown, Chairman, Room 323, Tuesday, February 19, at 11:30 a. m.

MOTOR VEHICLES, Mr. Guthrie, Chairman, Room 522, Tuesday, February 19, at 11:15 a. m.

MUNICIPAL CORPORATIONS, Mr. Blair, Chairman, Room 521, Tuesday, February 19, at 11:00 a. m.

STATE GOVERNMENT, Mr. Keller, Chairman, Room 324, Tuesday, February 19, at 10:30 a. m.

WAYS and MEANS, Mr. Breisch, Chairman, Room 522, Tuesday, February 19, at 10:30 a. m.

The LEGISLATIVE SERVICE CLUB will meet in the Capitol Cafeteria, Tuesday, February 19, at 8:30 a. m. Hon. Genevieve Blatt will speak.

ADJOURNMENT

Mr. BLAIR. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 19, 1957 at 1:00 p. m.

The motion was agreed to, and (at 5:38 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, FEBRUARY 19, 1957. No. 15.

SENATE

TUESDAY, February 19, 1957

The Senate met at 1:30 o'clock, p.m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. DUNCAN K. MacPHERSON, Pastor of the First Presbyterian Church, Mechanicsburg, offered the following prayer:

Let us pray.

Almighty and everlasting God, Whose dwelling is the light of setting suns and the round ocean, and the living air and the blue sky, and in the heart and mind of men, grant now Thy blessing upon the assemblying together of these Thy servants of the Senate.

Thou knowest, our Father in Heaven, the pressures which are brought to bear upon them from without and from within to sacrifice principle, to choose the easy road, to make the cheap compromise. Do Thou, therefore, defend and support them by Thy grace and grant unto them, our Father in Heaven, the assurance of Thy presence with them until again they hear the voice of the man of the ages, the Lord of Eternity, calling to them, "Follow me." In that following, may they find their deepest joy and their most abiding satisfaction.

We pray that Thou wilt teach us most of all our kinship with Thee, until we learn that nothing can hold us down to any poorer estate than that which we choose for ourselves. So redeem us of Thy mercy through Jesus Christ, Thy Son, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. RUTH, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

February 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mrs. Emma Guffey Miller, Slippery Rock, Butler County, for reappointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1959, and until her successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

February 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Merle D. Musick, Latrobe, Westmoreland County, for reappointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

GEORGE M. LEADER.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Allegheny, Mr. Fleming, to the rostrum to preside.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE BOARD OF TRUSTEES, EAST STROUDSBURG STATE TEACHERS' COLLEGE

January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard A. Briody, Sr., 524 Brodhead Avenue, Bethlehem, Northampton County, for appointment as a member of

the Board of Trustees of East Stroudsburg State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Robert A. Harrier, Pen Argyl, whose term expired.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BUILDING AND LOAN BOARD

J. Howard Gilroy, Beaver Falls, from August 7, 1956, until September 1, 1961, and until his successor is duly appointed and has qualified.

John A. Heske, Bethlehem, from August 7, 1956, until September 1, 1961, and until his successor is duly appointed and has qualified.

GEORGE M. LEADER.

MEMBERS OF CUMBERLAND COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Cumberland County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Josephine Hobart Myers (Democrat), 249 North 27th Street, Camp Hill, Cumberland County.

Mrs. Rebecca S. McCrea (Democrat), Newville, Cumberland County.

GEORGE M. LEADER.

MEMBER OF THE BUTLER COUNTY BOARD OF ASSISTANCE

February 18,1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Bernice Alma Montgomery (Democrat), 601 East Pearl Street, Butler, Butler County, for appointment as a member of the Butler County Board of Assistance, until December 31, 1957, and until her successor is duly appointed and qualified, vice Mrs. Rhoda Kopelman, Butler, resigned.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE MIFFLIN COUNTY BOARD OF ASSISTANCE

(Mrs.) Della Moist, Lewistown, from September 5, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE STUDY COMMISSION OF THE PHILADELPHIA METROPOLITAN AREA

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a member of the Study Commission of the Philadelphia Metropolitan Area, until terminated:

Paul W. Mood, Ridge Road, Perkasie, Bucks County.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE ADAMS COUNTY BOARD OF ASSISTANCE

Clyde L. Kennedy, York Springs, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE ERIE COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Marian Schmid Zurn (Democrat), 1850 South Shore Drive, Erie, Erie County, for reappointment as a member of the Erie County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

(Mrs.) Anne H. Stine, Tyrone, from December 20, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE GREENE COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Brenda McClure Donley (Democrat), Mt. Morris, Greene County, for reappointment as a member of the Greene County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE MERCER COUNTY BOARD OF ASSISTANCE

William Nicholson, Sharon, from August 21, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Cecil R. Clink, Springville, from August 20, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE CLINTON COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carl H. Bower (Democrat), R. D. 1, Salona, Clinton County, for reappointment as a member of the Clinton County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE DAUPHIN COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mervin D. Rudisill (Democrat), North Second Street, Lykens, Dauphin County, for reappointment as a member of the Dauphin County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Bialogowicz, Noxen Road, Harveys Lake, Luzerne County, for appointment as Justice of the Peace in and for the Township of Lake, Luzerne County, to serve until the first Monday of January 1958, vice Ralph A. Davis, deceased.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

Carlyle C. Hupka, Matamoras, from December 28, 1956, until July 15, 1959, and until his successor is appointed and qualified.

Gerhard F. Fortier Export, from December 28, 1956, until July 15, 1960, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE JEFFERSON COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Jefferson County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified.

Paul Caylor (Democrat), Ringgold, Jefferson County.

Mark McDevitt (Democrat), 204 Beyer Avenue, Punxsutawney, Jefferson County.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BRADFORD COUNTY BOARD OF ASSISTANCE

Leslie A. Packard, Canton, from May 23, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

(Mrs.) Stella E. Austin, Sayre, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

Robert Emmett Lynch, Athens, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

Everett Finley Carter, Towanda, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

LaRue Stanton, Camptown, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BUTLER COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Butler County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified.

Joseph H. Cochran, Esq. (Democrat), Mounted Route 12, Butler, Butler County.

Charles McCarren (Democrat), 522 Fifth Street, Butler, Butler County.

GEORGE M. LEADER.

MEMBERS OF THE POTTER COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Potter County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Miss J. Elizabeth Burt (Democrat), 306 North Main Street, Coudersport, Potter County.

C. M. McGinnis (Democrat), McGinnis Apartments, Genesee, Potter County.

GEORGE M. LEADER.

JUDGE OF THE SEPARATE ORPHANS' COURT OF THE ELEVENTH JUDICIAL DISTRICT OF PENNSYLVANIA, COMPOSED OF THE COUNTY OF LUZERNE

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur A. Maguire, 46 East Merritt Street, Plains, Luzerne County, for appointment as Judge of the Separate Orphans' Court of the Eleventh Judicial District of Pennsylvania, composed of the County of Luzerne, until the first Monday of January 1958, vice Hon. Benjamin R. Jones, resigned.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Garrity, Deep Meadows Farm, R. D., Drums, Luzerne County, for reappointment as a member of the Board of Trustees of East Stroudsburg State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE LEHIGH COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary E. Herbert (Democrat), R. D. 3, Bethlehem, Lehigh County, for reappointment as a member of the Lehigh County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE COUNCIL FOR THE BLIND

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

(Mrs.) Catherine P. Craig, Wyomissing, from December 31, 1956, for the term of four years, and until her successor shall have been appointed and qualified.

Paul L. Goldstrohm, Penns Park, from December 31, 1956, for the term of four years, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE POTTER COUNTY BOARD OF ASSISTANCE

(Mrs.) Jane H. Wingo, Ulysses, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE MONTGOMERY COUNTY BOARD OF ASSISTANCE

(Mrs.) Marion L. Forrester, Bryn Mawr, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

(Mrs.) Esther C. Shaffer, Elkins Park, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

John E. Baer, Ambler, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

(Mrs.) Frances Gerber, Norristown, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Kirksey L. Curd, Philadelphia, from October 31, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BERKS COUNTY BOARD OF ASSISTANCE

(Mrs.) Elizabeth W. Bard, Reading, from November 21, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE TIOGA COUNTY BOARD OF ASSISTANCE

Martin A. Roche, Mansfield, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

(Mrs.) Wanda Austin, Wellsboro, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

(Mrs.) Anne B. Keyzer, Tioga, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

(Mrs.) Celia Marvin Phillips, Wellsboro, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE WASHINTON COUNTY BOARD OF ASSISTANCE

(Mrs.) Elizabeth Gales, Charleroi, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

Michael Plesher, Monongahela, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

George B. Stegenga, Houston, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER

MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Rev. Harry T. Richwine (Republican) 512 Chestnut Street, Lebanon, Lebanon County, for reappointment as a member of the Lebanon County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

REGISTER OF WILLS AND CLERK OF THE ORPHANS' COURT IN AND FOR THE COUNTY OF CARBON

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Grace E. Mengle, 302 North Seventh Street, Lehighton, Carbon County, for appointment as Register of Wills and Clerk of the Orphans' court in and for the County of Carbon, until the first Monday of January 1958, vice Hon. Harvey M. Hiller, deceased.

GEORGE M. LEADER.

REPORTS FROM COMMITTEES

Mr. STEVENSON, from the Committee on Local Government, reported as committed, House Bill No. 161, entitled:

An Act amending the act of May 2 1949 (P L 873) entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections . . . . . ," clarifying the provisions of the act as to its application in townships

Mr. VAN SANT, from the Committee on Highways, reported as committed Senate Bill No. 74, entitled:

An Act amending the act of May 1, 1929 (P.L. 905), entitled "The Vehicle Code," further regulating the issuance of registration plates to news photographers

Mr. ELLIOTT, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 115, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," abolishing the Special Administration Fund; providing for disposition of moneys in the fund; and discontinuing authorization to erect buildings.

Mr. HARNEY, from the Committee on Agriculture reported as committed, Senate Bill No. 22, entitled:

An Act making an appropriation to the National Agriculture College Farm School Pennsylvania at Doylestown, Pennsylvania.

He also, from the Committee on Agriculture, reported as committed, Senate Bill No. 208, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State University for the use of the School of Agriculutre for the erection of experimental mushroom houses and research in the communicable diseases of mushrooms and other places of the mushroom industry.

Mr. WADE, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 108, entitled:

A Supplement to the act of June 2, 1915 (P. L. 736), entitled as amended "The Pennsylvania Workmen's Compensation Act," providing for the payment of compensation to auxiliary police or their dependents.

He also, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 203, entitled:

An Act amending the act of June 21, 1939 (P. L. 565), entitled "A supplement to the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled, as amended 'The Pennsylvania Workmen's Compensation Act', as reenacted and amended . . ." providing for withdrawal of election and acceptance to be covered by act.

BILLS INTRODUCED AND REFERRED

Mr. EHRGOOD, on behalf of Mr. FLEMING, read in his place and presented to the Chair Senate Bill No. 223, entitled:

An Act amending the act of May 20, 1949 (P. L. 1594) entitled "The Ice Cream Law," authorizing and regulating the manufacture and sale of artificially sweetened ice milk for diabetics.

Which was committed to the Committee on Agriculture.

Messrs. WALLEY, HARNEY, VAN SANT, FLEMING, MAHANY and DENT read in place and presented to the Chair Senate Bill No. 224, entitled:

An Act requiring that all meetings of legislative bodies of all political subdivisions, including school districts, and of all meetings of boards, commissions, and authorities, created by or operating as agencies of political subdivisions, including authorities created by or operating as agencies of the Commonwealth shall be open to the public.

Which was committed to the Committee on State Government.

Messrs. VAN SANT, KOPRIVER, JR., and SCOTT read in place and presented to the Chair Senate Bill No. 225, entitled:

An Act making an appropriation to the Department of Commerce for making capital grants to redevelopment authorities in the furtherance of redevelopment, and for administrative costs, and providing for allocation of the sum appropriated.

Which was committed to the Committee on Appropriations.

Mr. KOPRIVER, JR., read in his place and presented to the Chair Senate Bill No. 226, entitled:

An Act amending the act of June 24 1939 (P. L. 872) entitled "The Penal Code" making certain acts interfering with a person's privacy by use of telephone facilities or equipment a crime and defining the penalty therefor.

Which was committed to the Committee on Judiciary General.

Messrs. MAHANY and WALKER read in place and presented to the Chair Senate Bill No. 227, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "Reference and Arbitration Law," making awards, upon approval by the court, judgments of the court and giving them the dignity of judicial proceedings.

Which was committed to the Committee no Judiciary General.

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 228, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Germantown Dispensary and Hospital.

Which was committed to the Committee on Public Health and Welfare.

Messrs. STEVENSON. KOPRIVER, JR., LANE and VAN SANT read in place and presented to the Chair Senate Bill No. 229, entitled:

An Act giving cities of the third class the right and power to adopt one of several plans of optional charters and to exercise the powers and authority of local self-government subject to certain restrictions and limitations; providing procedures for such adoption and defining the effect thereof.

Which was committed to the Committee on Local Government.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 230, entitled:

An Act amending the act of June 12, 1931 (P. L. 510) entitled, as amended, "An act providing for the licensure and regulation of certain private nursing homes, private convalescent homes and private hospitals; . . ." requiring the filing of reports with the Department of Welfare.

Which was committed to the Committee on Education

Messrs. LANE and WATSON read in place and presented to the Chair Senate Bill No. 231, entitled:

An Act requiring insurance companies, with the exception of life insurance companies, to accept insurance premiums any time after the policy is in force.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, the bill I am about to present deals with a historical site in Fayette County. It is known as Bowman's Castle.

Unlike so many historical sites in the United States, no claim has ever been made that George Washington slept at Bowman's Castle, but the 166-year-old castle has nevertheless looked down from its high place atop Front Street, in Brownsville, upon the place beneath and watched a heap of history pass by.

She has watched French, Indians, pioneers, Union men, doughboys and GI's march off to war. She has listened to the tall tales of the coarse-tongued pioneers who once bargained at a trading post within her walls and the shrill voices of modern day bobby-soxers at the Front Street School. The castle has sniffed the smell of gun powder, and the passing pack horses and the gasoline from sleek cars of the atomic era.

She has seen Brownsville in its prouder days when industry so flourished in the area its residents bragged that Pittsburgh would never amount to anything because it was too close to Brownsville, and she now looks down on a present day community where too many mines have closed and too many men with solemn faces stand in line at the unemployment office nearby.

In deed, even if George Washington did not sleep in one of Bowman's four-poster beds, some historical or civic group could do worse than consult the Bowman heirs about making a historic shrine of old Bowman's Castle. The castle is older than Friendship Hill, potentially as attractive as Albert Gallatin's home and, certainly, a site worthy of remembrance of Pennsylvania history.

Constructed in 1789, the castle still wears a proud look which gives it the majesty of a Rhine castle and the mature beauty of a fargone day.

In the winter months, when frosty winds blow against her somber walls, the castle looks almost half-haunted as she peers from behind her massive protective stones. Many a passerby in the dark winter evenings must wonder if the castle isn't a model for the eerie Charles Addams cartoons of the New Yorker magazine.

And even in the happier fall season when some of the Monongahela River fog falls protectively around the castle's shoulders, the place still looks like something out of Bronte's "Wuthering Heights." A drawbridge falling from her front doorstep, and a parade of knights from her innards, certainly wouldn't look out of place.

Summer Look.

But in the summer, the castle seems to smile her best smile. As nature shakes off the effects of the long winter's nap, the trees push forth green buds and the castle awakens.

What is inside the castle's omnious brownstone, jagged-glass topped walls? To find out, this reporter decided to take a look around and separate legends and rumors from the facts. He came out three hours later with visions of powdered wigs, horse drawn carriages and knee britches. But more than that, he saw a home filled with a heap-of-livin' that it takes to make a house a home.

First of all, contrary to local legend, there are no underground secret tunnels leading into the castle. The tunnel entrance in the wall underneath the North Side firehouse has nothing whatsoever to do with Bowman's castle.

And secondly, despite the fact the castle was built long ago, it is still a very liveable place and has all the comforts of a modern home; electric lights, plumbing, refrigeration, etc. But modernity is something that was, of course, grafted onto the castle, for in truth the castle belongs to another day.

The three eight-foot grandfather clocks, all brought over from England and all stopped now, set the tone for the feeling that time has literally and figuratively stopped in the castle. But nevertheless, outside the time pieces, the house is very much alive and lived in by Mrs. Charles Bowman, a woman companion and a maid. There are twenty-two rooms in the old place and most of the ceilings are fifteen feet high. One hallway is over 70 feet long.

Family Portrait.

On most of the walls in the downstairs rooms, somber looking men with beards peer down from large portraits to scrutenize all visitors. These large, fine paintings were done by itinerant painters of members of the Bowman family. A portrait of Jacob Bowman, builder of the house, looks remarkably like Andrew Jackson, although Mr. Bowman might very much resent the comparison as Bowman was a Whig and Jackson a Democrat. And Bowman served as postmaster in Brownsville for thirty-four years only to have the position go to another when Jackson came into office.

Most of the furniture is a fine stained mahogany Chippendale, and there is a marble-mantled fireplace and fine glass chandelier in just about every room. You can sit in the Bowman sitting room, relax in a high-back leather rocking chair, and look around a room that has not been changed in over 100 years. A copper kettle still hangs by the fire, ready for use by some pioneer woman. The Bowman family crest and motto, "Neither rashly or hastily," is carved into the wood above the fireplace. Three pieces of tapestry, woven during the long winter nights by the skillful hands of pioneer women in 1798, are framed and hang on the wall; and nearby a 20-point moose head looks stonily at the furniture. The solid pieces, obviously built by the finest craftsmen, would make any museum curator or antique collector envious.

One of the downstairs rooms boasts two statues of carrara marble. One of the four-foot pieces is of a Grecian figure and was brought over from Venice, Italy. The other is a replica of the Marble Faun, an Italian statue much admired by Nathaniel Hawthorne, early American novelist. Hawthorne later wrote a novel titled the "Marble Faun."

Vast Library.

But more than anything else, the over 13,000 books and magazines in the home reflect the culture and learning of the Bowman family. There are bound copies of the Atlantic Monthly from 1865; Scribners since 1877; Godey's Ladies Book issues since 1864; and Harper's first edition of 1850 to the present. The books on literature, philosophy, religion, law, economics, music and architecture were obviously selected by men and women with inquisitive minds and love for classical learnings. The old adage has it that "you know a man by the books he reads." Reflections from this library show the Bowman's would have been interesting people to have known. Here was a family that would not have been satisfied with some 21-inch screen television monster dominating the conversation in the home. Judging from their books, the Bowman front room must have been a lively place where the fine art of conversation was spiced with learned and scholarly talk. With the many books, perhaps the wintry evenings weren't so long after all.

To reach the upstairs in the Bowman house, you go up a long circular stairway while you contemplate the high ceiling in the hallway, which is a painter's nightmare.

Four-Poster.

Several of the bedrooms still have Louis XIV four-poster beds with the drawing curtain around them, and a high canopy over the bed. Near the bed is the old marble wash stand, pitcher, shaving mug and, of course, the inevitable bedchamber jar. A bed-warmer gadget, which was filled with hot charcoal, is also nearby; there is a spinet in one room. Three bathrooms are also in the upstairs.

Along the giant hallway between the bedrooms is a balcony that opens out to a spectacular sight of the entire valley, from bend to bend in the river; Lock Five to Albany. A Hollywood director could shoot the balcony scene from Romeo and Juliet on the porch without having to change one bit of the background.

In the tower room is a studio where men of the Bowman family made their offices.

Outside the castle is a well-kept garden, shady trees, a small greenhouse and a stable.

Most people dream of owning a castle in Spain, but Mrs. Charles Bowman has her castle in Brownsville overlooking the Monongahela River and she wouldn't trade it for a castle anywhere.

No wonder, the 166-year-old Bowman Castle is as beautiful as any dreamer could ever want and the romantic place is filled with rich memories and history. Constructed in 1789 by her late husband's great grandfather, the castle has always been the home of Bowman heirs.

Mrs. Bowman moved into the castle when she was married in 1897 and has called the place home ever since. Her husband and his father, and her two children, were born and reared here. The laughter and tears of the best years of her life went into this place which

is so full of the heap-of-livin' it takes to make a house a home.

"I have lived in Italy and Germany and traveled over most of Europe," says Mrs. Bowman, "but this castle remains the place I prefer to all others in the world."

Mr. President, the bill which I am about to present, on behalf of Senator Stiefel, Senator Chapman, Senator Kalman and myself, will authorize the Department of Property and Supplies, with the approval of the Governor, to acquire Bowman's Castle.

BILLS INTRODUCED AND REFERRED

Messrs. LANE, STIEFEL, CHAPMAN and KALMAN read in place and presented to the Chair Senate Bill No. 232, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to acquire a tract of land with buildings, improvements and antiques and other personal property therein, in the Borough of Brownsville, Fayette County, for preservation, care and maintenance as a historical site by the Pennsylvania Historical and Museum Commission.

Which was committed to the Committee on State Government.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS.

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE BOARD OF TRUSTEES, EAST STROUDSBURG STATE TEACHERS' COLLEGE

January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard A. Briody, Sr., 524 Brodhead Avenue, Bethlehem, Northampton County, for appointment as a member of the Board of Trustees of East Stroudsburg State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Robert A. Harrier, Pen Argyl, whose term expired.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BUILDING AND LOAN BOARD

J. Howard Gilroy, Beaver Falls, from August 7, 1956, until September 1, 1961, and until his successor is duly appointed and has qualified.

John A. Heske, Bethlehem, from August 7, 1956, until September 1, 1961, and until his successor is duly appointed and has qualified.

GEORGE M. LEADER.

MEMBERS OF CUMBERLAND COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Cumberland County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Mrs. Josephine Hobart Myers (Democrat), 249 North 27th Street, Camp Hill, Cumberland County.

Mrs. Rebecca S. McCrea (Democrat), Newville, Cumberland County.

GEORGE M. LEADER.

MEMBER OF THE BUTLER COUNTY BOARD OF ASSISTANCE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Bernice Alma Montgomery (Democrat), 601 East Pearl Street, Butler, Butler County, for appointment as a member of the Butler County Board of Assistance, until December 31, 1957, and until her successor is duly appointed and qualified, vice Mrs. Rhoda Kopelman, Butler, resigned.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE MIFFLIN COUNTY BOARD OF ASSISTANCE

(Mrs.) Della Moist, Lewistown, from September 5, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE STUDY COMMISSION OF THE PHILADELPHIA METROPOLITAN AREA

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a member of the Study Commission of the Philadelphia Metropolitan Area, until terminated:

Paul W. Mood, Ridge Road, Perkasie, Bucks County.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE ADAMS COUNTY BOARD OF ASSISTANCE

Clyde L. Kennedy, York Springs, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE ERIE COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Marian Schmid Zurn (Democrat), 1850 South Shore Drive, Erie, Erie County, for reappointment as a member of the Erie County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

(Mrs.) Anne H. Stine, Tyrone, from December 20, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE GREENE COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Brenda McClure Donley (Democrat), Mt. Morris, Greene County, for reappointment as a member of the Greene County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE MERCER COUNTY BOARD OF ASSISTANCE

William Nicholson, Sharon, from August 21, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Cecil R. Clink, Springville, from August 20, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE CLINTON COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carl H. Bower (Democrat), R. D. 1, Salona, Clinton County, for reappointment as a member of the Clinton County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE DAUPHIN COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mervin D. Rudisill (Democrat), North Second Street, Lykens, Dauphin County, for reappointment as a member of the Dauphin County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Bialogowicz, Noxen Road, Harveys Lake, Luzerne County, for appointment as Justice of the Peace in and for the Township of Lake, Luzerne County, to serve until the first Monday of January 1958, vice Ralph A. Davis, deceased.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

Carlyle C. Hupka, Matamoras, from December 28, 1956, until July 15, 1959, and until his successor is appointed and qualified.

Gerhard F. Fortier, Export, from December 28, 1956, until July 15, 1960, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE JEFFERSON COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Jefferson County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified.

Paul Caylor (Democrat), Ringgold, Jefferson County.

Mark McDevitt (Democrat), 204 Beyer Avenue, Punxsutawney, Jefferson County.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BRADFORD COUNTY BOARD OF ASSISTANCE

Leslie A. Packard, Canton, from May 23, 1956, until December 31, 1957, and until his successor is duly appointed and qualified.

(Mrs.) Stella E. Austin, Sayre, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

Robert Emmett Lynch, Athens, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

Everett Finley Carter, Towanda, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

LaRue Stanton, Camptown, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BUTLER COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Butler County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Joseph H. Cochran, Esq. (Democrat), Mounted Route 12, Butler, Butler County.

Charles McCarren (Democrat), 522 Fifth Street, Butler, Butler County.

GEORGE M. LEADER.

MEMBERS OF THE POTTER COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Potter County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

Miss J. Elizabeth Burt (Democrat), 306 North Main Street, Coudersport, Potter County.

C. M. McGinnis (Democrat), McGinnis Apartments, Genesee, Potter County.

GEORGE M. LEADER.

JUDGE OF THE SEPARATE ORPHANS' COURT OF THE ELEVENTH JUDICIAL DISTRICT OF PENNSYLVANIA, COMPOSED OF THE COUNTY OF LUZERNE

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arthur A. Maguire, 46 East Merritt Street, Plains, Luzerne County, for appointment as Judge of the Separate Orphans' Court of the Eleventh Judicial District of Pennsylvania, composed of the County of Luzerne, until the first Monday of January 1958, vice Hon. Benjamin R. Jones, resigned.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph J. Garrity, Deep Meadows Farm, R. D., Drums, Luzerne County, for reappointment as a member of the Board of Trustees of East Stroudsburg State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE LEHIGH COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary E. Herbert (Democrat), R. D. 3, Bethlehem, Lehigh County, for reappointment as a member of the Lehigh County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE STATE COUNCIL FOR THE BLIND

(Mrs.) Catherine P. Craig, Wyomissing, from December 31, 1956, for the term of four years, and until her successor is appointed and qualified.

Paul L. Goldstrohm, Penns Park, from December 31, 1956, for the term of four years, and until his successor is appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE POTTER COUNTY BOARD OF ASSISTANCE

(Mrs.) Jane H. Wingo, Ulysses, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE MONTGOMERY COUNTY BOARD OF ASSISTANCE

(Mrs.) Marion L. Forrester, Bryn Mawr, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

(Mrs.) Esther C. Shaffer, Elkins Park, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

John E. Baer, Ambler, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

(Mrs.) Frances Gerber, Norristown, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Kirksey L. Curd, Philadelphia, from October 31, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BERKS COUNTY BOARD OF ASSISTANCE

(Mrs.) Elizabeth W. Bard, Reading, from November 21, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE TIOGA COUNTY BOARD OF ASSISTANCE

Martin A. Roche, Mansfield, from May 23, 1956, until Decmbr 31, 1958, and until his successor is duly appointed and qualified.

(Mrs.) Wanda Austin, Wellsboro, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

(Mrs.) Anne B. Kayzer, Tioga, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

(Mrs.) Celia Marvin Phillips, Wellsboro, from May 23, 1956, until December 31, 1957, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE WASHINGTON COUNTY BOARD OF ASSISTANCE

(Mrs.) Elizabeth Gales, Chaleroi, from May 23, 1956, until December 31, 1958, and until her successor is duly appointed and qualified.

Michael Plesher, Monongahela, from May 23, 1956, until December 31, 1958, asd until his successor is duly appointed and qualified.

George B. Stegenga, Houston, from May 23, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Rev.

Harry T. Richwine (Republican) 512 Chestnut Street, Lebanon, Lebanon County, for reappointment as a member of the Lebanon County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

REGISTER OF WILLS AND CLERK OF THE ORPHANS' COURT IN AND FOR THE COUNTY OF CARBON

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Grace E. Mengle, 302 North Seventh Street, Lehighton, Carbon County, for appointment as Register of Wills and Clerk of the Orphans' Court in and for the County of Carbon, until the first Monday of January 1958, vice Hon. Harvey M. Hiller, deceased.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade.
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. MAHANY. Mr. President, I request a five-minute recess of the Senate for the purpose of holding a meeting of the Committee on Finance.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a five-minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. WHALLEY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Finance, reported as committed, House Bill No. 33, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act," making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

He also, from the Committee on Finance reported as committed, Senate Bill No. 216, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "'The Administrative Code of 1929," empowering the chairman of the Board of Finance and Revenue to appoint a secretary and make certain rules and regulations.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and Members of the Senate, a few weeks ago the Republican Leadership and the Democratic Leadership of the House and Senate met with the Governor of the Commonwealth and some of his staff, and we worked out a program whereby we would try to get the business of the Session expedited by taking bills that are required to make necessary changes in advancing conditions in many of the departments and in some of the laws that are on the statute books.

Pursuant to that meeting, I wish to present, by request of the Administration and on behalf of Senator Mahany and myself, this handful of bills.

BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. DENT and MAHANY (By request) read in place and presented to the Chair Senate Bill No. 233, entitled:

An Act to amend the preamble and section one of the act, approved the thirty-first day of May, one thousand nine hundred fifty-six (Appropriation Act No. 123-A) entitled "An act making an appropriation to the Department of Property and Supplies for the construction of armory facilities under certain conditions," by providing that the Federal Government pay a portion of the cost of each facility.

Which was committed to the Committee on Appropriations.

They also (By request) read in place and presented to the Chair Senate Bill No. 234, entitled:

An Act to further amend section six of the act, approved the third day of June, one thousand eight hundred eighty-five (P. L. 62) entitled "An act to provide for the establishment and maintenance of a home for disabled and indigent soldiers and sailors of Pennsylvania," by extending its provisions to veterans of armed conflicts.

Which was committed to the Comimttee on Military Affairs and Aeronautics.

They also (By request) read in place and presented to the Chair Senate Bill No. 235, entitled:

An Act to add section six hundred thirty-five point one to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by regulating the serving and selling of milk in which chocolate, cocoa or cacao products are used as an ingredient and prescribing penalties.

Which was committed to the Committee on Judiciary General.

They also (By request) read in place and presented to the Chair Senate Bill No. 236, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," changing the procedure in approving or disapproving the creation or change of third and fourth class school districts.

Which was committed to the Committee on Education.

They also (By request) read in place and presented to the Chair Senate Bill No. 237, entitled::

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," clarifying the provisions relating to change of classification of school districts.

Which was committed to the Committee on Education.

They also (By request) read in place an presented to to the Chair Senate Bill No. 238, entitled :

An Act amending the act of Mach 10, 1949 (P. L. 30), entitled Public School Code of 1949," permitting elections of district or associate superintendents, at any time, in districts having no superintendent and removing certain limitations.

Which was committed to the Committee on Education.

They also (By request) read in place and presented to the Chair Senate Bill No. 239, entitled:

An Act consenting to the acquisition by the United States of land, water, or land and water, within the Commonwealth of Pennsylvania for migratory bird reservations authorized by Act of Congress of February 18, 1929.

Which was committed to the Committee on Forests and Waters, Game and Fish.

They also (By request) read in place and presented to the Chair Senate Bill No. 240, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," deleting the requirement that shareholders be given sixty days notice of proposed amendments to increase capital stock or authorized capital.

Which was committed to the Committee on Banking.

They also (By request) read in place and presented to the Chair Senate Bill No. 241, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," limiting reimbursement for depreciation to school districts which use their own vehicles in transporting pupils.

Which was committed to the Committee on Education.

They also (By request) read in place and presented to the Chair Senate Bill No. 242, entilted:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for payment by the Commonwealth to school districts of the second class for pupil transportation.

Which was committed to the Committee on Education.

They also (By request) read in place and presented to the Chair Senate Bill No. 243, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," further regulating the price to be paid for State forest lands.

Which was committed to the Committee on State Government.

They also (By request) read in place and presented to the Chair Senate Bill No. 244, entitled:

An Act repealing the Act of May 15, 1945 (P. L. 559) entitled "An act authorizing the Secretary of Property and Supplies to sell and convey a lot or piece of land in the borough of Edinboro, Erie County, Pennsylvania.

Which was committed to the Committee on State Government.

They also (By request) read in place and presented to the Chair Senate Bill No. 245, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "Pennsylvania Election Code," by extending voting rights to bedridden or hospitalized veterans when not absent from county of residence regardless of cause of disability.

Which was committed to the Committee on Elections.

They also (By request) read in place and presented to the Chair Senate Bill No. 246, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing for records, compensation of teachers, penalties for failure to attend and audits and reports where in-service education programs replace teachers' meetings; and imposing the expenses thereof on counties.

Which was committed to the Committee on Education.

They also (By request) read in place and presented to the Chair Senate Bill No. 247, entitled:

An Act authorizing the Department of Forests and Waters to convey certain land in Hanover Township, Beaver County, in order to settle pending litigation.

Which was committed to the Committee on Forests and Waters, Fame and Fish.

They also (By request) read in place and presented to the Chair Senate Bill No. 248, entitled:

An Act amending the act of August 31, 1955 (P. L. 531), entitled "Pennsylvania Athletic Code," defining the term "retire" fixing the weight of gloves, method of scoring, and changing the regulation of boxing contests.

Which was committed to the Committee on Law and Order.

They also (By request) read in place and presented to the Chair Senate Bill No. 249, entitled:

An Act to authorize military leaves of absence for employees of the Commonwealth, or its departments, boards,

bureaus, commissions, agencies and offices, and employees of counties, municipalities, townships, authorities, or other political subdivisions of the Commonwealth who are drafted into the military service of the United States at any time or who enlist therein in time of war or armed conflict; and providing reemployment, seniority and retirement rights.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also (By request) read in place and presented to the Chair Senate Bill No. 250, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," removing an inconsistency in the penalty on teachers for failing to attend meeting of teachers called by a county superintendent.

Which was committed to the Committee on Education.

They also (By request) read in place and presented to the Chair Senate Bill No. 251, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the time for enumeration of children; and discontinuing the use of books furnished by the State therefor.

Which was committed to the Committee on Education.

They also (By request) read in place and presented to the Chair Senate Bill No. 252, entitled:

An Act relating to water supply and sewage disposal facilities in realty subdivisions; imposing duties on the recorders of deeds; and prescribing penalties.

Which was committed to the Committee on Local Government.

They also (By request) read in place and presented to the Chair Senate Bill No. 253, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled, as amended, "Banking Code," deleting the requirement that shareholders be given sixty days notice of proposed amendments to increase authorized capital.

Which was committed to the Committee on Banking.

REPORT FROM COMMITTEE

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE RESOLUTION, SERIAL No. 15, REPORTED FROM COMMITTEE AND LAID ON TABLE

Mr. RUTH, from the Committee on Rules, to which was referred resolution offered by Messrs. Pechan and Berger on February 18, 1957, reported the same without amendment as follows:

DECLARING THE TRANSFER OF FUNDS TO THE COMMONWEALTH MENTAL HEALTH RESEARCH FOUNDATION TO BE CONTRARY TO THE LEGISLATIVE INTENT OF APPROPRIATION ACT No. 146-A

In the Senate, February 18, 1957.

Whereas, The General Assembly by Act No. 146-A, approved the first day of June, 1956, appropriated to the Department of Welfare the sum of $143,500,000.00 "for the payment of salaries, wages or other compensation of the superintendents and other employes, for the payment of general expenses, supplies and printing, for repairs, alterations and improvements to plant and equipment, for improvements to lands, for the purchase of equipment, furniture and furnishings, for expense of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Eastern Pennsylvania Psychiatric Institute"; and

Whereas, It is reported that the Secretary of Welfare proposes to pay the sum of $250,000.00 out of the aforesaid appropriation to the Commonwealth Mental Health Research Foundation for research and training to be undertaken by the Foundation; and

Whereas, The language of the appropriation act does not authorize any such transfer of state funds to said foundation; therefore, be it

Resolved, That the Senate of Pennsylvania hereby declares such a transfer of funds to be unauthorized by law and contrary to legislative intent as expressed in the Appropriation Act No. 146-A.

Laid over for one day under the Rules.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I hope that the bill which I am about to introduce will be known as the "anti-carpet-baggers bill."

BILL INTRODUCED AND REFERRED

Mr. YOSKO. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. YOSKO and MAHANY read in place and presented to the Chair Senate Bill No. 254, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929", requiring preference to be given to residents of the Commonwealth when appointments or promotions are made to public offices and positions; and imposing duties on the Governor and other appointing powers.

Which was committed to the Committee on Rules.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 5, Printer's No. 34, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 71, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children to and from extra-curricular school activities from the definition of "common carrier by motor vehicle" and "contract carrier by motor vehicle."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 2) page 6, by inserting between lines 8 and 9: "For the purposes of this clause, extracurricular activities shall include athletic, forensic, musical, dramatic or any other similar event or exhibition held under the supervision of school authorities in which the school children are participants or spectators and in which the school is represented by a team or participating body"; Amend Sec. 1 (Sec. 2) page 8, by inserting between lines 3 and 4: "For the purposes of this clause, extracurricular activities shall include athletic forensic, musical, dramatic or any other similar event or exhibition held under the supervision of school authorities in which the school children are participants or spectators and in which the school is represented by a team or participating body"; Amend Bill, page 8 by inserting after line 4: "Section 2. This act shall take effect immediately"

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 141, entitled:

An Act requiring that meetings of the governing body of authorities be open to the public.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, for the benefit of my colleagues in the Senate and for the press, I wish to state that a new bill is being prepared to take the place of this bill. I believe it was offered by the same sponsors today and referred to committee. We expect that bill to be reported from committee, and it will take the place of this bill.

The bill which was introduced today is more far-reaching and more definite than Senate Bill No. 141. That is the reason for the substitution.

Therefore, Mr. President, I ask unanimous consent that Senate Bill No. 141 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE RESOLUTION, SERIAL No. 15, TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Resolution, Serial No. 15.

The resolution was read by the Clerk as follows:

DECLARING THE TRANSFER OF FUNDS TO THE COMMONWEALTH MENTAL HEALTH RESEARCH FOUNDATION TO BE CONTRARY TO THE LEGISLATIVE INTENT OF APPROPRIATION ACT No. 146-A

In the Senate, February 18, 1957.

Whereas, The General Assembly by Act No. 146-A, approved the first day of June, 1956, appropriated to the Department of Welfare the sum of $143,500,000.00 "for the payment of salaries, wages or other compensation of the superintendents and other employes, for the payment of general expenses, supplies and printing, for repairs, alterations and improvements to plant and equipment, for improvements to lands, for the purchase of equipment, furniture and furnishings, for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Eastern Pennsylvania Psychiatric Institute;" and

Whereas, It is reported that the Secretary of Welfare proposes to pay the sum of $250,000.00 out of the aforesaid appropriation to the Commonwealth Mental Health Research Foundation for research and training to be undertaken by the Foundation and

Whereas, The language of the appropriation act does not authorize any such transfer of state funds to said foundation; therefore, be it

Resolved, That the Senate of Pennsylvania hereby declares such a transfer of funds to be unauthorized by law and contrary to legislative intent as expressed in the Appropriation Act No. 146-A.

Mr. MAHANY. Mr. President, I ask unanimous consent for the immediate consideration of this resolution.

The PRESIDING OFFICER. Is there objection?

Mr. SILVERT. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. SILVERT. Senator Mahany, I did not get the import of this resolution. Would you mind explaining what it is about?

Mr. MAHANY. I would very much like to and I was about to.

Last Session, we were importuned to pass a piece of legislation which set up a foundation under the Commonwealth. I think it was called the Comonwealth Mental Health Research Foundation. We were told at the time when we acted upon this legislation that the

Ford Foundation and other foundations throughout the Country would like to make grants to a foundation set up by the State of Pennsylvania. This foundation could be used as a vehicle to receive these grants, which could be used for various health research purposes and so forth.

At no time did any Member of the Legislature understand that this Comonwealth Mental Health Research Foundation would be used to receive moneys from the Commonwealth. We thought that these moneys would be received from outside sources. Therefore, a week or so ago, we were more or less amazed to find that Secretary Shapiro was planning to appropriate from his department the sum of $250,000 to this Commonwealth Mental Health Research Foundation which we had set up. I understand that the Auditor General and the State Treasurer objected to this appropriation because they thought that it was illegal to make it.

Then, Secretary Shapiro received an opinion from the Attorney General's Office which stated that it was their opinion that they could make this appropriation to the foundation, because they said the act setting up the Commonwealth Mental Health Research Foundation had stated that this foundation could receive money from any source.

However, Mr. President, as you know, if Secretary Shapiro would make a check out, payable to the Commonwealth Mental Health Research Foundation, and it would be approved by the Auditor General and paid by the State Treasurer, there would be no accounting for this money. The foundation, as I understand it, could use the money for whatever purpose it saw fit. The Auditor General could not find out whether or not the money had been used legally; he could not check into what had been done with the money. In other words, the State would have no control over it in any manner whatsoever.

Therefore, Mr. President, we felt that we should at least call to the attention of Secretary Shapiro and the Attorney General's Office that it was not our intent, when we passed this Commonwealth Mental Health Research Foundation Act that this particular foundation should receive moneys from the Commonwealth but would be limited to the receiving of moneys from sources other than the Commonwealth of Pennsylvania

Mr. McMENAMIN. Mr. President, at the last Session I believe I voted against the general appropriation for the Department of Welfare because I said that, in my opinion, I did not have any confidence that the Secretary of Welfare could handle public funds either wisely or well.

Nothing has happened in the interval to cause me to change my mind. I certainly commend the Auditor General and the State Treasurer for their prompt action in this regard, and I hope that they continue to keep a very close eye on the Department of Welfare.

Mr. DENT. Mr. President, the Rules Committee was unanimous in its decision to report this resolution to the floor. One of the specific reasons that we thought it was best to have this resolution passed—and we so advised the Members of the Senate, on both sides—is that when we are asked for an apporpriation by a department, we believe that that department is asking for specific appropriations for specific purposes.

There was nothing in the appropriation message from the Secretary of Welfare which would lead us to believe that a quarter of a million dollars was going to be taken from the general appropriation of the Department of Welfare and handed over to an authority or a commission or a board which is outside of the jurisdiction and control of either the Legislature or the Chief Executive of the Commonwealth.

He says, at this point, that he wants a quarter of a million dollars. It is not a question of whether it is a quarter of a million dollars, $50,000, $5.00 or $5,000,000. We appropriated to that department approximately $221,000,000 last year. We will appropriate this year, if the request of the department is met, $241,000,000. Anything which that Mental Health Foundation can do, anything within its power, the scope of its activities are covered by the Department, itself. If it is research, the department has a right to spend money for research under the appropriations we give it directly through the department. If Secretary Shapiro feels that $250,000 is needed for certain expenditures, he has the right to proceed and spend that money under the jurisdiction of his office appropriation. However, none of us believes that we should appropriate in a lump sum to the Secretary of Welfare, and he would have the right to take that money and put it into a foundation and allow that foundation to do the spending. It is a very serious thing in my mind. It may start a development of foundations of all kinds. It may start us onto the road of uncontrolled spending through departmental foundations.

We thought then, and we were told and all of us believed, that this foundation was being set up so that it could receive private grants from foundations like the Ford Foundation, as Senator Mahany so well put it, or other public-spirited groups, and that they could then take the money and spend it for research nad other activities which would, in effect, save the Commonwealth money. It does not save the Commonwealth money. It does not save the Commonwealth money if we appropriate to the Department of Welfare and the Secretary takes the money out and gives it to a foundation, whose books are not audited by our own Auditor General of the Commonwealth, and we have no check on the expenditure whatsoever. We have no control over how it is being spent.

Mr. President, I want to say that this is not a matter of political thinking. This is strictly a matter of responsibility of this Legislature to the people of the Commonwealth. I hope that it will be unanimously passed by this Senate.

Mr. SCHMIDT. Mr. President, I would like to be further informed as to the makeup of this foundation. I would like to know who is at the head of it, how it functions and so forth. We are just discussing this blindly. I would like to know more about this foundation.

If the Majority Leader is in a position to inform me, I would appreciate it.

The PRESIDING OFFICER. Is the Majority Floor Leader in a position to answer the inquiry?

Mr. MAHANY. Mr. President, I am unable to tell you who is the head of the foundation. The act setting it up provided that it would be an instrumentality of the Commonwealth. However, as I said before, when we enacted this legislation at the last Session of the Legis-

lature, we were told that the reason they wanted this legislation was to set up a foundation which could receive gifts from such sources as the Ford Foundation and other foundations which might be used to give money to our Commonwealth Foundation. I understand that they would use this money then to do the various things which are set forth in the act.

However, Mr. President, I do not believe that any of us here thought that the Commonwealth's moneys would be used and given to this foundation to be used for these purposes.

Due to the fact that it was not our intent at the time to use this foundation for that purpose, we are presenting this resolution to call to the attention of the Secretary of Welfare and also to the Attorney General's office that it was not our intent that this foundation should be used for this purpose, and we do not want any of the Commonwealth's moneys to be given to it.

Mr. SCHMIDT. Mr. President and Members of the Senate, it was my privilege last Friday to attend a conference, held in the city of Pittsburgh and sponsored by several of the outstanding civic organizations of that community, relative to mental health. It was an all day conference on mental health and was attended by the outstanding people of the community who are interested in this problem of mental health.

At that conference was one of the finest outpourings of citizenry that we have ever had. They anticipated a turnout of approximately 300 and when the meeting was held, there were almost 700 people in attendance. Everybody was impressed with the advance which was being made in the Commonwealth of Pennsylvania in this field of mental health.

I do not know what this foundation is and it may not need our help. However, I think it is too important a matter to just gloss over a resolution such as we have here today. A great step, as I said, has been made toward a great advance in this Commonwealth in the treatment of mental health.

Therefore, Mr. President, I would ask that on such an important matter as this that consideration of this resolution go over until our next meeting, next Monday, to give those of us who are very much interested in the problem of mental health an opportunity to find out whether or not we would be doing the right thing by passing this resolution.

Therefore, Mr. President, I would at this time object to the consideration of the resolution.

RULE 39 SUSPENDED

Mr. MAHANY. Mr. President, I move that Rule 39 of the Senate be suspended so that we may take action on this resolution because unless we do act on it today, it might very well be, under the Attorney General's opinion, that Secretary Shapiro will immediately start the wheels of progress to get this money over to the foundation. I think we should let him know that we do not want him to do that.

Now if the Senator can in some way, at least, keep us in status quo until we act on it, why we might consider it. However, I do not understand that Secretary Shapiro will leave time go by without trying to get this money over to this foundation. Regardless of the fine purposes of the foundation, and all that Senator Schmidt has brought out, I feel that we ought to take action on this because I do not believe it was the intent of any of us to use Commonwealth moneys for this purpose.

Mr. DENT. Mr. President, in order that there be no misunderstanding, the proposition proposed by the Majority Leader is valid.

I believe, and I want it clearly understood, that when I voted for the foundation bill last year—I think I was one of the sponsors—I was never under the impression that the Secretary of Welfare would be able to reach into State-made appropriations and provide money for the operation of this foundation. It was clearly explained to me before the bill was introduced, and on the floor, if you will read the record, you will find that I stated that the purpose of the foundation bill was to create a foundation that would be able to receive moneys from outside sources; that there was no such law in Pennsylvania; and that we had no way that we could receive moneys from the Ford Foundation or any other public foundations devoted to the interest of mental health or any other subject.

Therefore, the bill was passed specifically to receive moneys from outside sources. There was nothing in the title which would in any way indicate that we were voting for legislation that would enable the secretary of any department to receive moneys through appropriation for purposes other than those covered by the appropriation.

I do not know anything about the Attorney General's opinion, but when this Legislature voted for an appropriation for the Department of Welfare, so much was put up for mental health, so much was put up for administrative and so much was put up for the other department functions. There was nothing in that budget that said we were going to give $250,000 to a foundation. Therefore, he cannot spend that money out of the appropriated funds that he asked for through the legislative appropriation committees, because he did not ask for it.

Now if in this budget Senator Shapiro feels that $500,000 or $1,000,000 should be put into the budget for expenditure by this foundation and we pass that appropriation, then he is within the rights of his position to spend that money. However, we did not give him $250,000. Where is he going to get the $250,000 unless he takes it from some specific need that he said was in the Department when he asked for the appropriation? It leads one to believe that either he has $250,000 that is not required for the necessary uses of the department or he is going to rob one section of the appropriation bill to put it into this foundation.

We have no control over the expenditure of the money; we have no control over the audit of the money; and I personally would not vote for allowing the spending of this money because I would be then not telling the truth to this Body when I stood up before the Body and said that this bill was being passed to receive money from outside sources.

Now I venture that if the Legislature had felt it was passing a bill that would allow the Secretary of Welfare to take an unlimited amount of money out of appropriations and turn it over to this particular foundation, many Members of this Senate would not have voted for it. I know I would not have voted for it, and I do not know whether the gentleman from Allegheny would have voted for it.

We are not trying to impede the so-called great strides in mental health, but we have a legal obligation and a duty to the people of Pennsylvania, and that legal obligation is that when we make appropriations, we are supposed to make them for the specific needs of the Commonwealth. I cannot understand how a specific need was there last year for $250,000 in the appropriation bill and now, all of a sudden, he does not need the $250,000 for the purposes that the Legislature appropriated the money and he is going to put it into some outside source.

I second the motion to set aside the necessary rule.

On the question,

Will the Senate agree to the motion?

Mr. SCHMIDT. Mr. President, first in answer to the explanation that the Majority Leader has given for the haste in passing this resolution today, I feel quite certain that what is going on here on the floor is very well known by the Secretary of Welfare, and that he will not take advantage of any situation which may arise by reason of the fact that we would postpone action on this resolution until next Monday.

I may assure the Majority Leader, and anybody else on the floor, that I am not in collusion with anyone connected with the Department of Welfare in my stand that I am taking here on the floor. In fact, I knew nothing about what this resolution contained until it was read, after having been favorably reported from committee.

I do say this, in reply to the Leader on my side, that the act as passed must give the Secretary of Welfare the legal right to do what he is doing, because the Attorney General has written an opinion, as I am told.

Now I do not say that the Secretary of Welfare should go ahead and make that payment inasmuch as this question has come up on the floor, but I do say that in deference to this mental health program, which is one of the greatest strides that this Legislature has ever taken—the Governor of this Commonwealth can take great pride in his mental health program and I can tell you that the people of the Commonwealth of Pennsylvania are becoming cognizant of what this mental health program means —and since we have in many other instances given grants-in-aid, it would not be wrong for the Secretary of Welfare to make this appropriation.

I do not say that he should. I merely want to have an opportunity, and I think every Member of this Body should have that opportunity, to weigh this matter and see what is actually involved and see whether or not the Secretary of Welfare is correct in what he plans to do.

For that reason, I ask that we do not act this hastily by suspending the rule, and let us give this the normal course of treatment that we give other resolutions which appear on this floor.

Mr. BARR. Mr. President, no one in the Senate is trying to interfere with the mental health program, but we do have an Administrative Code in this State in which it says that every fund in the State shall be audited.

Now we surely give money to hospital "X" and Home "X," but it is still audited by the Auditor General. There is no way that you can audit this foundation's books. We cannot walk into any foundation and say, "We want to audit your books." That is the question in my mind.

Mr. McMENAMIN. Mr. President, I think we ought to vote on this today, and nip this practice in the bud before it goes any further. If this sort of thing is allowed to go on, it will not be long before millions are being channeled out of State funds into things of this nature and outside the control of the Auditor General or any other public auditor.

I am also wondering why the budget was padded by this amount of money, and why the specific purpose for which it was intended to be used was not set forth in the budget, and I wonder how much more fat there was in this Welfare budget.

I am also wondering why this resolution does not go further and suggest the exploration of the possibilities of surcharging the Secretary for any waste of funds.

Mr. SCHMIDT. Mr. President, there has been mentioned the fact that we make grants to institutions where the Auditor General has a right to go in and make an audit to see that the money is properly spent. We also make appropriations to organizations that we have no control over. We make appropriations to the fire department, for instance, here in Harrisburg for the protection of the Capitol here. We make them in many instances where the Auditor General does not go in and make an audit.

Now, as I say, I have not said on this floor that I will finally support or oppose this resolution. I am asking merely the right to inquire as to whether or not the proposed action on the part of the Secretary of Welfare is worthwhile. If I feel after the investigation that it is not, I will vote in favor of the resolution. Nevertheless, at least give me that courtesy and give any other Member of this Senate the same courtesy. The house is not burning down, and you can rest assured that the Secretary of Welfare will not go ahead and make this expenditure in the interim between now and next Monday.

You will have other situations that may arise and others of you will want the same opportunity to make inquiry.

I will say that this particular situation involves a most worth-while cause and should not be sloughed off this hurriedly.

And the question recurring.

Will the Senate agree to the motion?

Mr. SCHMIDT. Mr. President, I ask for a roll call.

(During the calling of the roll, the following occurred):

VERIFICATION OF THE ROLL

Mr. SCHMIDT. Mr. President, I ask that only the votes of those in their seats be counted, and I would like to have a verification of the roll.

Mr. SILVERT. Mr. President, I ask for a verification of the roll.

Mr. HAYS. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Barr,	Flack,	McMenamin,	Wagner,
Berger,	Harney,	Miller,	Walker,
Blass,	Kessler,	Murray,	Watkins,
Camiel,	Kopriver, Jr.,	Pechan,	Watson,
Chapman,	Kromer,	Propert,	Whalley,
Dent,	Madigan,	Ruth,	Yosko,
Derk,	Mahany,	Scott,	Fleming,
Ehrgood,	McGinnis,	Van Sant,	Presiding Officer
Elliott,			

The PRESIDING OFFICER. Are there any corrections?

Mr. TAYLOR. Mr. President, not hearing my name called, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman from Dauphin will be so recorded.

Are there any further corrections? The Chair hears none. The affirmative roll will stand as corrected.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Donolow,	Mullin,	Silvert,	Weiner,
Hays,	Schmidt,	Stiefel,	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

POINT OF INFORMATION

Mr. SCHMIDT. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman will state it.

Mr. SCHMIDT. Mr. President, in order that a rule be suspended, what is the vote that is required?

The PRESIDING OFFICER. A constitutional majority of twenty-six votes.

The yeas and nays were required by Mr. SCHMIDT, and were as follows, viz:

YEAS—33

arr,	Flack,	McMenamin,	Van Sant,
erger,	Harney,	Miller,	Wagner,
lass,	Kessler,	Murray,	Walker,
amiel,	Kopriver, Jr.,	Pechan,	Watkins,
hapman,	Kromer,	Propert,	Watson,
ent,	Madigan,	Ruth,	Whalley,
erk,	Mahany,	Scott,	Yosko,
rgood,	McGinnis,	Taylor,	Fleming,
liott,			Presiding Officer

NAYS—7

nolow,	Mullin,	Silvert,	Weiner,
ays,	Schmidt,	Stiefel,	

So the question was determined in the affirmative.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 15, ADOPTED

Mr. MAHANY. Mr. President, I move that the Senate adopt the resolution just read by the clerk.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SCHMIDT. Mr. President, as much as I do not like to make this statement, I am going to make it. Regardless of what the content of the resolution is, not being fully aware of the full implication of the resolution and the affect that it might have on the program or if I voted in favor of it, I might in some way do harm to the mental health program of the Commonwealth of Pennsylvania, I shall cast my vote in the negative.

Mr. MULLIN. Mr. President, corroborating what was just said by Senator Schimdt, I think that the technical difculties in this matter could be overcome by proper adjustments. The only effect it can possibly have, in my opinion, is that it is going to delay a worthy program.

Therefore, Mr. President, I wish to be recorded as voting against this resolution.

Mr. SILVERT. Mr. President, in view of the undue haste in revoking rules and passing this resolution, I desire to vote "no."

Mr. DENT. Mr. President, I want it very clearly understood, by those who are trying to get into the record something which, in my opinion, is not true, that no man in this room to my knowledge who votes for this resolution is in any way impending the so-called program for mental health. The proof of that is that every person in this room voted for approximately $143,000,000 for an appropriation to the mental health program. I dare say that most of us stand ready at this moment to vote for any legitimate increase for a mental health program.

Mr. President, I refuse to have my vote, at this time, interpreted as a vote against a mental health program. This is a vote, in my opinion, to keep constitutional government within the confines of the Constitution and the rules of procedure of this State.

I do not know whether or not Senator Schimdt voted for this bill last year. I do not know that he understood that he was opening up a way in which we could ciphon out regularly made appropriations into a body which has absolutely nothing to do with the Commonwealth of Pennsylvania. It cannot be attached to the State because if it is attached to the State, then it is not legally set up to receive foundation gifts. Therefore, it had to be divorced completely from the Commonwealth and that is why the bill was written that way.

I want to say right now that everything which this foundation can do by way of research, by way of training, by way of programing, by way of employment or in any other method of operation, Senator Sharpiro can do under the act which created the Department of Welfare. He can spend $250,000 to do exactly the things he wants the foundation to do.

The question in my mind is that if the Department of Welfare is capable of doing it, then why turn it over to the foundation? I refuse to admit that my vote here is a vote against the mental health program.

Mr. SCHMIDT. Mr. President, I repeat, again, not being familiar with the purposes of the foundation and the functionings of the foundation, when I speak in favor of an appropriation to that foundation or against it, I do not have the information on which to base my conclusions.

However, Mr. President, I do say this. It is possible that such a foundation may be an organization that can do a good piece of public relations work for the mental health program here in the Commonwealth of Pennsylvania.

Last Friday, at the meeting in Pittsburgh, what I saw convinced me that all of these organizations, combined, are dong something which is worth-while for Pennsylvania and all of its citizens.

As I said, this foundation may be doing that type of work. It may have been responsible for having gathered together in our community close to 700 people who took a full day from their every-day duties to participate in a mental health program. If that type of organization needs a grant-in-aid, I say that in line with the $140,000,000 or $150,000,000 which this Commonwealth of

Pennsylvania is spending now biennially on its mental health program, an appropriation of a quarter of a million dollars to a foundation that might be doing a good piece of public relations work in Pennsylvania would be a very good investment. That is my supposition; that that is what they are doing. If they are doing it, I want to help out. However, I still say that you have made it impossible for me to vote any other way than in opposition to this resolution by having forced me to cast my vote here today without knowing anything about this foundation.

Mr. MAHANY. Mr. President, I believe that Senator Schmidt has lost track of the issue.

It is not whether this foundation is a good foundation or whether they are spending money wisely. The whole issue here is whether or not Secretary Shapiro may use Commonwealth moneys to contribute or appropriate to this foundation when he did not even have the money in his budget, and at no time has he implied, either directly or indirectly, to us that he was going to use the money for this purpose.

We might get up here and state that the National Foundation for Tuberculosis is a good organization, too. However, I do not believe that Senator Schmidt would countenance it if Secretary Shapiro would buy $250,000 worth of Christmas Seals. This is about the same idea.

We are not attacking this foundation in any way whatsoever. However, we are saying to Secretary Shapiro that it is our impression that we at no time intended that he should spend Commonwealth moneys to appropriate to this particular foundation. That is the whole issue.

Mr. McMENAMIN. Mr. President, I think the issue is crystal clear. I believe everyone here is for mental health and I presume, likewise, for the dial telephone.

The only issue involved in this resolution, as Senator Dent and Senator Mahany have stated, is the preservation of the sanctity of the Pennsylvania Constitution.

And the question recurring,

Will the Senate agree to the motion?

Mr. SCHMIDT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. SCHMIDT, and were as follows, viz:

YEAS—31

Barr,	Flack,	McGinnis,	Taylor,
Berger,	Harney,	McMenamin,	Van Sant,
Blass,	Hays,	Miller,	Walker,
Chapman,	Kessler,	Murray,	Watkins,
Dent,	Kopriver, Jr.,	Pechan,	Whalley,
Derk,	Kromer,	Propert,	Yosko,
Ehrgood,	Madigan,	Ruth,	Fleming,
Elliott,	Mahany,	Scott,	Presiding Officer

NAYS—6

Donolow,	Schmidt,	Stiefel,	Weiner,
Mullin,	Silvert,		

So the question was determined in the affirmative.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I believe everybody who is in this Senate is familiar with my activities on behalf of mental health since I have been a Member of the Senate.

I voted for the resolution because I do not remember any item in the budget, at the last Session of the Legislature, which empowered the Secretary of Welfare to take from his appropriation and make a donation to any foundation.

Today is February 19th. This biennium will end on May 31, 1957. Very shortly I am assuming that the Appropriations Committee, which is now conducting hearings on the budget, will call in the Welfare Department. I would suggest to Secretary Shapiro that if he wants a sum of money to donate to any foundation, including the one we discussed here today, he should come to the Appropriations Committee with an itemized statement, indicating the amount of money that he wants and show us exactly how it is going to be spent. I believe if Secretary Shapiro does that and can prove to this Senate that the money will be spent wisely and justly, and in the best interest of a future mental health program, I do not think he will have too much trouble getting the money.

However, Mr. President, I do not believe that we should permit any department head to take the law into his own hands, especially with funds we appropriate to him for a specific purpose, and divert that money for other purposes. The money which we appropriated to the Department of Welfare, as well as to other departments, was appropriated for the operation of the bureaus and institutions, if any, under the jurisdiction of those departments. Since this foundation is not now a board, commission, bureau or department of the Commonwealth of Pennsylvania, in my opinion the action taken here today was proper and it will serve notice on the departments that they must come before the Legislature and get an appropriation for a specific purpose and use the money for that purpose.

BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. DENT and MAHANY (By request) read in place and presented to the Chair Senate Bill No. 255, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," increasing the amount to be paid to school districts for board and lodging of pupils in lieu of reimursement for pupil transportation.

Which was commited to the Committee on Education

Mr. HAYS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. HAYS, EHRGOOD, DENT and MAHANY read in place and presented to the Chair Senate Bill No. 256 entitled:

An Act creating the Pennsylvania Higher Education Assistance Authority as a body corporate and politic; defining its powers and duties; conferring powers and imposing on the Governor, President pro Tempore of the Senate, Speaker of the House of Representatives, Superintendent of Public Instruction, President of Pennsylvania State University and the Department of Banking.

Which was commited to the Committee on Education.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 130, entitled:

An Act providing for the reassessment of properties for tax purposes where new improvements have been made and the addition thereof to existing tax duplicates of political subdivisions

Which was committed to the Committee on Local Government.

House Bill No. 143, entitled:

An Act amending the "Municipal Authorities Act of 1945" approved May 2, 1945 (P. L. 382) providing for "Authorities" to submit copies of audits to the Bureau of Muncipal Affairs in the Department of Internal Affairs

Which was committed to the Committee on Local Government.

House Bill No. 207, entitled:

An Act amending the act of April 3, 1956 (P. L. 1382) entitled "An act making the offices of constable and justice of the peace or aldermen incompatible," making the offices of constable and councilman incompatible.

Which was committed to the Committee on Judiciary General.

House Bill No. 237, entitled:

An Act amending the act of March 26, 1925, (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars, and providing penalties," exempting school districts from the payment of license fees.

Which was committed to the Committee on Agriculture.

House Bill No. 287, entitled:

An Act abolishing the Pennsylvania Tunnel Commission, assuming its obligations, and appropriating money from the Motor License Fund

Which was commited to the Committee on Highways.

House Bill No. 288, entitled:

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge and the Saw Mill Run Interchange of the Parkway-West

Which was committed to the Committee on Highways.

House Bill No. 322, entitled:

An Act making certain bridges in the Commonwealth toll free; providing for the payment of certain bond issues; requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof

Which was committed to the Committee on Highways.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 22, entitled:

An Act making an appropriation to the National Agriculture College Farm School Pennsylvania at Doylestown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 33, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act," making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 74, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," further regulating the issuance of registration plates to news photographers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 108, entitled:

A Supplement to the act of June 2, 1915 (P. L. 736), entitled as amended "'The Pennsylvania Workmen's Compensation Act," providing for the payment of compensation to auxiliary police or their dependents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 115, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," abolishing the Special Administration Fund; providing for disposition of moneys in the fund; and discontinuing authorization to erect buildings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 161, entitled:

An Act amending the act of May 2, 1949 (P. L. 873) entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections . . .," clarifying the provisions of the act as to its application in townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 203, entitled:

An Act amending the act of June 21, 1939 (P. L. 565), entitled "A supplement to the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended 'The Pennsylvania Workmen's Compensation Act,' as reenacted and amended, . . .," providing for withdrawal of election and acceptance to be covered by act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 208, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State University for the use of the School of Agriculture for the erection of experimental mushroom houses and research in the communicable diseases of mushrooms and other places of the mushroom industry.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 216, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," empowering the chairman of the Board of Finance and Revenue to appoint a secretary and make certain rules and regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PETITIONS AND REMONSTRANCES

Mr. DONOLOW. Mr. President, it seems that the other day the Judiciary Committee of the Philadelphia Bar Association approved seven members of the Philadelphia Bar, and recommended them to the Governor, I understand, to fill the vacancy due to the death of the late Judge Leonard Propper.

Now we, as Senators in this body, are always interested in recommendations made to the Governor on behalf of filling any sort of vacancy inasmuch as it becomes our obligation to approve these recommendations if the Governor should so accept them and they are sent here for such approval.

I read in the newspaper this morning, Mr. President, that Wilbur Hamilton, the head of the Republican Party in Philadelphia, who by the way I am very fond of and feel that although we disagree politically, I find him a gentleman in every respect, charged that the A.D.A. pressured the Judiciary Committee of the Bar in accepting these approvals which were sent to the Governor.

Of course, this is an alarming situation. The head of the Bar in Philadelphia, the Attorney General, Thomas McBride, has an unimpeached reputation. The members of the committee are outstanding attorneys in Philadelphia, and their reputations are unimpeached and those they recommended are people of outstanding reputations.

Mr. President, I am alarmed at this report, because I must admit that I heard the same story come out of that committee. I understand that the committee is composed of twenty-one members, and last Friday when the committee considered whom they should approve and submit to the Governor to be approved to sit on the bench of this great Commonwealth, only fifteen members appeared, and only eleven votes were necessary to fill such an important position.

Since that time, I have heard other alarming reports. May I say that I am not a candidate for this office, I could not be selected under our Constitution if I were and so, therefore, I have no ax to grind. I have no candidate and I am not a candidate myself.

However, I have learned the following. I learned that a tremendous amount of outside pressure was exerted upon the members of that Judiciary Committee of the Philadelphia Bar to approve certain of these members. So great was the pressure that one of the members told me it disgusted him at heart to feel that a body of that type, who are supposed to be above both political parties, was so pressured by judges and other outside forces.

I also learned that one of the members selected and recommended was a member of the Progressive Party in 1948 and campaigned actively for the election of Mr. Wallace for President on the Progressive ticket, and that person was recommended as a probable selection.

One of the members lives outside the city of Philadelphia, if you please, Mr. President, and still is living outside the city of Philadelphia, votes outside the city of Philadelphia, and he was recommended for appointment to this position dealing with the people and the city of Philadelphia.

Last, but not least, another recommendation that went to the Governor, which I understand is looked upon with great acceptance, is that of a person who just moved into the city of Philadelphia about two months ago in order to qualify for such an appointment.

Now, Mr. President, both political parties are accused by certain forces in civic life of being too political, and when we select someone they call them "politicians," and it seems to be the trend in modern life that if the Republican or Democratic Party recommends a candidate, it is looked upon with frowns. Yet, we find in an impartial body, if this be true, one of the most disgraceful exhibitions taking place in selecting seven so-called impartial persons for the Governor to select from.

I want to make this clear. I know that Edward A. Kallich, on that list, is a fine and outstanding lawyer and a good lawyer. I know that E. Allen Doty is an outstanding lawyer, and a good lawyer, and either one of them would make a very fine and outstanding judge. I am not challenging that phase of the list. However, I am bringing attention to the method which was used to compile this list, and he who exerted greater force, greater political pressure among the Bar, his name appeared on that list.

Now, Mr. President, I should think at this time that if any of these names are selected by His Excellency the Governor, who may not be aware of what took place behind closed doors, and if any one of these names is sent over here for that appointment, I think it would behoove us to make a thorough investigation of both Mr. Hamilton's charge and the others that have been brought to my attention before we approve anyone for this vacancy.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, February 25, 1957, at 3:00 o'clock, p.m., Eastern Standard Time.

Mr. KOPRIVER, JR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:10 o'clock, p.m., Eastern Standard Time, until Monday, February 25, 1957, at 3:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, February 19, 1957.

The House met at 1:00 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Dr. Roy E. Manne, Pastor of the South Avenue Methodist Church, Wilkinsburg, Pa., guest Chaplain, offered the following prayer:

Eternal God, we are glad that Thou hast made us factors efficient, significant in the world's arithmetic. We are grateful to feel that the world needs us to walk on its crowded streets, and to mix our blood and brains with its policies and potencies.

Bless us, we beseech Thee, with the spirit of high adventure. Save us from our timidities and fears. Give us courage to stand for something, lest we fall for everything. Give us great thoughts, noble aspirations, pure and heroic impulses.

Sprinkle the hearts of those assembled here with the breath of Thy wisdom and Thy goodness. Always, may humility triumph over pride; charity over envy and malice; loyalty to what is right and just over partisanship. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Tuesday, February 12 and Wednesday, February 13, 1957? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, February 18, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. BOWMAN and OGILIVE.

HOUSE BILL No. 444.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), authorizing council to provide for the closing of city offices on Saturday.

Referred to the Committee on Cities—Third Class.

By Mr. GOLDSTEIN. HOUSE BILL No. 445.

An Act concerning the Pennsylvania Turnpike Commission; further regulating the tenure of members, the conduct of commission business, the letting of contracts and sale of bonds.

Referred to the Committee on Highways.

By Messrs. DOWN and WILLARD.

HOUSE BILL No. 446.

An Act amending the compact contained in the act of June 5, 1937, (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio, relative to the development, use and control of the Pymatuning Lake * * *," fixing the speed and horsepower of motor boats allowed on the lake; limiting operation of motor boats and prescribing penalties.

Referred to the Committee on State Government.

By Mr. DUNN. HOUSE BILL No. 447.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), lengthening the period of time a learner's permit is valid.

Referred to the Committee on Motor Vehicles.

By Mr. STIMMEL. HOUSE BILL No. 448.

An Act amending the act of June 28, 1935 (P. L. 477), entitled, as amended, "An act providing for the payment of the salary, medical and hospital expenses of members of the State Police Force * * *," extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board.

Referred to the Committee on State Government.

By Messrs. BOWER, ESHLEMAN and AMARANDO. HOUSE BILL No. 449.

An Act amending the "Nonprofit Corporation Law" approved May 5, 1933 (P. L. 289) making further provisions relating to nonprofit medical, dental and osteopathic service corporations; extending the provisions of said act relating to the furnishing of medical, dental and osteopathic services by nonprofit medical, dental and osteopathic service corporations so as to include the furnishing of chiropody services to subscribers and their dependents; * * *.

Referred to Committee on Public Health and Sanitation.

By Mrs. MARKLEY, Mr. JUMP and Mrs. PASHLEY. HOUSE BILL No. 450.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), requiring immunization against poliomyelitis; and imposing duties on school directors, superintendents, principals, and other persons in charge of public, private, parochial and other schools.

Referred to Committee on Education.

By Messrs. YATRON and RENWICK.

HOUSE BILL No. 451.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), prohibiting the operation of buses no longer used as school buses which are orange in color.

Referred to Committee on Motor Vehicles.

By Messrs. CURWOOD and DIETTERICK.
HOUSE BILL No. 452.

An Act prohibiting operation of boats equipped with motors having a manufacturer's horsepower rating in excess of five on North Lake in Luzerne County.

Referred to Committee on Judiciary Special.

By Mr. WOOD. HOUSE BILL No. 453.

An Act transferring money from the Banking Department Fund to the General Fund.

Referred to Committee on Appropriations.

By Mr. DENNISON. HOUSE BILL No. 454.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), further regulating the size of motor buses and motor omnibuses.

Referred to Committee on Motor Vehicles.

By Messrs. TOLL, WILT and WELSH. HOUSE BILL No. 455.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the payment of salaries of professional and temporary professional employes in cases of sickness, accidental injury or death.

Referred to the Committee on Education.

By Mr. MARSH. HOUSE BILL No. 456.

A Supplement to the "State Employes" Retirement Law" approved June 27, 1923 (P. L. 858) providing credit for employment with political subdivisions for retirement purposes.

Referred to the Committee on State Government.

By Mr. LOVETT. HOUSE BILL No. 457.

An Act proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania exempting income taxes on persons and corporations from requirement of uniformity.

Referred to the Committee on Ways and Means.

By Mr. BOWER. HOUSE BILL No. 458.

An Act validating the assessment rolls of counties from the fourth to eighth class.

Referred to the Committee on Municipal Corporations.

By Messrs. FILO and MERRY. (By request) HOUSE BILL No. 459.

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) limiting the number of subscribers on telephone party lines.

Referred to the Committee on Public Utilities.

By Mr. WOOD. HOUSE BILL No. 460.

An Act amending the "Public School Employes Retirement Law," approved July 18, 1917 (P. L. 1043) providing credit for retirement purposes for out-of-state service in certain cases.

Referred to the Committee on Education.

By Messrs. CIOFFI, McINROY, ANDREWS and DOWN. HOUSE BILL No. 461.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting presence of minors who are under the age of sixteen years from being in places serving liquor after a certain hour, and imposing penalties thereon.

Referred to the Committee on Liquor Control.

By Mr. STONER. HOUSE BILL No. 462.

An Act amending the act of May 29, 1917 (P. L. 322), entitled "An act to give protection and to regulate the catching or taking or having in possession, within this Commonwealth, of any bullfrogs, tadpoles, and terrapin; * * *," permitting settlement of penalties for violations on field receipts.

Referred to the Committee on Fisheries.

By Mr. STONER. HOUSE BILL No. 463.

An Act amending "The Administrative Code of 1929," approved April 9, 1929, (P. L. 177), authorizing the payment of housing allowances to chaplains employed in State institutions.

Referred to the Committee on State Government.

By Mr. BRENNINGER, Mrs. KOOKER, Messrs. WILLAREDT and FETTEROLF. HOUSE BILL No. 464.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing borrowing for capital improvements to certain public service facilities without the issuance of bonds.

Referred to the Committee on Boroughs.

By Messrs. BRENNINGER and WILLAREDT. HOUSE BILL No. 465.

An Act authorizing recorders of deeds to destroy used and recorded powers of attorney to satisfy mortgages, * * *.

Referred to the Committee on Judiciary.

By Miss DUFFY and Mr. STEVENS. HOUSE BILL No. 466.

An Act to encourage the settlement of civil cases prior to trial by requiring parties and others to testify and produce books, records, documents and related matters with respect to information concerning financial responsibility.

Referred to the Committee on Judiciary.

By Miss DUFFY and Mr. STEVENS. HOUSE BILL No. 467.

An Act making contributory negligence a question of fact for fact finding bodies in tort actions.

Referred to the Committee on Judiciary.

By Miss DUFFY and Mr. STEVENS. HOUSE BILL No. 468.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing certain provisions and penalties with respect to cropping dogs' ears.

Referred to the Committee on Judiciary Special.

By Messrs. WILLAREDT, BRENNINGER and FETTEROLF. HOUSE BILL No. 469.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the definition of the terms "game animals" and "furbearing animals," and changing rules for the buying and selling of game.

Referred to the Committee on Game and Conservation.

By Mr. STECKEL and
Mrs. MARKLEY. HOUSE BILL No. 470.

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945, (P. L. 382), authorizing Authorities to charge for the cost of constructing water mains; making the charges liens; providing for the collection thereof, and authorizing Authorities to charge tapping fees for water mains.

Referred to the Committee on Municipal Corporations.

By Messrs. WYATT and
CLEVELAND. HOUSE BILL No. 471.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) authorizing volunteer firemen to attach an emblem, including a blue warning light to their automobiles and providing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. GRAMLICH, DAVIS
and METZ. HOUSE BILL No. 472.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for an open season for the hunting of deer.

Referred to the Committee on Game and Conservation.

By Messrs. MULDOWNEY, TOLL
and DAVIS. HOUSE BILL No. 473.

An Act making an appropriation to the City of Philadelphia to be used in preparing and furnishing a permanent berth for the cruiser Olympia.

Referred to the Committee on Appropriations.

By Miss DUFFY and
Mr. MAGEE. HOUSE BILL No. 474.

An Act relating to unborn children, and defining their rights, privileges and immunities.

Referred to the Committee on Judiciary.

By Messrs. VAUGHAN, STEVENS
and SPRAY. HOUSE BILL No. 475.

An Act regulating the sale, possession and use of electrical devices as defined therein; conferring powers and imposing duties upon the Secretary and Department of Health; and prescribing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. BOWER, ESHLEMAN
and AMARANDO. HOUSE BILL No. 476.

An Act amending the "Nonprofit Medical, Dental and Osteopathic Service Corporation Act," approved June 27, 1939, (P. L. 1125), including in the plan chiropody services and defining "chiropody services" for the purpose of this act only.

Referred to the Committee on Public Health and Sanitation.

By Messrs. WILLARD and
DOWN. HOUSE BILL No. 477.

An Act requiring outboard motors to be titled; providing for the issuance of titles by the Department of Revenue; fixing fees; providing penalties and allocating funds.

Referred to the Committee on Fisheries.

By Mr. READINGER. HOUSE BILL No. 478.

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-five, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-five.

Referred to the Committee on Appropriations.

By Mr. READINGER. HOUSE BILL No. 479.

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. JOHNSON, RIGBY, BOWER and
VAUGHAN. (Concurrent) RESOLUTION No. 32.

In the House of Representatives, February 18, 1957.

The problems of older workers have become a serious threat to the well being of our economy. In many instances, men and women forty years of age are considered too old for new employment. One reason for this discrimination is the high cost of including persons over forty years of age in pension plans.

It is the duty of government to serve its citizens by solving those problems which individual citizens or groups of citizens cannot themselves solve. The high cost to workers and industry in planning pension systems for various groups has recently reached an all time high. This is frequently due to a lack in continuity of persons in a particular system which has been established. The worker in particular, often suffers. If he loses his rights in one retirement system, he must seek to establish rights in another system. This can only be done at a cost which he cannot personally assume or at an overburdening expense to the industry which would otherwise seek his services and make use of skills which the worker has acquired through many years of experience. Overcoming this problem will do much to aid our economy by lessening costs to employers, protecting and continuing acquired rights of individual workers, lessening costs to the public by helping attain a full employment which distributes tax costs among greater numbers of taxpayers, and enables individual employes to transfer from one industry to another where their talents and experience will lead to greater present remuneration without the sacrifice of greater pension system payments and expenses, and without loss in future retirement benefits at that age when productive labor is no longer possible and the cost of living remains high; therefore be it

Resolved, (the Senate concurring), That the Joint State Government Commission be directed to study and investigate methods and ways of establishing a Statewide retirement or pension system to cover and benefit all persons working in Pennsylvania, which will include an actuarily sound basis of contribution by employers and employes, and which will guarantee adequate payments to employes despite changes in costs of living; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

By Messrs. REIDENBACH, TOLL, AUSTIN M.
LEE and AMARANDO. RESOLUTION No. 33.

In the House of Representatives, February 18, 1957.

The City of Philadelphia was shocked in the passing of one of its distinguished jurists on February 5, 1957.

Leonard Michael Propper, Judge of the Municipal Court died at the age of forty-four.

Judge Propper was educated in Philadelphia where he attended the Roxborough High School, the University of Pennsylvania and the Law School of the University of Pennsylvania.

Judge Propper practiced law in the City of Philadelphia; served as Deputy Attorney-General for the Commonwealth of Pennsylvania; served as Assistant District Attorney for the County of Philadelphia; appointed Judge of the Municipal Court of Philadelphia by the Governor, and was elected in 1953 to a ten year term as Judge of the Municipal Court by the people of Philadelphia.

Judge Proper devoted most of his life to the welfare of juveniles and was nationally known for his work on the problems of juvenile delinquency; he was a member of the executive committee of the Pennsylvania Council of Juvenile Court Judges and a member of the Pennsylvania Department of Welfare's Citizens Advisory Committee on Mental Deficiency; he was active in the affairs of many Civic, Community and religious organizations.

Judge Propper, young in years, but aged in experience, will be remembered for his record of accomplishments in the juvenile field; for his untiring devotion to duty, and for his personality which endeared him to all; he won the respect, confidence and affection of those who attended the Courts, as well as the thousands of others in the Commonwealth and elsewhere with whom he came in contact.

His passing is a great loss to the Commonwealth and to the City which he served so unselfishly; therefore be it

Resolved, That the members of the House of Representatives extend their sympathies to his wife and children in their hour of loss and bereavement; and be it further

Resolved, That copies of this resolution be sent to his widow and children.

Referred to the Committee on Rules.

By Mr. LOPRESTI. RESOLUTION No. 34.

In the House of Representatives, February 18, 1957.

Serious consideration is being given to the acceptance of Federal funds to liquidate the bonded indebtedness of the Pennsylvania Turnpike Commission, the construction of the Keystone Shortway and the freeing of toll roads.

Whether or not the freeing of the turnpike would enure to the benefit of the citizenry of this Commonwealth with Federal aid is a matter of great concern.

The General Assembly requires for its use comprehensive factual information concerning this consideration; therefore be it

Resolved, That the Secretary of Highways be requested to report to the House of Representatives information with respect to:

(1) The amount proposed to be expended by the Federal government to make our turnpikes a part of the Federal highway system.

(2) Federal contributions, if any, proposed to be made in the future for maintenance and repair of these highways.

(3) What the effect of federalizing of certain Pennsylvania highways would be on existing State highways and the future expansion and maintenance of the State highway system.

(4) The ultimate cost to the Commonwealth if the toll roads are freed and whether or not additional revenue in the form of additional taxes would be required to maintain and repair the toll roads after they become free, and be it further

Resolved, That this report, together with any other information the Secretary of Highways deems pertinent be prepared for delivery to the House of Representatives within two weeks after this resolution is adopted.

Referred to the Committee on Rules.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 19, 35, 89, 99, 122, 123, 144 and 161.

Resolution for concurrence Serial No. 105.

FORMER MEMBER WELCOMED

The SPEAKER, The Chair welcomes to the Hall of the House today a former Member of this House, the gentleman from Bucks County, who served as a Member of this House from 1921 to 1926, Mr. William H. Weamer.

(Panoramic photograph of House taken)

THANKS EXTENDED

The SPEAKER. The Chair wishes to inform the Members that the photographer has advised him that he has been taking these pictures since 1917, for a period of 40 years consecutively. The Chair certainly wish to express the thanks of the House to him.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. WILLIAMS for himself for tomorrow because of business.

REPORTS FROM COMMITTEES

Mr. OGILVIE from the Committee on State Government, reported as committed, House Bill No. 4, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) requiring the Auditor General to publish a monthly report of persons employed by the Commonwealth.

Mr. MOSCRIP from the Committee on Judiciary Special, reported as amended, House Bill No. 21, entitled:

An Act amending the act of June 26, 1895 (P. L. 333), entitled "An act to authorize occupants of real estate in cities and boroughs * * * to employ night watchmen, * * *," authorizing the appointment of day and night watchmen in all political subdivisions.

Mr. AGNEW from the Committee on State Government, reported as committed, House Bill No. 24, entitled:

An Act for the establishment of uniform standards of time throughout the Commonwealth, and repealing certain laws inconsistent therewith.

Mr. UJOBAI from the Committee on Motor Vehicles, reported as committed, House Bill No. 94, entitled:

An Act amending "The Tractor Code," approved May 1, 1929, (P. L. 1005), providing for the classification of tractors used as portable saw mill rigs.

Mr. MERRY from the Committee on Motor Vehicles, reported as committed, House Bill No. 122, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), changing certain penalties for making illegal noises.

Mr. STIMMEL from the Committee on State Government, reported as committed, House Bill No. 201, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), permitting certain members of the Authority to designate other persons to act on their behalf.

Mr. ESHLEMAN from the Committee on Education, reported as amended, House Bill No. 204, entitled:

An Act amending the "Public Utility Law" of May 28, 1937 (P. L. 1053), excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children to and from school sponsored extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle.

Mr. MOODY from the Committee on Judiciary, reported as committed, House Bill No. 293, entitled:

An Act amending the act of June 16, 1836 (P. L. 715), entitled "An act relating to Reference and Arbitration," increasing the amount in controversy which may be referred to arbitration.

Mr. AGNEW from the Committee on Labor Relations, reported as committed, House Bill No. 295, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), removing time limitation for filing petitions when disability increases or recurs.

Mr. AUKER from the Committee on State Government, reported as committed, House Bill No. 317, entitled:

An Act amending the act of May 1, 1913 (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection, cons ruction, and alteration of public buildings," further regulating the letting of such contracts.

Mr. VARNER from the Committee on Ways and Means, reported as committed, House Bill No. 330, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' * * * increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

Mr. PETROSKY from the Committee on Ways and Means, reported as committed, House Bill No. 331, entitled:

An Act reenacting and amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) extending the provisions of the act for a further limited period of time.

Mr. STONER from the Committee on Ways and Means, reported as committed, House Bill No. 332, entitled:

An Act amending the "Cigarette Tax Act," approved June 14, 1935 (P. L. 341) extending the provisions imposing an additional tax for a further limited period of time.

Mr. PRICE from the Committee on Ways and Means, reported as committed, House Bill No. 333, entitled:

An Act reenacting and amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1417) imposing the tax permanently.

Mr. PRICE from the Committee on Ways and Means, reported as committed, House Bill No. 334, entitled:

An Act reenacting and amending the "Corporate Net Income Tax Act," approved May 16, 1935, (P. L. 208), imposing the tax permanently.

Mr. LAFORE from the Committee on Ways and Means, reported as committed, House Bill No. 335, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149) extending the provisions of one additional tax for a limited time.

Mr. LAFORE from the Committee on Ways and Means, reported as committed, House Bill No. 336, entitled:

An Act amending the "Fuel Use Tax Act" of January 14, 1952 (P. L. 1965), extending the provisions of one additional tax for a limited time.

Mr. THOMPSON from the Committee on Ways and Means, reported as amended, House Bill No. 337, entitled:

An Act amending the "Selective Sales and Use Tax Act" of March 6, 1956 (P. L. 1228), eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts.

Mr. HORST from the Committee on State Government, reported as committed, Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interstate bodies.

Mr. BOWMAN from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 31, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled * * * *" defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records.

Mr. HORST from the Committee on State Government, reported as committed, Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

Mr. RIGBY from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 87, entitled:

An Act reenacting certain parts of the act of May 1 1929 (P. L. 905) entitled * * * clarifying provisions relating to magistrates sending notices by registered or certified mail.

Mr. AUKER from the Committee on Judiciary, reported as committed, Senate Bill No. 124, entitled:

An Act amending the act of July 13 1953 (P. L. 431) entitled "An act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers" further providing a procedure for enforcement of the act.

BILLS ON SECOND READING

Agreeably to order.

The House proceeded to the second reading and consideration of House Bill No. 11, entitled:

An Act authorizing incorporated towns to regulate junk yards.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 109, entitled:

An Act relating to the recovery of damages for injuries to property in consequence of mobs and riots and imposing duties and liabilities on counties county commissioners sheriffs aldermen constables and justices of the peace.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. DOWN offered the following amendments:

Amend Sec. 2, page 2, line 9, by inserting after "a" "chief of police."

Amend Sec. 2, page 2, line 12, by inserting after "sheriff" "chief of police."

Amend Sec. 2, page 2, line 14, by inserting after "sheriff" "chief of police."

They were agreed to.

The section was agreed to as amended.

The third, fourth and fifth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. DOWN offered the following amendment:

Amend Title, page 1, line 3 of Title, by inserting after "sheriffs" "chiefs of police."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 130, entitled:

An Act providing for the reassessment of properties for tax purposes where new improvements have been made and the addition thereof to existing tax duplicates of political subdivisions.

On the question,

Shall the bill pass finally?

Mr. SHERMAN. Mr. Speaker, I wish to interrogate either one of the sponsors of this bill.

The SPEAKER. Will the gentleman from Chester, Mr. Ashton, permit himself to be interrogated?

Mr. ASHTON. I shall, Mr. Speaker.

Mr. SHERMAN. Mr. Speaker, is it not true that this bill affects major improvements made during the year and provides for reassesment of such major improvements dating back to the first day of the month in which such improvements were made?

Mr. ASHTON. Mr. Speaker, the gentleman is not correct.

Mr. SHERMAN. Mr. Speaker, will the gentleman explain the nature of this bill and show in what way I am incorrect in my statement?

Mr. ASHTON. Mr. Speaker, the tax goes back to the date of assessment, not to the date of completion of the building.

Mr. SHERMAN. That is not what I said, Mr. Speaker. Does the assessment not go back to the first day of the month in which the improvements were made?

Mr. ASHTON. No, Mr. Speaker, it goes back to the first day of the month in which the assessment is made, not the improvement.

Mr. SHERMAN. Mr. Speaker, is not the assessment made after the improvements are made?

Mr. ASHTON. That is correct, Mr. Speaker.

Mr. SHERMAN. When the assessment is made, to what day does it go back?

Mr. ASHTON. To the first of the month in which the assessment is made.

Mr. SHERMAN. Is it not true that the amount of such improvement is not considered in determining whether or not the so-called major improvement was made?

Mr. ASHTON. Will the gentleman repeat that, Mr. Speaker?

Mr. SHERMAN. Is it not true that the amount of such improvement is not even considered in determining whether or not a so-called major improvement was made?

Mr. ASHTON. Mr. Speaker, I should think that the amount of the assessment would depend on the assessor.

Mr. SHERMAN. In other words, as far as whether or not it is a major improvement, am I correct that it is absolutely up to the assessor to determine whether an improvement made is a major improvement?

Mr. ASHTON. I think all assessing officers have that discretion, Mr. Speaker.

Mr. SHERMAN. Therefore, do I understand the gentleman's answer is, yes, they are to adjust, that it is absolutely up to the assessor to determine whether or not the so-called improvement is a major improvement and should be assessed?

Mr. ASHTON. That is correct, Mr. Speaker.

Mr. SHERMAN. If I replace, Mr. Speaker, all my electrical fixtures in the house with new fixtures of $2,500 value, and in so doing have to replaster part of the walls or to repair the damage done, is that considered a major improvement?

Mr. ASHTON. Mr. Speaker, I should consider that a major repair, I do not know what the assessor would think.

Mr. SHERMAN. Would the gentleman as a cosponsor of the bill consider that a major improvement?

Mr. ASHTON. No, not a major improvement, a major repair.

Mr. SHERMAN. Therefore, under this bill the gentleman would not consider it a major improvement?

Mr. ASHTON. Not if the lights and the plaster that were replaced were substantially the same as the ones that were worn out.

Mr. SHERMAN. Therefore, am I correct in saying that if I had to install six extra fixtures than I had before and spend $2,000 for those extra fixtures, it would then be considered a major improvement?

Mr. ASHTON. A major improvement, Mr. Speaker.

Mr. SHERMAN. If I only spent $300 for those same fixtures and did the same work, would that be a major improvement, Mr. Speaker.

Mr. ASHTON. Mr. Speaker, that would be a $300 improvement.

Mr. SHERMAN. If I create a partition, along the line of your last reasoning and answer, and as a result that partition in my house makes two rooms out of one room and I spend $75 in doing so, because under present conditions you can have an ordinary wallboard or plaster partition making two rooms out of one, is it not true that

the assessor has a right, although I spend only $75, to consider that a major improvement and say that my house has been improved in value to the extent of $2,000?

Mr. ASHTON. Mr. Speaker, I am not a tax assessor, but I have great confidence in most assessors.

Mr. SHERMAN. Mr. Speaker, I do not think my question has been answered. May I ask for the gentleman's opinion as a cosponsor of this bill whether or not the matter of major improvement then will depend on the amount involved in the major improvement?

Mr. ASHTON. Mr. Speaker, I did not understand that question. Maybe the gentleman will repeat it?

Mr. SHERMAN. Is it a so-called new improvement? Under this bill the only improvement that can be assessed, am I correct, is a major improvement?

Mr. ASHTON. The bill says major improvement.

Mr. SHERMAN. Therefore, does it make a difference if I partition my house and it costs me only $75, or $100, or $200, in order to create a partition as a result of which there is an extra room added to my house, and the value of the house in the opinion of the assessor alone is increased, to the extent of $2,000, does he have a right to consider that a major improvement of $2,000?

Mr. ASHTON. Mr. Speaker, I think the gentleman is dealing in trivialities. I doubt if there were a $75 partition put in a house somewhere that the assessor would ever see it.

Mr. SHERMAN. Mr. Speaker, does it depend on whether the assessor sees the major improvement in order to determine whether an assessment should be had?

Mr. ASHTON. The assessment shall be had whenever the taxing authority requests an assessment.

Mr. SHERMAN. In other words, Mr. Speaker, do you mean to say if I intend to have an improvement made that I am to hide it from the assessor because he may think there is a $2,000 increase in the value of the house even though I spend $200 on that improvement?

Mr. ASHTON. Mr. Speaker, I believe in most localities if any considerable alteration or improvement is to be made in a building a building permit has to be secured.

Mr. SHERMAN. Let us take another instance Mr. Speaker. In the event I have an overhang awning on the outside of my property, the front of the property, so that the assessor if he is conscientious in his duties should ordinarily see it, and the cost is only approximately $100, but because the assessor believes it is a major improvement which has increased the value of my house by $2,000, would not the assessor have the right to add a $2,000 additional assessment to the value of my house?

Mr. ASHTON. Mr. Speaker, the taxpayer always has the right to appeal the assessment if he thinks the assessor is not doing his duty properly.

Mr. SHERMAN. Mr. Speaker, that is not a sufficient answer, but I wil go into the next question along the same line.

Do you not know that in the absence of an abuse of discretion and on appeal by a small taxpayer, or any taxpayer, that the assessor would be upheld in his assessment?

Mr. ASHTON. I do not know that, Mr. Speaker.

Mr. SHERMAN. If I may, I will take another instance. If I make what is termed a "Dutch hall" out of my dining room and it costs about $150, and the assessor happens to come into the house and says that it has a value of $2,000, or $1,500, instead of $150, is there anything in the bill to determine whether it is or is not a major improvement?

Mr. ASHTON. Mr. Speaker, the taxpayer always has the right of appeal.

Mr. SHERMAN. Mr. Speaker, I feel sorry for the poor taxpayer.

Another question. To put it more specifically along the same line, is there anything in the bill, outside of a costly appeal by the taxpayer, in the absence of abuse of discretion on the part of the assessor to prevent the assessor from assessing the property in any manner that he sees fit?

Mr. ASHTON. Only the general assessment laws, Mr. Speaker, and I would like to state for the benefit of the gentleman that practically this same law has been in effect since 1949, I believe, for third and fourth class school districts. At the last session of the Legislature practically the identical bill was passed for first class townships. This is nothing new at all.

Mr. SHERMAN. Mr. Speaker, one or two other questions.

Is there anything in this bill, Mr. Speaker, to prevent a veteran from buying a property, having settlement made and then a year later being assessed an additional sum because the assessor happened to find out at the end of that year, or a year later, a so-called improvement to the property which was made prior to settlement?

Mr. ASHTON. The answer to that is, no, because it canot be. The aditional assessment canot go back beyond the date of assessment. That is one of the things that is wrong with the present law, it can go back to the date of improvement. Under this bill it can only go back to the date of assessment.

Mr. SHERMAN. I will put it a little more plainly, Mr. Speaker. Is there anything in this bill, first of all, that prevents the assessor from making the assessment one year after the improvement is made at which time he says, "I shall levy assessment at this time?"

Mr. ASHTON. Mr. Speaker, the bill states just the opposite from the proposition advanced by the gentleman.

Mr. SHERMAN. I am sorry I did not get the answer.

Mr. ASHTON. The bill states just the opposite.

Mr. SHERMAN. In what way, Mr. Speaker?

Mr. ASHTON. The bill states any reassessment made during the month shall be computed as having been made on the first of the month.

Mr. SHERMAN. Mr. Speaker, I think the gentleman is answering my very first question when I started this interrogation. But does the gentleman have an answer to the question of anything preventing an assessment in 1958 dating back to the first of the month? Or I will say this, is there any wording in the bill which says when the first of the month shall be determined?

Mr. ASHTON. Does the gentleman wish me to read the entire bill?

Mr. SHERMAN. I do not, Mr. Speaker,

I would like an answer as to whether ordinarily if this were June, 1958, and this bill were passed today, and I am the assessor, do I not have the right to say, "I shall assess the improvement that was made a year

ago—after settlement has been made—and assess it as of the first of the month of the date of the improvement? "Assess it now, dating back to the first of the month of the date of the improvement.

Mr. ASHTON. No, the bill states just exactly the opposite. The bill states that the property shall be taxable at the reassessed valuation for that proportionate part of the fiscal year of the taxing district remaining after the property was reassessed. It cannot go back to the date that the property was built or improved.

Mr. SHERMAN. Mr. Speaker, if I have settlement on the 31st day of the month, and having settlement, in what manner is the purchaser protected from the improvement having been made on the 10th of the month?

Mr. ASHTON. The property will be assessed as of the day of assessment, not of the date of improvement.

Mr. SHERMAN. The date of the assessment can be at any time, can it not?

Mr. ASHTON. The date of the assessment can be at any time after the building is completed, but the proportionate part of the year remaining is calculated from the date of assessment, not from the date of completion of the building.

Mr. SHERMAN. Does it not say that it shall be computed as having been made on the first of the month rather than the date of the assessment?

Mr. ASHTON. The assessment shall be computed as having been made on the first of the month.

Mr. SHERMAN. Therefore, is it not true whether I am a veteran, or a small property owner, or otherwise, that having settlement on the 25th, 30th, or 31st, of the month, I am not protected by title insurance, or otherwise, from having an assessment made against the property that I purchase on that day and date because an improvement had been made on the 5th or 6th of the month?

Mr. ASHTON. The taxes should be apportioned on the date of settlement.

Mr. SHERMAN. Is it not sufficient that we have, Mr. Speaker, at the present time such things as little insurance, life insurance, mechanics lien insurance, mortgage premium insurance? Are we to be burdened with aditional insurance for the protection of a purchaser and the expense of such insurance to protect him against an improvement made during the month in which he buys the property?

Mr. ASHTON. Mr. Speaker, is that a political speech or a question?

Mr. SHERMAN. No, I assure you, Mr. Speaker, that this is not a political bill as far as I am concerned. I am asking these questions for the protection of the small property owner, for the GI and those who cannot afford additional expense and additional insurance.

Mr. FILO. Mr. Speaker, in view of the fact that the two words "major improvement" are vague and undefined, I am going to vote against the bill.

Mr. READINGER. Mr. Speaker, I desire to interrogate the sponsor of the bill, Mr. Ashton.

The SPEAKER. Will the gentleman from Chester, Mr. Ashton, permit himself to be interrogated?

Mr. ASHTON. I will, Mr. Speaker.

Mr READINGER. Mr. Speaker. I desire to ask the gentleman why the various codes, third class city codes, county codes, and so forth, were not amended rather than amending the law in this manner. Was there any particular reason?

Mr. ASHTON. Mr. Speaker, the answer to that question is this: at the last session of the Legislature, I introduced a bill covering merely third and fourth class school districts for some correctional amendments. It passed the House and was sent over to the Senate. In the meanwhile there were requests from a second class school district to be included in it.

In the other Chamber, it was decided to keep my bill in Committee and start a bill of their own. This Bill 130 is an exact copy of the bill which passed the Senate in place of my bill. It passed the Senate last year and came to the House in the waning days of the session and there was never any action taken on it. This Bill 130, which I cosponsored, is exactly the same bill which was in the House last year.

Mr. READINGER. Mr. Speaker, I am going to vote for this bill, I think it is a good bill, but I would have preferred to see a series of bills amending the various codes to accomplish this purpose. It is rather difficult sometimes for a person to find out what the law is in a fourth class county, or a second class county, or a third class city, when he has to go through a group of miscellaneous laws relating to something pertaining to that county or political subdivision. Lawyers usually have no difficulty in finding a law of this kind in Purdons. But a layman looking at the County code, for example, will find in there the present law, and unless he knows about this amendment he might waste a lot of his time and do a great deal of fretting thinking that the present law is still on the books because it is still in the code, whereas this Section 2 repeals any law that is inconsistent with it.

It is a matter of procedure more than anything else, so that if it is passed and becomes a law I hope in the future the codes themselves will be amended to conform to this. I think basically this is a good idea to allow reassessment of a property after it has been built during the year or after some major improvement has been made to it. It may not be a happy situation for the taxpayer in certain cases, but it is good for the taxing authorities and it is fair as far as I can see, it is fair to everybody involved.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—141

Adams,	Fox,	Magee,	Renwick,
Agnew,	Galley,	Mahan,	Rigby,
Ashton,	George,	Markley,	Royer,
Auker,	Gibb,	Marsh,	Schuster,
Barton,	Gibson,	McCann,	Seltzer,
Bell,	Goldstein,	McCormack,	Snare,
Bower,	Goodling,	McInroy,	Snider,
Bowman,	Goodrich,	McLaughlin,	Spray,
Brand,	Gramlich,	Merry,	Steckel,
Breisch,	Gross,	Metz,	Stevens,
Brennan,	Guthrie,	Mihm,	Stimmel,
Brenninger,	Haudenshield,	Mikula,	Stoner,
Breon,	Heffner,	Miller, B. Z.	Strausser,
Brown,	Henzel,	Miller, H. G.,	Stuart,
Brucker,	Hocker,	Miller, W. H.,	Thompson,
Buchanan,	Horst,	Mills,	Tompkins,
Capano,	Ide,	Moody,	Ujobai,
Carson,	Isaacs,	Moscrip,	Varallo,
Cooper,	Jenkins,	Moyer,	Varner,
Curwood,	Johnson,	Murphy,	Vaughan,
Dalrymple,	Jones, T. H. W.	Murray, H. P.,	Wall,
Davis,	Jump,	Murray, P. G.,	Walsh,

DeLong,	Kamyk,	O'Dell,	Weidner,
Dengler,	Kehler,	Ogilvie,	Wescott,
Dennison,	Keller,	Parry,	Wheeler,
Devlin,	Kernaghan,	Petrosky,	Whittaker,
Dietterick,	Knecht,	Phillips,	Willard,
Donahue,	Kooker,	Piper,	Willaredt,
Down,	Lafore,	Pomeroy,	Wilt,
Dunn,	Lee, A. M.,	Post,	Wood,
Edwards,	Lee, K. B.,	Price,	Wyatt,
Erb,	Leonard,	Pursley,	Wynd,
Eshleman,	Light,	Ragot,	Yatron,
Ewing,	Lippincott,	Readinger,	Zimmerman,
Fetterolf,	Lutty,	Reidenbach,	Helm,
Foster,			Speaker

NAYS—48

Amarando,	Dougherty,	Jones, G. E.	O'Brien,
Anderson, M. S.,	Duffy,	Krakow,	Pashley,
Anderson, S. A.,	Eilberg,	Kornick,	Polaski,
Andrews,	Farabaugh,	Limper,	Rovansek,
Boies,	Filo,	Lopresti,	Schwartz,
Boory,	Fineman,	Lovett,	Sherman,
Breth,	Floyd,	Maxwell,	Shields,
Bucchin,	Flynn,	McKeever,	Silverman,
Cianfrani,	Frascella,	Monroe,	Taylor,
Cioffi,	Gelfand,	Muldowney,	Toll,
Comer,	Holt,	Mullen,	Wargo,
Cummins,	Jim,	Musto,	Welsh,

NOT VOTING—18

Blair,	Heavey,	Naugle,	Stroup,
Cleveland,	Johnston,	Rudisill,	Trusio,
Donaldson,	Korns,	Scarcelli,	Verona,
Garlock,	McGee,	Smith,	Williams,
Hamilton,	Munley,	Stone,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 143, entitled:

An Act amending the "Municipal Authorities Act of 1945" aproved May 2 1945 (P. L. 382) providing for "Authorities" to submit copies to the Bureau of Municipal Affairs in the Department of Internal Affairs

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adams,	Ewing,	Limper,	Readinger,
Agnew,	Farabaugh,	Lippincott,	Reidenbach,
Amarando,	Fetterolf,	Lopresti,	Renwick,
Anderson, M. S.,	Filo,	Lovett,	Rigby,
Anderson, S. A.,	Fineman,	Lutty,	Rovansek,
Andrews,	Floyd,	Magee,	Royer,
Ashton,	Flynn,	Mahan,	Scarcelli,
Auker,	Foster,	Markley,	Schuster,
Barton,	Fox,	Marsh,	Schwartz,
Bell,	Frascella,	Maxwell,	Seltzer,
Boies,	Gailey,	McCann,	Sherman,
Boory,	Gelfand,	McCormack,	Shields,
Bower,	George,	McGee,	Silverman,
Bowman,	Gibb,	McInroy,	Snare,
Brand,	Gibson,	McKeever,	Snider,
Breisch,	Goldstein,	McLaughlin,	Spray,
Brennan,	Goodling,	Merry,	Steckel,
Brenninger,	Goodrich,	Metz,	Stevens,
Breon,	Gramlich,	Mihm,	Stimmel,
Breth,	Gross,	Mikula,	Stoner,
Brown,	Guthrie,	Miller, B. Z.	Strausser,
Brucker,	Haudenshield,	Miller, H. G.,	Stuart,
Bucchin,	Heffner,	Miller, W. H.,	Taylor,
Buchanan,	Henzel,	Mills,	Thompson,
Capano,	Hocker,	Monroe,	Toll,
Carson,	Holt,	Moody,	Tompkins,
Cianfrani,	Horst,	Moscrip,	Ujobai,
Cioffi,	Ide,	Moyer,	Varallo,
Cleveland,	Isaacs,	Muldowney,	Varner,
Comer,	Jenkins,	Mullen,	Vaughan,
Cooper,	Jim,	Murphy,	Wall,
Cummins,	Johnson,	Murray, H. P.,	Walsh,
Curwood,	Jones, G. E.	Murray, P. G.,	Wargo,
Dalrymple,	Jones, T. H. W.	Musto,	Weidner,
Davis,	Jump,	O'Brien,	Welsh,
DeLong,	Kamyk,	O'Dell,	Wescott,
Dengler,	Kehler,	Ogilvie,	Wheeler,
Dennison,	Keller,	Parry,	Whittaker,
Devlin,	Kernaghan,	Pashley,	Willard,
Dietterick,	Knecht,	Petrosky,	Willaredt,
Donahue,	Kooker,	Phillips,	Williams,
Dougherty,	Kornick,	Piper,	Wilt,
Down,	Krakow,	Polaski,	Wood,
Duffy,	Lafore,	Pomeroy,	Wyatt,
Dunn,	Lee, A. M.,	Post,	Wynd,
Edwards,	Lee, K. B.,	Price,	Yatron,
Eilberg,	Leonard,	Pursley,	Zimmerman,
Erb,	Light,	Ragot,	Helm,
Eshleman,			Speaker

NAYS—0

NOT VOTING—13

Blair,	Heavey,	Naugle,	Stroup,
Donaldson,	Johnston,	Rudisill,	Trusio,
Garlock,	Korns,	Smith,	Verona,
Hamilton,	Munley,	Stone,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 57, entitled as follows:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting sales by publishers or distributors of magazines, newspapers, periodicals or other publications which require purchase of other such publications.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

BILL PASSED OVER

There being no objection

House Bill No. 62 Printer's No. 23

was passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 207, entitled as follows:

An Act amending the act of April 3, 1956 (P. L. 1382) entitled "An act making the offices of constable and justice of the peace or aldermen incompatible," making the offices of constable and councilman incompatible.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Farabaugh,	Magee,	Rigby,
Agnew,	Fetterolf,	Mahan,	Rovansek,
Amarando,	Filo,	Markley,	Royer,
Anderson, M. S.,	Fineman,	Marsh,	Scarcelli,
Andrews,	Floyd,	Maxwell,	Schuster,
Ashton,	Flynn,	McCann,	Schwartz,
Auker,	Fox,	McCormack,	Seltzer,
Barton,	Frascella,	McGee,	Sherman,
Boies,	Gailey,	McInroy,	Shields,
Boory,	Gelfand,	McKeever,	Silverman,
Bower,	George,	McLaughlin,	Snare,
Bowman,	Gibb,	Merry,	Snider,
Brand,	Gibson,	Metz,	Spray,
Breisch,	Goldstein,	Mihm,	Steckel,
Brennan,	Goodling,	Mikula,	Stevens,
Brenninger,	Goodrich,	Miller, B. Z.,	Stimmel,
Breon,	Gramlich,	Miller, H. G.,	Stoner,
Breth,	Gross,	Miller, W. H.,	Strausser,
Brown,	Guthrie,	Mills,	Stuart,
Brucker,	Heffner,	Monroe,	Taylor,
Bucchin,	Henzel,	Moody,	Thompson,
Buchanan,	Hocker,	Moscrip,	Toll,
Capano,	Holt,	Moyer,	Tompkins,
Carson,	Horst,	Muldowney,	Ujobai,
Cianfrani,	Ide,	Mullen,	Varallo,
Cioffi,	Jenkins,	Murray, H. P.,	Varner,
Cleveland,	Jim,	Murray, P. G.,	Vaughan,
Comer,	Johnson,	Musto,	Wall,
Cooper,	Jones, G. E.	O'Brien,	Walsh,
Cummins,	Jones, T. H.,	O'Dell,	Wargo,
Curwood,	Jump,	Ogilvie,	Weidner,
Dalrymple,	Kehler,	Parry,	Welsh,
Davis,	Keller,	Pashley,	Wescott,
DeLong,	Knecht,	Petrosky,	Wheeler,
Dennison,	Kooker,	Phillips,	Whittaker,
Dietterick,	Kornick,	Piper,	Willard,
Donahue,	Krakow,	Polaski,	Willaredt,
Dougherty,	Lafore,	Pomeroy,	Williams,
Down,	Lee, A. M.,	Post,	Wilt,
Duffy,	Lee, K. B.,	Price,	Wood,
Dunn,	Leonard,	Pursley,	Wyatt,
Edwards,	Light,	Ragot,	Wynd,
Eilberg,	Limper,	Readinger,	Yatron,
Erb,	Lippincott,	Reidenbach,	Zimmerman,
Eshleman,	Lopresti,	Renwick,	Helm,
Ewing,	Lovett,		Speaker

NAYS—10

Anderson, S. A.,	Devlin,	Isaacs,	Lutty,
Bell,	Foster,	Kamyk,	Murphy,
Dengler,	Haudenshield,	Kernaghan,	

NOT VOTING—13

Blair,	Heavey,	Naugle,	Stroup,
Donaldson,	Johnston,	Rudisill,	Trusio,
Garlock,	Korns,	Smith,	Verona,
Hamilton,	Munley,	Stone,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 237, entitled as follows:

An Act amending the act of March 26, 1925, (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars, and providing penalties," exempting school districts from the payment of license fees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adams,	Ewing,	Lippincott,	Reidenbach,
Agnew,	Farabaugh,	Lopresti,	Renwick,
Amarando,	Fetterolf,	Lovett,	Rigby,
Anderson, M. S.,	Filo,	Lutty,	Rovansek,
Anderson, S. A.,	Fineman,	Magee,	Royer,
Andrews,	Floyd,	Mahan,	Scarcelli,
Ashton,	Flynn,	Markley,	Schuster,
Auker,	Foster,	Marsh,	Schwartz,
Barton,	Fox,	Maxwell,	Seltzer,
Bell,	Frascella,	McCann,	Sherman,
Boies,	Gailey,	McCormack,	Shields,
Boory,	Gelfand,	McGee,	Silverman,
Bower,	George,	McInroy,	Snare,
Bowman,	Gibb,	McKeever,	Snider,
Brand,	Gibson,	McLaughlin,	Spray,
Breisch,	Goldstein,	Merry,	Steckel,
Brennan,	Goodling,	Metz,	Stevens,
Brenninger,	Goodrich,	Mihm,	Stimmel,
Breon,	Gramlich,	Mikula,	Stoner,
Breth,	Gross,	Miller, B. Z.	Strausser,
Brown,	Guthrie,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Miller, W. H.,	Taylor,
Bucchin,	Heffner,	Mills,	Thompson,
Buchanan,	Henzel,	Monroe,	Toll,
Capano,	Hocker,	Moody,	Tompkins,
Carson,	Holt,	Moscrip,	Ujobai,
Cianfrani,	Horst,	Moyer,	Varallo,
Cioffi,	Ide,	Muldowney,	Varner,
Cleveland,	Isaacs,	Mullen,	Vaughan,
Comer,	Jenkins,	Murphy,	Wall,
Cooper,	Jim,	Murray, H. P.,	Walsh,
Cummins,	Johnson,	Murray, P. G.,	Wargo,
Curwood,	Jones, G. E.	Musto,	Weidner,
Dalrymple,	Jones, T. H. W.	O'Brien,	Welsh,
Davis,	Jump,	O'Dell,	Wescott,
DeLong,	Kamyk,	Ogilvie,	Wheeler,
Dengler,	Kehler,	Parry,	Whittaker,
Dennison,	Keller,	Pashley,	Willard,
Devlin,	Kernaghan,	Petrosky,	Willaredt,
Dietterick,	Knecht,	Phillips,	Williams,
Donahue,	Kooker,	Piper,	Wilt,
Dougherty,	Kornick,	Polaski,	Wood,
Down,	Krakow,	Pomeroy,	Wyatt,
Duffy,	Lafore,	Post,	Wynd,
Dunn,	Lee, A. M.,	Price,	Yatron,
Edwards,	Lee, K. B.,	Pursley,	Zimmerman,
Eilberg,	Leonard,	Ragot,	Helm,
Erb,	Light,	Readinger,	Speaker
Eshleman,	Limper,		

NAYS—0

NOT VOTING—13

Blair,	Heavey,	Naugle,	Stroup,
Donaldson,	Johnston,	Rudisill,	Trusio,
Garlock,	Korns,	Smith,	Verona,
Hamilton,	Munley,	Stone,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 287, entitled as follows:

An Act abolishing the Pennsylvania Tunnel Commission, assuming its obligations, and appropriating money from the Motor License Fund.

And said bill having been read at length the third time, considered and agreed to.

Agreeably to order,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Ewing,	Limper,	Reidenbach,
Agnew,	Farabaugh,	Lippincott,	Renwick,
Amarando,	Fetterolf,	Lopresti,	Rigby,
Anderson, M. S.,	Filo,	Lutty,	Rovansek,
Anderson, S. A.,	Fineman,	Magee,	Royer,
Andrews,	Floyd,	Mahan,	Scarcelli,
Ashton,	Flynn,	Markley,	Schuster,
Auker,	Foster,	Marsh,	Schwartz,
Barton,	Fox,	Maxwell,	Seltzer,
Bell,	Frascella,	McCann,	Sherman,
Boies,	Gailey,	McCormack,	Shields,
Boory,	Gelfand,	McGee,	Silverman,
Bower,	George,	McInroy,	Snare,
Bowman,	Gibb,	McKeever,	Snider,
Brand,	Gibson,	McLaughlin,	Spray,
Breisch,	Goldstein,	Merry,	Steckel,
Brennan,	Goodling,	Metz,	Stevens,
Brenninger,	Goodrich,	Mihm,	Stimmel,
Breon,	Gramlich,	Mikula,	Stoner,
Breth,	Gross,	Miller, B. Z.,	Strausser,
Brown,	Guthrie,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Miller, W. H.,	Taylor,
Bucchin,	Heffner,	Mills,	Thompson,
Buchanan,	Henzel,	Monroe,	Toll,
Capano,	Hocker,	Moody,	Tompkins,
Carson,	Holt,	Moscrip,	Ujobai,
Cianfrani,	Horst,	Moyer,	Varallo,
Cioffi,	Ide,	Muldowney,	Varner,
Cleveland,	Isaacs,	Mullen,	Vaughan,
Comer,	Jenkins,	Murphy,	Wall,
Cooper,	Jim,	Murray, H. P.	Walsh,
Cummins,	Johnson,	Murray, P. G.,	Wargo,
Curwood,	Jones, G. E.	Musto,	Weidner,
Dalrymple,	Jones, T. H.,	O'Brien,	Welsh,
Davis,	Jump,	O'Dell,	Wescott,
DeLong,	Kamyk,	Ogilvie,	Wheeler,
Dengler,	Kehler,	Parry,	Whittaker,
Dennison,	Keller,	Pashley,	Willard,
Devlin,	Kernaghan,	Petrosky,	Willaredt,
Dietterick,	Knecht,	Phillips,	Williams,
Donahue,	Kooker,	Piper,	Wilt,
Dougherty,	Kornick,	Polaski,	Wood,
Down,	Krakow,	Pomeroy,	Wyatt,
Duffy,	Lafore,	Post,	Wynd,
Dunn,	Lee, A. M.,	Price,	Yatron,
Edwards,	Lee, K. B.,	Pursley,	Zimmerman,
Eilberg,	Leonard,	Ragot,	Helm, Speaker
Erb,	Light,	Readinger,	
Eshleman,			

NAYS—1

Lovett,

NOT VOTING—13

Blair,	Heavey,	Naugle,	Stroup,
Donaldson,	Johnston,	Rudisill,	Trusio,
Garlock,	Korns,	Smith,	Verona,
Hamilton,	Munley,	Stone,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 288, entitled as follows:

An Act authorizing the Department of Highways to construct a toll free tunnel between the Fort Pitt Bridge and the Saw Mill Run Interchange of the Parkway-West.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, I assume we are passing these two bills, the last one just passed and the one we are on at the present time, as a matter of form, inasmuch as this has been taken care of by administrative action through the Department of Highways wherein the tunnel is going to be placed on the interstate system, which will, of course, afford Pennsylvania the pleasure of receiving 90 per cent of the funds from the Federal government and only expending 10 per cent of our own. So I suggest all of the Members vote for this bill.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Ewing.

The SPEAKER. Will the gentleman from Allegheny, Mr. Ewing, permit himself to be interrogated?

Mr EWING. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman what the status of the plans for this tunnel were on February 4th when this bill was introduced. Did the Highway Department then have plans to build this tunnel as part of the road system?

Mr. EWING. I am pretty sure they did, Mr. Speaker. They have been working on the plans for this for I do not know how many months now, but I understand it was sometime back in 1955 that they started to spend money for the engineering service.

Mr. READINGER. And may I ask the gentleman whether or not the Highway Department was going to erect a toll free tunnel at this point?

Mr. EWING. I do not think the Highway Department was going to do it. It was going to be in charge of a Tunnel Commission and they would handle it by selling bonds for the Tunnel Commission and the contract would have been let by the Tunnel Commission. That is the way I understand it.

Mr. READINGER. But on February 4th, when this bill was introduced, the Highway Department had announced, had it not, that this tunnel, toll free, was of the road system?

Mr. EWING. I do not know what the date was, but you are probably right on that. I had not followed that part of it.

Mr. READINGER. I would like to know what the reason was, if any, for the introduction of this bill if the Highway Department had already announced its plans and had drafted the necessary plans to go ahead with this? Why is it necessary that we vote on this bill at all?

Mr. EWING. I would just like to have a vote on it for a purpose.

Mr. READINGER. I did not hear the gentleman.

Mr. EWING. I think I answered Mr. Andrews on that question yesterday, to make the whole thing legal.

Mr. READINGER. To make the erection of this tunnel legal?

Mr. EWING. Right.

Mr. READINGER. Is the gentleman telling me now that the Secretary, or the Department of Highways, does not have the authority without the passage of this bill to erect this tunnel?

Mr. EWING. No, I do not mean to infer that at all.

Mr. READINGER. May I bluntly ask the gentleman whether his purpose of introducing this bill, or cosponsoring it, was purely political, so that he might get his name in the newspaper as being a great hero to get a tunnel erected which the Democratic administration was already going to erect?

Mr. EWING. For the gentleman's information, the campaign in our district was built around the Tunnel Commission and to have a toll free tunnel, so we are carrying it through to the ultimate end.

Mr. READINGER. May I ask the gentleman whether after he campaigns for something his people want he will continue to introduce unnecessary bills and waste the taxpayers' money in this method?

Mr. EWING. I do not consider it unnecessary.

Mr. READINGER. The gentleman says he considers this bill necessary?

Mr. EWING. They are companion bills.

Mr. READINGER. May I ask the gentleman not to confuse the issue here. Assuming, as we have just done, passed a bill abolishing the Tunnel Commission, which changes, of course, the plans by which this tunnel was to be built, assuming that was the proper thing to do and we have done it by our vote, what is the necessity of this bill?

Mr. EWING. I did not understand the gentleman's question.

Mr. READINGER. I am still asking what necessity there is for this bill?

Mr. EWING. In carrying out our program through in that district.

Mr. READINGER. May I ask whether the gentleman made any more campaign promises on which he is going to follow through with unnecessary bills?

Mr. EWING. Yes, one more, if we do not get off of the subject here, is to turn all of the county roads over to the state in Allegheny County.

Mr. EADINGER. I assume that a change in the law would be necessary to accomplish that?

Mr. EWING. Yes, sir, and I can give you the number, if you would like to know it.

Mr. READINGER. I will probably have a chance to vote on it.

Mr. Speaker, I know that politics are played on the floor of this House as they are everywhere by Members of this House, but I do seriously object to the introduction and acting on bills which to my mind are completely unnecessary.

There is a certain cost involved in typing these things, printing them and processing them. What the cost would amount to for a bill of two pages, I do not know, but whatever it is, it is too much money to spend. If this were necessary, I would be happy to vote for it. But in my opinion, since the Highway Department has complete authority to do what it is intending to do, to build this tunnel, this is so completely unnecessary that I just cannot vote for it, as much as I want to see that tunnel in your area in the west as you do. I object strenuously to wasting money by passing unnecessary bills.

Mr. ANDEWS. Mr. Speaker, since the gentleman from Allegheny has been thoughtful enough to mention my name. I must need say a word or two.

He said he wants to make it 'legal.' His reply reminds me of the time the alledged horse thief was standing under a tree, beneath a limb, with a rope around his neck and the boys around him were bent upon executing him forthwith. Then one of the cowboys interjected and he said, "Boys, let's try him before we hang him."

We have exactly that sort of legal procedure. The deed has been accomplished, Allengheny County has its toll free tunnel, but for some reason this bill and another bill, were introduced necessitating the printing of five or six hundred of the pink and five or six hundred of the white, involving an expenditure that I would estimate to be in excess of $1,000.

I humbly suggest to the gentleman in question, that it would be more in keeping with the proprieties if he would finance his political aspirations by drawing upon his own resources and the resources of his friends, rather than adopting a plan which enables him to advertise quite effectively at the expense of the taxpayers.

I appreciate the finesse of the operation, it is typical, that is the way they do things cometimes in his particular coterie in Allegheny County. It is clever. I presume there are circles in which it is deemed laudable, quite laudable, to turn a sharp corner at the expense of the poor taxpayer. Of course, it is only a few hundred dollars, but there is a great principle involved, especially in an era when we are so strenuously urged to practice economy.

I hope it will not become a precedent, that we practice economy for the furtherance of our political standing, but that we actually practice economy for the benefit of the taxpayer.

Again, I appreciate the gentleman'e finesse. I appreciate the range and extent of the campaign they made, returning them gloriously once again on account of the things they did not do and which were done for them previously. I say to them that we on this side have labored so diligently to make it possible, by reason of the legislation which has been enacted, to do these things before the gentlemen thought about it, and we see them campaign and win all of the political glory for having it done. It is clever, but I hope it will not become a precedent.

Mr. GOLDSTEIN. Will the Minority Leader consent to be interrogated?

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, is it the law of Pennsylvania that the Secretary of Highways has the authority to open a new route giving the state the right of eminent domain without legislative authority?

Mr. READINGER. To the extent that he now has authority, for example, to relocate roads, and so forth, I assume the Secretary of the Department of Highways now has authority to use the power of eminent domain by the state for that purpose. If a new road is to be added to the system, it would have to be done by legislative act. That is my understanding of it.

Mr. GOLDSTEIN. Mr. Speaker, if the Minority Leader were advised that there is nothing but a mountain at the northern terminus and the southern terminus of the Mt. Washington hillside and that this bill will create a new highway which never existed, is not Legislative power required?

Mr. READINGER. Mr. Speaker, I am assuming that the legislation is already on the books to enable the Secretary of the Department of Highways to build a road where this mountain is and that, therefore, a

tunnel is necessary to get through the mountain to join the roads. I assume that legislation is already on the books. Am I incorrect on that?

Mr. GOLDSTEIN. Mr. Speaker, I am not an authority on highway. I was not elected from that district, but since the gentleman is interrogating me now, my recollection is that the legislation which was repealed today, or is in the process of being repealed, provided for the construction of a tunnel with tolls, and now we are having new legislation for the construction of a tunnel without tolls, so we are proceeding ab initio. I believe this legislation is absolutely required should anyone's property be taken by eminent domain, and I congratulate Mr. Ewing for being so astute and better than some of us lawyers.

Mr. READINGER. The gentleman has made a valiant effort to pull Mr. Ewing out of the tunnel into which he has crawled, but I do not think he has been very successful.

Mr. KAMYK. Mr. Speaker, the arguments seem to indicate that this bill is unnecessary. However, I know there is enough strength to pass this bill, so in order not to get in trouble with the people of Allegheny County, we the Democrats from Allegheny County, join in the aproval of this bill.

Mr. LOVETT. Mr. Speaker, in order to be fair about this, I think I noticed I was the only "no" vote on the previous bill. Now, since all this oratory has come about, this is much more expensive than I thought it was going to be. I think personally there is no need for either one of the bills and that we should vote "no" on this one and just drop it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—140

Agnew,	Fetterolf,	Light,	Pursley,
Anderson, M. S.,	Filo,	Lippincott,	Ragot,
Ashton,	Foster,	Lutty,	Royer,
Auker,	Fox,	Magee,	Schuster,
Barton,	Frascella,	Mahan,	Seltzer,
Bell,	Gailey,	Markley,	Snare,
Boles,	Gibb,	Marsh,	Spray,
Bower,	Gibson,	McCann,	Steckel,
Bowman,	Goldstein,	McCormack,	Stevens,
Brand,	Goodling,	McInroy,	Stimmel,
Breisch,	Goodrich,	McLaughlin,	Stone,
Brennan,	Gramlich,	Merry,	Stoner,
Brenninger,	Gross,	Metz,	Strausser,
Breon,	Guthrie,	Mihm,	Stuart,
Brown,	Haudenshield,	Mikula,	Thompson,
Brucker,	Heffner,	Miller, B. Z.,	Tompkins,
Buchanan,	Henzel,	Miller, H. G.,	Ujobai,
Carson,	Hocker,	Miller, W. H.,	Varner,
Cleveland,	Horst,	Mills,	Vaughan,
Cooper,	Ide,	Moody,	Wall,
Curwood,	Isaacs,	Moscrip,	Walsh,
Dalrymple,	Jenkins,	Moyer,	Weidner,
Davis,	Jim,	Murphy,	Wescott,
DeLong,	Johnson,	Murray, H. P.,	Wheeler,
Dengler,	Jones, T. H.,	Murray, P. G.,	Whittaker,
Dennison,	Jump,	Musto,	Willard,
Devlin,	Kamyk,	O'Dell,	Willaredt,
Dietterick,	Kehler,	Ogilvie,	Williams,
Donahue,	Keller,	Parry,	Wilt,
Down,	Kernaghan,	Petrosky,	Wood,
Dunn,	Knecht,	Phillips,	Worley,
Edwards,	Kooker,	Piper,	Wyatt,
Erb,	Lafore,	Pomeroy,	Wynd,
Eshleman,	Lee, A. M.,	Post,	Zimmerman,
Ewing,	Lee, K. B.,	Price,	Helm, Speaker

NAYS—46

Adams,	Eilberg,	Maxwell,	Scarcelli,
Amarando,	Farabaugh,	McGee,	Schwartz,
Anderson, S. A.,	Floyd,	Monroe,	Sherman,
Andrews,	Flynn,	Muldowney,	Shields,
Boory,	Gelfand,	Mullen,	Silverman,
Bucchin,	Jones, G. E.	O'Brien,	Smith,
Capano,	Kornick,	Pashley,	Snider,
Cianfrani,	Krakow,	Polaski,	Toll,
Cioffi,	Limper,	Readinger,	Varallo,
Cummins,	Lopresti,	Reidenbach,	Wargo,
Dougherty,	Lovett,	Renwick,	Welsh,
Duffy,			Yatron,

NOT VOTING—21

Blair,	George,	Leonard,	Rovansek,
Breth,	Hamilton,	McKeever,	Rudisill,
Comer,	Heavey,	Munley,	Stroup,
Donaldson,	Holt,	Naugle,	Taylor,
Fineman,	Johnston,	Rigby,	Trusio,
Garlock,	Korns,		Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 322, entitled as follows:

An Act making certain bridges in the Commonwealth toll free; providing for the payment of certain bond issues; requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, would it be possible to interrogate the sponsor of the bill, Mr. Bower.

The SPEAKER. Will the gentleman from Northumberland, Mr. Bower, permit himself to be interrogated?

Mr. BOWER. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Northumberland, Mr. Bower, explain to us Public Law 715 of the 1949 session and tell us how many bridges were involved at the time the state purchased these bridges in the Commonwealth?

Mr. BOWER. Under the law mentioned by the gentleman there were 10 bridges acquired by the state through purchase.

Mr. McCANN. Mr. Speaker, the 10 bridges which were purchased under this law, did that law require that they were all to be made free at one time from the revenue of the combination of all of them.

Mr. BOWER. That is true, Mr. Speaker.

Mr. McCANN. Mr. Speaker, I would also like to question the gentleman from Northumberland, Mr. Bower, and ask him if the reports which have been issued as early as November and December of last year and January of this year indicated that the revenue would be available to make these bridges toll free approximately in the period in which this bill states by its present content?

Mr. BOWER. That is correct, Mr. Speaker.

Mr. McCANN. Mr. Speaker, the next question, of these 10 bridges in the 1949 law did it provide for the disposition of the property at the time they was purchased?

Mr. BOWER. It did not, Mr. Speaker.

Mr. McCANN. It did not. In other words, Mr. Speaker, House Bill 322 is required to confer the right to sell the items that deal with these toll bridges and to set a specific date in which they become toll free, which has been fixed here as May 31st?

Mr. BOWER. Mr. Speaker, in reply to the gentleman from Greene, I wish to make this statement.

As one of the original sponsors of the bill and after hearing and receiving reports as to the possible date on which the bridges would be free, I consulted with attorneys who were part and parcel of the drawing of the original Act as to the necessity of a bill of this nature. In their opinion they felt it was necessary to have a bill of this kind as to termination and as to permission for the Department of Highways to sell existing property which went along with the purchases of the bridges.

Mr. McCANN. Mr. Speaker, the statement that the gentleman has made I appreciate very much.

The last and final question, in the releases that have come from the Secretary of Highways he has indicated that these bridges would be free approximately on this date, depending upon the revenue that would be forthcoming in the last few months. Will there be on May 31st, sufficient revenues to pay off the balance, as near as you can tell?

Mr. BOWER. From all indications in the reports and the availability of information which I have received, this is about the approximate date, that the bridges by collection of tolls will have freed themselves. In drawing the bill it was necessary to draw it in such a way that if there was an over-collection of tolls that money probably could be placed in the Motor License Fund for the use of the Highway Department. In a Supreme Court decision on the possibility of the Highway Department paying off bonded indebtedness for other than highway construction they have been rendered an opinion that they cannot use Highway funds. So, therefore, if there would be a deficiency at the time of the date we have set, it would be necessary at a later date in this session to introduce an appropriation bill to pay off what small amount may be necessary to be paid from the General Fund.

Mr. McCANN. I thank the gentleman from Northumberland.

Mr. Speaker, the last statement the gentleman made was the one item that I wanted to be absolutely clear about. In case there would be a shortage anywhere from $5,000 to $50,000 or $75,000 to pay off the balance of these 10 bridges since we have set a specific date, that date being May 31st, as in some estimates it might have had to go until around the 15th of June, or thereabouts, to bring it to the actual figure. Since the statement has been given here on the floor that if for any reason it would not come out exactly to the right figure, then we can assume that in a forthcoming session, or at the proper time in this session—since we are going to adjourn early, we would have to pass it over until the coming session—we would then have an appropriation bill to pay that balance if it would fall short.

In the light of the statements which have been made by the gentleman from Northumberland, Mr. Bower, and those statements I believe to be correct since one of these bridges is in my own area between Greene to Fayette County, I ask that we go along and support this measure since it is needed and we agree to the time stated, at least, I do, in the bill.

Mr. HOCKER. Mr. Speaker, part of what I was going to say has already been said. However, I feel strongly about this due to the fact that two of these bridges connect my county with the great county of Cumberland. I feel I would be remiss if I did not say something in regard to this bill.

House Bill 322 calls for the freeing of 10 existing toll bridges by meeting current obligations through the sale of all buildings and properties acquired incident to the purchase of these bridges eight years ago. The project of making these bridges free to motorists has been a Republican goal since 1949 when they became the property of the public. Current indebtedness will be met through the sale of buildings, property and appurtenances acquired incident to the purchase of the bridges. The public sale of such holdings would be conducted by the Secretary of Highways.

The vision shown in the action eight years ago has paid off handsomely. It is interesting to note that the bonds due to be called under this proposal are the 1957-1961 issue and amount to $3,550,000. Had not this step been taken by the Republican party in 1949, the public today would have been faced with a continuation of these toll bridge charges indefinitely.

Bridges which would be freed of tolls by House Bill 322 are:

The Market Street Brdige in Harrisburg;

Clarks Ferry in Duncannon, which incidentally also is in my county and runs over to Perry County;

Eighth Street in Allentown;

Ellwood-Koppel in Beaver County;

Sunbury Bridge at Sunbury;

Minsi Trail in Bethlehem;

Charleroi-Monessen in Washington and Westmoreland Counties;

New Street in Bethlehem;

The Walnut Street Bridge, also in Harrisburg;

The Point Marion at Marion.

Mr. Speaker, if this bill becomes law, and I sincerely hope it will, May 30, 1957 will be one of the greatest days in the history of this Commonwealth.

Mr. Speaker, certainly I do not intend to make a campaign speech or follow through on a campaign promise in regard to the legislation which is before us, but I know I would be remiss were I not to remind most of the gentlemen sitting in the Hall of the House here, and enlighten the newer members of the House, about the commitments that the 1949 Members of this House made at the time of the passage of the Act on April 22, 1949, when sufficient funds and proper legislation were provided for the Commonwealth to purchase the toll bridges.

At that time my colleague from Westmoreland, Mr. Lovett, specifically asked the question on the floor of the House whether or not the only funds to be used in paying off the obligation for purchasing those bridges were to be gotten from the tolls collected on those same bridges. A commitment was made to him, and to the many other Members of the House who voted for this legislation at the time, that not until such time as the entire sum was paid would those bridges be released from tolls, thereby eliminating the necessity for procuring any or all of the amount of the funds to free them from tolls from other revenue sources.

I believe we have sufficient legislation on the books at the present time to free the bridges at the particular time it has occurred right in line with the Act which was passed in 1949. I believe the bill in question here has much merit as to certain of its provisos. However, when we deadline a particular date, I believe we are extending ourselves and we are bringing about a situation which we said would not occur at the time of the passage of this bill.

I may say that existing legislation provides for the freeing of these toll bridges when revenues are sufficient to retire outstanding bonds.

It is also anticipated by those who are conversant with this legislation that that position will be reached sometime this spring or summer. A great deal of legal work remains to be done prior to freeing the structures from tolls.

The Department of Highways anticipates this work will be accomplished by the time sufficient revenue to free the bridges is received. I believe it is better to free the structures the moment the revenue is sufficient, in line with what we pledged on the floor of this House at the time we passed that legislation, than to have an exact fixed time.

When they argue that in the event we do not fix a date this thing could be prolonged, I do not believe any department would take that upon themselves, inasmuch as the legislation specifically spells out that this shall be done at the given time when sufficient revenue is available to discharge those bonds.

So I would like to appeal to the sponsor of the bill, although other provisions of the bill are in good order, to consider the possibility of placing this on the final passage postponed calendar and elmiminate the fixed dates. Strengthen the bill in whatever way you may, but eliminate the fixed date so we can stand upon the commitment to those Members who voted for this legislation in 1949, and hold to the one item that was expressly stated on the floor of the House by the majority party at that time under Governor Duff's Administration. That was that every cent of revenue necessary to pay this off come from the tolls and not from any other income source of the Highway Department. I believe it will make much better legislation. I feel we could live with ourselves, inasmuch as we have fulfilled the requirement of our commitment in "49.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS 179

Adams,	Eshleman,	Light,	Reidenbach,
Agnew,	Ewing,	Limper,	Renwick,
Anderson, M. S.,	Fetterolf,	Lippincott,	Rigby,
Andrews,	Filo,	Lutty,	Royer,
Ashton,	Fineman,	Magee,	Scarcelli,
Auker,	Flynn,	Mahan,	Schuster,
Barton,	Foster,	Markley,	Schwartz,
Bell,	Fox,	Marsh,	Seltzer,
Boles,	Frascella,	Maxwell,	Shields,
Boory,	Gailey,	McCann,	Silverman,
Bower,	George,	McCormack,	Snare,
Bowman,	Gibb,	McGee,	Snider,
Brand,	Gibson,	McInroy,	Spray,
Breisch,	Goldstein,	McKeever,	Steckel,
Brennan,	Goodling,	McLaughlin,	Stevens,
Brenninger,	Goodrich,	Merry,	Stimmel,
Breon,	Gramlich,	Metz,	Stoner,
Breth,	Gross,	Mihm,	Strausser,
Brown,	Guthrie,	Mikula,	Stuart,
Brucker,	Haudenshield,	Miller, B. Z.,	Thompson,
Bucchin,	Heffner,	Miller, H. G.,	Toll,
Buchanan,	Henzel,	Miller, W. H.,	Tompkins,
Capano,	Hocker,	Mills,	Ujobai,
Carson,	Holt,	Moody,	Varallo,
Cianfrani,	Horst,	Moscrip,	Varner,
Cioffi,	Ide,	Moyer,	Vaughan,
Cleveland,	Isaacs,	Muldowney,	Wall,
Comer,	Jenkins,	Mullen,	Walsh,
Cooper,	Jim,	Murphy,	Weidner,
Cummins,	Johnson,	Murray, H. P.,	Welsh,
Curwood,	Jones, G. E.	Murray, P. G.,	Wescott,
Dalrymple,	Jones, T. H.,	Musto,	Wheeler,
Davis,	Jump,	O'Brien,	Whittaker,
DeLong,	Kamyk,	O'Dell,	Willard,
Dengler,	Kehler,	Ogilvie,	Willaredt,
Dennison,	Keller,	Parry,	Williams,
Devlin,	Kernaghan,	Pashley,	Wilt,
Dietterick,	Knecht,	Phillips,	Wood,
Donahue,	Kooker,	Piper,	Wyatt,
Dougherty,	Kornick,	Polaski,	Wynd,
Down,	Krakow,	Pomeroy,	Yatron,
Dunn,	Lafore,	Post,	Zimmerman,
Edwards,	Lee, A. M.,	Price,	Helm,
Eilberg,	Lee, K. B.,	Pursley,	Speaker
Erb,	Leonard,	Ragot,	

NAYS—15

Amarando,	Floyd,	Monroe,	Sherman,
Anderson, S. A.,	Gelfand,	Petrosky,	Taylor,
Duffy,	Lopresti,	Readinger,	Wargo,
Farabaugh,	Lovett,	Rovansek,	

NOT VOTING—13

Blair,	Heavey,	Naugle,	Stroup,
Donaldson,	Johnston,	Rudisill,	Trusio,
Garlock,	Korns,	Smith,	Verona,
Hamilton,	Munley,	Stone,	Worley,

RESOLUTION

Mr. CIOFFI offered a resolution which was filed with the Clerk.

The SPEAKER. The Chair would like to call the attention of the Members to Rule 15 of the House. When non-privileged resolutions are presented it is only necessary to file them with the Clerk, the same as when introducing a bill.

If the Members will send these non-privileged resolutions to the desk, it will save a lot of time for the House. They need not be introduced by the Members from the floor of the House.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, we have received the Governor's budget and, taking a look at the budget of the Department of Welfare, the budget request, as you know, totals $232,090,000.

From time to time there are certain things in that budget we will want to point out to the Members so that you will, as our study progresses, know what is in that particular budget.

Today I want to speak to you about the $780,000 propaganda fund which the budget requests.

Mr. Shapiro wants to spend $780,000 to flood Pensylvania with propaganda to get bigger and bigger appropriations for his Department. He has notified Governor Leader and his Budget Bureau that he wants to spend $130,000 yet in this biennium to put over his gigantic budget request before May 31st, and another $631,000 on a super-duper publicity and information bureau to be staffed by 22 employes.

This information is contained in the detailed informa-

tion that accompanies his budget in the Apprpriations Committee room. So what I am giving you, you can go up there and find out for yourself.

It is all part of a vast propaganda program financed out of the taxpayers' money which will be so geared and so operated that nothing will be made public about mental health except what Secretary Shapiro thinks the people should know.

I am sure that one item of information which this new Gilt-edged bureau of publicity will suppress, if it has not already done so, is the fact that during the first full year of the Leader administration, the number of deaths in our state mental hospitals increased from 2,586 deaths during the last full year under the Republican regime to 3,308 deaths for the first full year under Governor Leader. These are official figures which have never heretofore been made public.

The General Assembly will shortly be bombarded by demands for increases in the Welfare Department budget, all of them inspired and in many cases paid for by the same public funds that the Legislature appropriates for this Department.

For example, the Department of Welfare wants to spend $10,000 from its present fund to bring 1,000 people to Harrisburg, sometime soon, for the express purpose of bringing pressure on this Legislature to appropriate more money. This gathering will have the high-sounding title of a Citizens' Assembly, but will be just another cog in the Secretary's costly propaganda machine. This too is in the record on file with the Committee.

Some of the other methods the Department will use to "plaster the state with propaganda" will include:

A bi-monthly popular mafiazine with an initial circulation of 25,000 copies;

A house organ for employes and a professional quarterly which will go to 25,000 persons;

Televisions films to cost $219,000 and radio spots costing another $8,000;

Hundreds of newspaper releases, all of which must be approved by the Secretary of Welfare.

Here is another item. Salaries alone for the Bureau of Information will run $236,000 for the next biennium.

> "The Bureau also will be given the responsibility of riding herd on the Legislature and keeping the Secretary of Welfare informed on the progress of the propaganda campaign."

Those are words taken out of the budget request.

> "As the department itself has informed the Governor, 'No expense must be spared to put this over'."

My point is this, we have before us this tremendous increase in the appropriation for the Department of Welfare. Never let it be said that one person in this Hall is against the state doing a good job for the mentally ill, the mentally retarded, the handicapped, and so forth, who make up our welfare program in this state.

Here is an item of $761,000 for propaganda, not one cent of which will go to relieve a mentally ill person or a mentally retarded child.

We in this Legislature know what the problem is in this state with respect to the Department of Welfare. We certainly do not need a $761,000 propaganda department to put over on the people of Pennsylvania all the great things that supposedly are being done in the Departement of Welfare. That is one of the items that our Appropriations Committee certainly will serutinize very carefully before we pass a $223 million budget.

Mr. FILO: Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, the gentleman stated there had been an increase in the number of deaths in the institutions, is that not correct?

Mr. JOHNSON. The gentleman's question is, is that statement correct?

Mr. FILO. That is right, Mr. Speaker.

Mr. JOHNSON. Yes. Those are official figures from the Department of Welfare which the gentleman can well obtain.

Mr. FILO. Mr. Speaker, I would suggest that the Committee make a check into those deaths and find out the average age, or the age, of the particular persons who are deceased. You know there is such a thing as you cannot live forever.

Mr. JOHNSON. Mr. Speaker, in answer to the question I have this to say, if these figures should be sent out to the general public to show how many seniles died during that particular year, I think the public would apreciate knowing it. But when those figures are added to figures which show the fewer number of people in mental hospitals now as compared to the Republican regime, then the figures are misleading. I grant that perhaps a good many of them are seniles who died normally.

I do not want to give the impression that anything singular was done to increase the death rate in the institutions. The point of the matter is that a great deal of the decease in the number of inmates in our hospitals has been due to natural causes, and I would say not through any extraordinary, unusually great thing that has been done in a short period of time by Mr. Shapiro.

Mr. SHERMAN. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. SHERMAN. Mr. Speaker, do you have there the figures of the number of patients released from the mental hospitals and the comparison of those released on January 1st with those released in previous years?

Mr. JOHNSON. No, we do not have the figures but we are requesting those figures for the purpose of comparison, with a detail of the reasons for the discharge, the age of the person, and so forth. We hope to have those figures to give on the floor here within the next several weeks.

PERMISSION TO ADDRESS HOUSE

Mr. LOPRESTI asked and obtained unanimous consent to address the House.

Mr. Speaker, yesterday the Joint Committee of the House and Senate investigating the Pardon Board met in executive session to discuss the matters pertaining to that inquiry. Among other things we selected an at-

torney from Harrisburg, Mr. Kohn, as counsel for the Committee. At the time the selection was made a unanimous vote of the Committee was given to Mr. Kohn.

I merely want to state now, that had I realized at the time the appointment was made that Mr. Kohn was the County Treasurer of Dauphin County, I would not have voted to approve his appointment. I do not wish to cast any unfair remarks concerning the gentleman. I think he is a fine man, probably qualified in every respect and a gentleman in every sense of the word. However, I do believe that as County Treasurer of Dauphin County he owes his primary duty to the citizens of Dauphin County and should not be counsel for this particular Committee.

For that reason I want to explain that had I known or realized that at the time, I would not have voted with the remaining Members of the Committee to appoint him.

Mr. TOMPKINS. May I interrogate the gentleman from Cambria, Mr. Lopresti, please?

The SPEAKER. Will the gentleman from Cambria, Mr. Lopresti, permit himself to be interrogated?

Mr. LOPRESTI. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, do I understand the only reason the gentleman would change his vote today is on account of the man's political office?

Mr. LOPRESTI. That is correct, Mr. Speaker.

Mr. TOMPKINS. The gentleman would not vote against him on account of his qualifications?

Mr. LOPRESTI. I would not, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. McCORMACK asked and obtained unanimous consent to address the House.

Mr. Speaker, for the past several years, to my memory, there has been an attempt on the part of certain members of the Bar of Pennsylvania and other groups to foist on the citizens of this Commonwealth what is known as the "Pensylvania Plan." It would require a constitutional amendment and the effect would be to take the judges out of politics. I am sure that every Member of this House is familiar with the plan. The effect of the plan is to have members of the Bar Association recommend to the Governor appointments to the judiciary and from that list the Governor is to choose one and thus take away the rights the people now enjoy under our Constitution.

I have always maintained, Mr. Speaker, in my very limited experience, that the present method of selecting judges is quite a good one. It is impossible to think of a situation where you will get 100 per cent qualified men. I certainly think if such a plan were adopted we would get a situation similar to that which exists today, a situation I would like to bring to the attention of the Members of this House because of the immediacy of the problem.

What I am referring to, Mr. Speaker, is a situation which has just developed in Philadelphia. The Judiciary Committee of the Philadelphia Bar Association met last week in order to determine the qualifications and to make recommendations to the Governor to fill the vacancy in the Municipal Court created by the death of the late Judge Leonard M. Propper, of happy memory. They met, and I read in the paper last week that they recommended seven people to the Governor to fill that vacancy. I am reliably informed that the Governor intends to select from that list and I am reliably informed that one particular person on that list has, and I quote, "the inside track."

There appeared in this morning's Philadelphia paper a statement by the Chairman of the Philadelphia Republican City Committee, Councilman Wilbur Hamilton, a former Member of the House wherein Mr. Hamilton accused the Judiciary Committee of the Philadelphia Bar Association of being pressured by the ADA into naming these members and that as a result of that pressure these seven members, or a certain precentage of them, were so named.

I do not want to attack anyone's character here, it is not my purpose to do so, but if the information I have is correct and a certain person has the inside track, I think the Members of this House should know the information I have.

One of the persons, a young lady who is now a Deputy Attorney General by the name of Lois Forer, I am reliably informed again—and I have confidence in the source of my information—who was recommended by the Judiciary Committee of the Philadelphia Bar Association was in 1948 a member of the Progressive Party and as a member of that party she campaigned actively for Henry Wallace.

If I find out to the contrary, I shall certainly so state to this House, but because of the source of my information I am inclined to believe it. I want to say here and now that if it is correct, then I want no part of it.

Regardless of politics, I think the Governor should scrutinize this list and make an independent selection. There are so many fine attorneys in the City of Philadelphia, both Democratic and Republican, endorsed by both parties, and yet the Judiciary Committee named seven members of the Bar Association, all of the same political party, the Democratic Party. If that is bipartisan, then I do not fully understand the term.

PERMISSION TO ADDRESS HOUSE

Mr. DOUGHERTY asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to thank you, Mr. Speaker, for your kind remembrance of my birthday. I want you to know I greatly apreciate it. Thank you.

The SPEAKER. The Chair thanks the gentleman and wishes him sincere birthday greetings.

PERMISSION TO ADDRESS HOUSE

Mr. FILO asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to take a little bit of time to show that the Members are interested in saving money for the Commonwealth.

On numerous occasions I have presented bills to the House of Representatives regarding free licenses for residents over 65 years of age for fishing and for hunting. This year I also had bills prepared of a similar nature. However, in checking over the history I find that two pieces of legislation similar to mine were introduced by Mr. Price. They are House Bill 309 and House Bill 310.

I want to state here that I am in favor of those bills and I would urge the Committee to take favorable action on them. Since then I have found out, and I have checked

with the printer, that had I introduced these two bills it would have cost the Commonwealth $2,700.

For the information of the Members of the House, and I think this is enlightening, a bill like this House Bill 309,—I believe every Member can see it, it is a page and a half long—costs $1,350 to print as soon as it is introduced. Now here are two bills that could have been introduced without looking at the House history and they would have cost the government $2,700.

In checking over today's calendar, and from the information given by the Minority Leader, I find that there are three bills on a similar nature that probably did not have to be on the calendar. Therefore, with those bills being introduced and termed as unnecessary we could have saved $8,850.

Mr. JOHNSTON. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Filo.

The SPEAKER. Will the gentleman from Allegheny, Mr. Filo, permit himself to be interrogated?

Mr. FILO. I shall, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, I wish the gentleman would take the House History, please, and I would like to call his attention to two bills.

Mr. FILO. I think I know the nature of the two bills, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, is it not true that on page 60 there is House Bill 314 introduced by Mr. Goldstein and Mr. Filo caling for medial barriers or guards, and then a similar bill on page 81, House Bill 441, by Mr. Filo and Mr. Goldstein calling for medial barriers or guards?

Mr. FILO. That is true, Mr. Speaker.

Mr. JOHNSON. Will the gentleman explain if there is any difference in those two bills?

Mr. FILO. Mr. Speaker, there is a very, very great difference in the two bills if the gentleman would just care to look at them. I might say this, the one bill calls for medial barriers being built by the Highway Department and the other bill is a medial barrier bill calling for the Turnpike Commission, or any other succeeding agency, to maintain and to erect madial barriers at the rate of 20 miles per year until such time as the Turnpike is completely protected with medial barriers. There is a wide difference, sir, and I agree that the two bills look similar. However, these two bills I am referring to are of the exact nature—

Mr. JOHNSON. Mr. Speaker, I realize that the law of Pennsylvania says a bill must have a oneness of subject. While the oneness of subject would be medial barriers, then could not your one bill have provided for construction by the Highway Department and then in another section construction by the Turnpike Commission?

Mr. FILO. As the gentleman well remembers, I had introduced such a bill and it was argued and debated on the floor of the House during the last session. The gentleman from Dauphin, Mr. Hocker, claimed it was illegal for the Highway Department to erect and maintain such a barrier because it is in the hands of the Turnpike Commission. Therefore, that was the reason the original bill was drawn up by Mr. Goldstein, the first bill, and the second bill was drawn up by myself and Mr. Goldstein.

PERMISSION TO ADDRESS HOUSE

Mr. SCHWARTZ asked and obtained unanimous consent to address the House.

Mr. Speaker, the Majority Leader evidently has some pretty good writers himself. I am sure he does not think up the information he gives to the Members of this House apropos of the Secretary of Welfare, Mr. Shapiro.

I think I can give the House a pretty good reason why he wants to scrutinize that seven hundred and some thousand dollars that he says is in the budget for the purpose of propaganda. It seems to me that one of the really good jobs that is being done in this Commonwealth is the one being done by the Department of Welfare under that Secretary.

Perhaps Mr. Johnson is a little concerned that the people of the Commonwealth will be adequately apprised of the good job that is being done and for that reason desires to scrutinize and eliminate that item from the budget. Is seems to me that $700,000 out of $223 million is about a quarter of one per cent. If you spend $223 million for that type of work, certainly the people of this Commonwealth ought to know that that kind of money is available for that particular purpose. The $700,000 might well be $600,000 or it might be $800,000 but I do not think the money is wasted.

I also do not think it is wasted if a thousand people who are interested in mental health would be gathered in our Capitol in Harrisburg to implement such a program.

PERMISSION TO ADDRESS HOUSE

Mr. TOLL asked and obtained unanimous consent to address the House.

Mr. Speaker, I sat here a little while ago and listened to one of my colleagues from Philadelphia refer to a fellow member of the Philadelphia Bar with reference to her non-legal, non-judicial qualifications for appointment to the Bench.

In the first place, let me say that I am a member of the Bar Association of the City of Philadelphia, one of the oldest associations of lawyers in America. It is an organization which contains Democrats and Republicans and non-partisans.

When the request for the selection of a judge to succeed the judge who passed away was issued, the Bar Association requested members of the Bar and the interested public to submit names for their consideration. I submit to you that a group of lawyers are as well qualified, if not better qualified than any other group of citizens, to make a recommendation for an appointment because they practice before these judges and they know exactly what type of person is qualified to sit on the Bench.

Names were submitted, a great many of them, and the Association recommended those names which appeared in the newspapers for some reason or other. They may have decided the others were not suitable temperamentally, or for some other reason.

I do know that Mrs. Forer ran for the State Senate from Montgomery County in 1950, when I ran for office in this House. She was defeated. Since then she has moved into the County of Philadelphia. I can also tell you that as a member of the American Bar Association, she won the Ross essay $2,500 award against competition from all over the country about three years ago. In

addition to that, she has a remarkable record in the Department of Justice as one of the leading lawyers in the Department, specializing in social welfare bills. In addition to that, I can tell you that she is one of the outstanding champions of civil liberties in this Commonwealth.

I am not saying that other people should not be considered, and I believe the Governor is considering other applicants, but I call your attention to the fact that if she is not qualified to sit on the Bench, then no one is qualified.

Mr. McCORMACK. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Toll.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Toll, permit himself to be interrogated?

Mr. TOLL. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, I believe the gentleman would not want to create the erroneous impression that I questioned this girl's legal ability, although you said I did question it?

Mr. TOLL. No, Mr. Speaker, I just raised the question in reference to the fact that several candidates are being considered by the Governor and why would the question be of importance to this Body.

Mr. McCORMACK. Mr. Speaker, the gentleman said that she ran for State Senator in Montgomery County in 1950 and that she moved into the City of Philadelphia. Do you happen to know how many weeks ago or how many mouths ago she moved into the City of Philadelphia?

Mr. TOLL. I do not, Mr. Speaker. I heard she moved recently, but I do not know how long ago. But she has been a Philadelphia lawyer from way back.

Mr. McCORMACK: Mr. Speaker, does the gentleman know how many names were submitted to the Judiciary Committee?

Mr. TOLL. I do not know, but there are certainly many more than those who were recommended.

Mr. McCORMACK. Mr. Speaker, does the gentleman know whether Mrs. Forer has ever practiced in the Municipal Court of Philadelphia County?

Mr. TOLL. I never saw Mrs. Forer practice in Municipal Court, but I have seen her in action in the Common Pleas Court. In fact, I saw her argue a case on the constitutionality of the censorship law in No. 2 Court.

Mr. McCORMACK. As a matter of fact, the Municipal Court has complete jurisdiction over domestic relations and juveniles, is that correct?

Mr. TOLL. That is correct.

Mr. McCORMACK. Do you know the other candidates, for instance, Muray H. Shusterman?

Mr. TOLL. I do, Mr. Speaker.

Mr. McCORMACK. Does the gentleman know whether he ever practiced in the Municipal Court of Philadelphia?

Mr. TOLL. I believe he did, he has an all-round practice. I know him very well.

Mr. McCORMACK. I do not want to go through the list.

Mr. Speaker, I did not question the legal qualifications of Mrs. Forer. I just am really disturbed by the fact that she is supposed to have been a member of the Progressive Party and I am also disturbed by the fact that these recommendations, or most of them, originated with the ADA. I certainly hope the Governor really scrutinizes the list before he makes the appointment.

ANNOUNCEMENT

There will be an important Caucus of the Democratic Members immediately after today's session in the Old House Caucus Room.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Light, Chairman, Room 331, Wednesday, February 20, at 9:45 a. m.

APPROPRIATIONS, Mr. Wood, Chairman, Room 245, Wendesday. February 20, at 10:15 a. m.

COUNTIES, Mr. Erb, Chairman, Room 323, Wednesday, February 20, at 9:30 a. m.

FISHERIES, Mr. Stoner, Chairman, Room 331, Wednesday, February 20, at 9:00 a. m.

GAME and CONSERVATION, Mr. Metz, Chairman, Room 331, Wednesday, February 20, at 9:30 a. m.

PROFESSIONAL LICENSURE, Mr. Wall, Chairman, Room 521, Wednesday, February 20, at 9:30 a. m.

TOWNSHIPS, Mr. Wescott, Chairman, Room 552, Wednesday, February 20, at 10:00 a. m.

ADJOURNMENT

Mr. SHIELDS. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 20, 1957 at 10:30 a. m.

The motion was agreed to, and (at 3:55 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., WEDNESDAY, FEBRUARY 20, 1957. No. 16.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 20, 1957

The House met at 10:30 a. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Dr. Roy E. Manne, Pastor of South Avenue Methodist Church, Wilkinsburg, Pa., guest Chaplain, offered the following prayer:

Eternal God, we thank Thee that as our wisdom increases, our sense of God increases.

Be to us like the light. Too often have we loved the darkness because our deeds are evil. Shine upon us. Give us vision and insight. May the solutions of our problems grow clearer as we hold them before Thy presence.

Be to us like the sea. Let littleness die out of us. Let meanness and partisanship, prejudice and bigotry, intolerance and smallness fall away from us.

Replace our dismay with encouragement; our fear with faith; our low meditations with high ambitions. Help us to make this God's own country by living like God's own people.

We do not always know the way we ought to take—guide us. We do not always know how we ought to behave—show us. We do not always do what we know we should do—admonish and then forgive us. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, February 19, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. METZ, McCANN, KNECHT and FARABAUGH. HOUSE BILL No. 480.

An Act amending "The Vehicle Code" of May 1, 1929 P. L. 905), providing for special registration plates for armers; fixing fees and prescribing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. MAGEE and Mrs. DONAHUE. HOUSE BILL No. 481.

An Act amending the act of July 18, 1917, (P. L. 1043) ntitled, "An act establishing a public school employes' etirement system, etc. . . . . ." by increasing certain nnuities and compensation.

Referred to the Committee on Education.

By Messrs. STRAUSSER and MAGEE. HOUSE BILL No. 482.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) prescribing probationary periods for professional employes; including joint boards of school directors in provisions for suspensions and reinstatement of professional employees;***.

Referred to the Committee on Education.

By Messrs. MAHAN and WENDELL H. MILLER. HOUSE BILL No. 483.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) authorizing the rate of speed to be determined by radar equipment or speedometer.

Referred to the Committee on Motor Vehicles.

By Mr MAXWELL. HOUSE BILL No. 484.

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382), giving municipalities to which projects of Authorities extend or are leased representation on the governing body of the Authority.

Referred to the Committee on Municipal Corporations.

By Messrs. MAHAN and WENDELL H. MILLER. HOUSE BILL No. 485.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) changing the provisions relating to issuance and display of registration plates.

Referred to the Committee on Motor Vehicles.

By Messrs. IDE and TOMPKINS. HOUSE BILL No. 486.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) making it a crime to wilfully make a false confession or give misleading information to law enforcement authorities.

Referred to the Committee on Judiciary Special.

By Mr. DUNN. HOUSE BILL No. 487.

An Act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841), changing fees in civil cases.

Referred to the Committee on Judiciary.

By Mr. DUNN. HOUSE BILL No. 488.

An Act conferring jurisdiction on aldermen, magistrates and justices of the peace over cases involving juveniles accused of larceny or malicious mischief.

Referred to the Committee on Judiciary.

By Mr. GUTHRIE. HOUSE BILL No. 489.

An Act amending the "Banking Code," approved May 15, 1933, (P. L. 624), increasing the unsecured amount a bank, bank and trust company, or trust company may loan its salaried officers or employes or those of affiliated banking institutions.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. WYATT and WENDELL H. MILLER. HOUSE BILL No. 490.

An Act relating to larceny of goods held for sale; providing that detaining a person under suspicion by a peace officer, merchant or merchant's employe shall not render merchant, merchant's employe or peace officer criminally or civilly liable for false arrest, false imprisonment or unlawful detention;***.

Referred to the Committee on Judiciary Special.

By Mr. WYND. HOUSE BILL No. 491.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), prescribing powers of magistrates in summary proceedings involving certain juveniles, and providing for reports by magistrates to juvenile courts in certain cases.

Referred to the Committee on Motor Vehicles.

By Mr. STRAUSSER. HOUSE BILL No. 492.

An Act amending the "Fire Safety Building Regulation Law" approved April 27, 1927 (P. L. 465), requiring the printing and showing of seating arrangements and exits in places of public amusements; imposing penalties and providing for the disposition of fines.

Referred to the Committee on Public Health and Sanitation.

By Mr. RENWICK (By request) HOUSE BILL No. 493.

An Act amending the act of May 31, 1893 (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, * * of checks and other negotiable paper on such days," changing the days to be observed as legal holidays.

Referred to the Committee on State Government.

By Messrs. VARNER, DENNISON and MIHM. HOUSE BILL No. 494.

An Act amending the "State Employes' Retirement Law", approved June 27, 1923, (P. L. 858), providing for a minimum retirement allowance after twenty-five years' service and voluntary retirement.

Referred to the Committee on State Government.

By Mr. STRAUSSER. HOUSE BILL No. 495.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting maintenance of certain animals in a manner which causes hurt or damage to or interferes with the reasonable use of the lands or tenements of another.

Referred to the Committee on Law and Order.

By Mr. STRAUSSER. HOUSE BILL No. 496.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating wage specifications in contracts for public works entered into by the General State Authority and the State Public School Building Authority.

Referred to the Committee on State Government.

By Mr. STRAUSSER. HOUSE BILL No. 497.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P .L. 103), authorizing compensation of supervisors for use of certain motor vehicles for distribution of cinders or patching materials from stock piles.

Referred to the Committee on Townships.

By Mr. LOVETT. HOUSE BILL No. 498.

An Act amending "The Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), providing that the State Workmen's Insurance Fund shall be the sole agency in which the payment of compensation may be insured***.

Referred to the Committee on Labor Relations.

By Messrs. RAGOT, WHEELER, MOYER and IDE. HOUSE BILL No. 499.

An Act amending "The Game Law," approved June 3, 1937, (P. L. 1225), authorizing county treasurers to issue special archery licenses and fixing an additional charge therefor.

Referred to the Committee on Game and Conservation.

By Mr. KELLER and Mrs. KOOKER. HOUSE BILL No. 500.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), restricting the use of school bus colors; and prescribing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. KELLER and Mrs. KOOKER. HOUSE BILL No. 501.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), increasing maximum limits on per capita taxes with certain limitations.

Referred to the Committee on Education.

By Messrs. LOVETT and BOORY. HOUSE BILL No. 502.

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect *** certain additional taxes for general revenue purposes; ***," prohibiting a tax merely upon wages but permitting imposition of a tax upon income.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. ANDREWS. HOUSE BILL No. 503.

An Act to provide revenue for public school subsidies by imposing a State tax upon the Federal Income Tax liability of natural persons who are residents of the Commonwealth; *** and prescribing penalties.

Referred to the Committee on Ways and Means.

By Messrs. VAUGHAN, RIGBY, STUART and GOLDSTEIN. HOUSE BILL No. 504

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for equa reimbursement to school districts of the first Class A an first Class for the school years 1955-1956 and 1956-195

Referred to the Committee on Education.

By Messrs. MARSH and DENNISON.

HOUSE BILL No. 505.

An Act amending the "Public School Code of 1949", approved March 10, 1949, (P. L. 30), requiring the immunization of children against poliomyelitis.

Referred to the Committee on Education.

By Messrs. RAGOT and IDE. HOUSE BILL No. 506.

An Act amending "Third Class City Code", approved June 23, 1931, (P. L. 932), further regulating firemen's pension fund.

Referred to the Committee on Cities—Third Class.

By Mr. MOODY. HOUSE BILL No. 507.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), further regulating the imposition of costs of prosecution.

Referred to the Committee on Judiciary.

By Mrs. DONAHUE and Mrs. KOOKER.

HOUSE BILL No. 508.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), requiring certain persons whose licenses or permits have been suspended or revoked to take drive education instruction.

Referred to the Committee on Motor Vehicles.

By Miss DUFFY and Mr. DUNN.

HOUSE BILL No. 509.

An Act relating to compensation of persons unjustly convicted and imprisoned for crimes.

Referred to the Committee on State Government.

By Messrs. WILLIAMS and AGNEW.

HOUSE BILL No. 510.

An Act amending the "Commodities Weight and Measure Law," approved July 24, 1913, (P. L. 965), regulating the sale and delivery of agricultural, horticultural and floricultural seeds.

Referred to Committee on Judiciary Special.

By Messrs. FARABAUGH and AGNEW

HOUSE BILL No. 511.

An Act amending the "Commodities Weight and Measure Law," approved July 24, 1913, (P. L. 956), regulating the sale and delivery of agricultural, horticultural and floricultural seeds.

Referred to Committee on Judiciary Special.

By Messrs. SNIDER and AGNEW

HOUSE BILL No. 512.

An Act to regulate and control the distribution, sale or offering for sale of all bread wrapped or unwrapped, conferring certain powers and imposing duties upon the Secretary of Internal Affairs and inspectors of weights and measures in cities and counties relative thereto prescribing penalties for violations thereof and repealing inconsistent laws.

Referred to Committee on Judiciary Special.

By Messrs. AGNEW and PETROSKY

HOUSE BILL No. 513.

An Act amending the act of May 11, 1949 (P. L. 1116), entitled "An act to regulate deliveries of light fuel to domestic consumers; * * *," further regulating deliveries of light fuel oil to domestic consumers.

Referred to Committee on Judiciary Special.

By Mr. JENKINS HOUSE BILL No. 514.

A Joint Resolution proposing an amendment to article IX, section 1 B, of the Constitution * * * authorizing tax exemptions and rebates.

Referred to Committee on Ways and Means.

By Messrs. MAHAN and WENDELL H. MILLER HOUSE BILL No. 515.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land in the Borough of Slippery Rock, Butler County, for use of the Slippery Rock State Teachers' College, and making an appropriation.

Referred to Committee on State Government.

By Messrs. MAHAN and WENDELL H. MILLER HOUSE BILL No. 516.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire 253.1 acres, more or less, of land in Slippery Rock Township, Butler County, for use of Slippery Rock Teachers College; and making an appropriation.

Referred to Committee on State Government.

By Messrs. DENNISON and DAVIS.

HOUSE BILL No. 517.

An Act authorizing and directing the State Highway and Bridge Authority, with the approval of the Governor, to erect and maintain a bridge over the Clarion River in Jefferson County at a point in the general area of the Village of Cooksburg and Cook Forest Park.

Referred to Committee on Highways.

By Messrs. DENNISON and DAVIS.

HOUSE BILL No. 518.

An Act authorizing and directing the State Highway and Bridge Authority to erect and maintain a bridge over the Clarion River in Jefferson County at a point in the general area of the Village of Clarionington.

Referred to Committee on Highways.

By Messrs. CLEVELAND and MARSH. HOUSE BILL No. 519.

An Act making an appropriation to the Department of Commerce for the advertisement and advancement of Pennsylvania as a resort and travel area.

Referred to the Committee on Appropriations.

By Messrs. McCANN, WHEELER, WOOD and WESTCOTT. HOUSE BILL No. 520.

An Act amending the act of June 21, 1839 (P. L. 376), entitled "An act providing for the election of Aldermen and Justices of the Peace," further providing for giving of bonds by justices of the peace and aldermen; * * *.

Referred to Committee on Judicial Special.

By Messrs. McCANN, WHEELER, WOOD and WESCOTT. HOUSE BILL No. 521.

An Act amending "The Second Class Township Code,"

approved May 1, 1933 (P. L. 103), further regulating ordinances opening, changing or vacating roads and highways.

Referred to the Committee on Townships.

By Messrs. McCANN, WHEELER, WOOD and WESCOTT. HOUSE BILL No. 522.

An Act amending the act of July 20, 1953 (P. L. 550), entitled "An act providing for and regulating the annexation of parts of a second class township to boroughs, cities and townships, fixing the time when annexation takes effect, and further providing for the payment of costs.

Referred to the Committee on Townships.

By Messrs. McCANN, WHEELER, WOOD and WESCOTT. HOUSE BILL No. 523.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further regulating the payment by cities, boroughs, and townships for certain improvements and facilities in portions of the townships annexed by them.

Referred to the Committee on Townships.

By Messrs. MOSCRIP, WESCOTT, McCANN and WHEELER. HOUSE BILL No. 524.

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An Act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities * * *," revising the formula for determinating the amount of payments.

Referred to the Committee on Ways and Means.

By Mr. READINGER. HOUSE BILL No. 525.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commnowealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; * * *" by providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications thereof.

Referred to the Committee on State Government.

By Mr. LOVETT. HOUSE BILL No. 526.

An Act amending the "State Workmen's Insurance Fund Law," approved June 2, 1915 (P. L. 762), providing for insurance in the fund of all employers liable to pay workmen's compensation.

Referred to the Committee on Labor Relations.

By Mr. LOVETT. HOUSE BILL No. 527.

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), changing the power of the political subdivisions to levy, assess and collect certain taxes under the provisions of the act.

Referred to the Committee on Municipal Corporations.

By Mr. LOVETT. HOUSE BILL No. 528.

An Act providing for the creation and administration of a State fund for the insurance of the liability of employers for injuries to employes sustained in their course of employment; * * *" and making an appropriation.

Referred to the Committee on State Government.

By Mr. LIPPINCOTT, Mrs. KERNAGHAN, Mr. ISAACS and Mr. FOSTER. HOUSE BILL No. 529.

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. DOWN, SNIDER, WILLARD and READINGER. HOUSE BILL No. 530.

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pa., for construction of new buildings * * * at the George Jr. Republic School, in Mercer County, Pa.

Referred to the Committee on Appropriations.

By Mr. PHILLIPS. HOUSE BILL No. 531.

An Act making an appropriation to the Orlando S. Johnson Industrial School, of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 19

An Act amending the act of June 19, 1913 (P. L. 534), entitled "An act relating to appointment of deputy constables," defining the jurisdiction of deputy constables.

Referred to Committee on Judiciary.

SENATE BILL No. 35

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended "The Fourth to Eight Class County Assessment Law," imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 89

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law," authorizing the Department of Highways to construct and maintain cattle passes under State highways and rural State highways hereafter constructed.

Referred to Committee on Highways.

SENATE BILL No. 99

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended, "Local Tax Enabling Law," changing the over-all limit of tax revenues for certain taxing districts.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 122

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," permitting borough council to hold its organization meetings on first day after a holiday.

Referred to the Committee on Boroughs.

SENATE BILL No. 123

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," permitting county commissioners to hold their organization meeting on the day after a holiday.

Referred to the Committee on Counties.

SENATE BILL No. 144

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," further regulating pedestrians' right of way upon highways in business or residence districts.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 161.

An Act amending the act of December 27, 1951 (P. L. 1742), entitled, as amended, "The Realty Transfer Tax Act," requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

Referred to the Committee on State Government.

SENATE RESOLUTION SERIAL No. 105.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. CIOFFI. RESOLUTION No. 35.

In the House of Representatives, February 19, 1957.

The Commonwealth of Pennsylvania is presently confronted with a serious problem in regard to the shortage of trained nurses available to the public. A brief observation of existing conditions on this matter leads the House of Representatives to certain startling conclusions. First, this shortage of trained nurses exists despite the fact that the General Assembly appropriates, on behalf of State-aided institutions, several millions of dollars with which student nurses tuition costs can be defrayed. Another factor which points out this shortage is that much has to be done and said via the radio and advertising, and other mass communication media in order to recruit or induce persons to pursue a vocation or avocation of nursing. Many times it is necessary for hospitals to employ students on a part-time basis or as volunteers to perform certain routine duties that will lessen the task of trained nurses. Such conditions confirm the position that the physical facilities of State and State-aided institutions are just not sufficient enough to turn out as high a number of trained nurses as would be desired; therefore be it

Resolved, That the Joint State Government Commission is hereby directed to study and investigate the matter of the trained nurses shortage in the Commonwealth and to submit its findings and recommendations on how to alleviate this shortage to the next regular session of the General Assembly.

Referred to the Committee on Rules.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. HOLT for today's session because of illness.

Mr. McCann for Mr. WHEELER for today's session because of state business.

Mr. McCann for Mr. KORNICK for today's session because of state business.

Mr. Reidenbach for Mr. MUSTO because of illness.

Mr. Hamilton for Mr. SMITH because of illness.

Mr. Isaacs for Mr. FOSTER because of illness.

REPORTS FROM COMMITTEES

Mr. GOODRICH from the Committee on Game and Conservation, reported as committed, House Bill No. 32, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), authorizing unnaturalized foreign-born residents to own or possess dogs.

Mr. FILO from the Committee on Game and Conservation, reported as committed, House Bill No. 247, entitled:

An Act amending "The Game Law", approved June 3, 1937, (P. L. 1225), changing the definition of "unprotected birds" to exclude hawks.

Mr. BRAND from the Committee on Fisheries, reported as committed, House Bill No. 250, entitled:

An Act amending "The Fish Law of 1925", approved May 2, 1925 (P. L. 448), excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsman's shows.

Mr. HORST from the Committee on Townships, reported as committed, House Bill No. 267, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), permitting township commissioners to hold their organization meeting the day after a holiday.

Mr. RENWICK from the Committee on Townships, reported as committed, House Bill No. 268, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), changing the dues payable by the township for membership in the State Association of Township Supervisors.

Mr. FETTEROLF from the Committee on Municipal Corporations, reported as amended, House Bill No. 301, entitled:

An Act amending "The Fourth to Eighth Class Assessment Law," approved May 21, 1943 (P. L. 571), increasing compensation and providing for travel expenses of assessors.

Mr. RAGOT from the Committee on Fisheries, reported as committed, House Bill No. 309, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1929, (P. L. 448), providing for the issuing of lifelong free resident fishing licenses to persons sixty-five years of age or over.

Mr. MAHAN from the Committee on Fisheries, reported as committed, House Bill No. 338, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing fish wardens to make arrests for certain offenses.

Mr. PIPER from the Committee on Professional Licensure, reported as committed, House Bill No. 341, entitled:

An Act amending "The Private Detective Act of 1953," approved August 21, 1953 (P. L. 1273), permitting former members of the Pennsylvania State Police to apply for licenses.

Mr. WILLAREDT from the Committee on Appropriations, reported as committed, House Bill No. 443, entitled:

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

Mr. WYATT from the Committee on Counties, reported as committed, Senate Bill No. 32, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes, amending, revising, consolidating and changing the laws relating thereto," fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

Mr. BRAND from the Committee on Counties, reported as committed, Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908), entitled * * *," authorizing county commissioners to destroy or dispose of certain records and papers.

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 4, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) requiring the Auditor General to publish a monthly report of persons employed by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 21, entitled:

An Act amending the act of June 26, 1895 (P. L. 333) entitled "An act to authorize occupants of real estate in cities and boroughs * * * to employ night watchmen * * * " authorizing the appointment of day and night watchmen in all political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 24, entitled:

An Act for the establishment of uniform standards of time throughout the Commonwealth and repealing certain laws inconsistent therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 94, entitled:

An Act amending "The Tractor Code" approved May 1, 1929 (P. L. 1005) providing for the classification of tractors used as portable saw mill rigs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 122, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) changing certain penalties for making illegal noises

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 201, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372) permitting certain members of the Authority to designate other persons to act on their behalf

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 204, entitled:

An Act amending the "Public Utility Law" of May 28, 1937 (P. L. 1053) excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children to and from school sponsored extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 293, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to Reference and Arbitration" increasing the amount in controversy which may be referred to arbitration

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 295, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) removing time limitation for filing petitions when disability increases or recurs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 317, entitled:

An Act amending the act of May 1, 1913 (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" further regulating the letting of such contracts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 330, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' * * * increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited part-

nerships associations joint-stock associations copartnerships and persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 331, entitled:

An Act reenacting and amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 332, entitled:

An Act amending the "Cigarette Tax Act" approved June 14, 1935 (P. L. 341) extending the provisions imposing an additional tax for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 333, entitled:

An Act reenacting and amending the "Corporation Income Tax Law" approved August 24, 1951 (P. L. 1417) imposing the tax permanently.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 334, entitled:

An Act reenacting and amending the "Corporate Net Income Tax Act" approved May 16, 1935, (P. L. 208), imposing the tax permanently.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 335, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) extending the provisions of one additional tax for a limited time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 336, entitled:

An Act amending the "Fuel Use Tax Act" of January 14, 1952 (P. L. 1965) extending the provisions of one additional tax for a limited time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 337, entitled:

An Act amending the "Selective Sales and Use Tax Act" of March 6, 1956 (P. L. 1228) eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interstate bodies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 31, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled * * *" defining the records to be kept by the department and authoriizng the disposal of unneeded material relative to existing records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities".

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 87, entitled:

An Act reenacting certain parts of the act of May 1, 1929 (P. L. 905) entitled * * *" clarifying provisions relating to magistrates sending notices by registered or certified mail.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 124, entitled:

An Act amending the act of July 13, 1953 (P. L. 431) entitled "An act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers" further providing a procedure for enforcement of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,
The bill having been called up from the postponed calendar by Mr. RIGBY.
The House resumed the consideration on final passage of House Bill No. 10, entitled:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," providing for minority party representation in council.

On the question recurring,
Shall the bill pass finally?

BILL RECOMMITTED

Mr. RIGBY. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Counties for the purpose of further study and amendment.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 11, entitled as follows:

An Act authorizing incorporated towns to regulate junk yards.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Eilberg,	Lippincott,	Reidenbach,
Amarando,	Farabaugh,	Lopresti,	Renwick,
Anderson, M. S.,	Fetterolf,	Lovett,	Rigby,
Anderson, S. A.,	Filo,	Lutty,	Rovansek,
Andrews,	Fineman,	Magee,	Royer,
Ashton,	Floyd,	Mahan,	Scarcelli,
Auker,	Flynn,	Markley,	Schwartz,
Barton,	Fox,	Marsh,	Seltzer,
Bell,	Frascella,	Maxwell,	Sherman,
Blair,	Gailey,	McCann,	Shields,
Boles,	Gelfand,	McGee,	Snare,
Boory,	George,	McInroy,	Snider,
Bower,	Gibb,	McKeever,	Spray,
Bowman,	Gibson,	McLaughlin,	Steckel,
Brand,	Goldstein,	Merry,	Stevens,
Breisch,	Goodling,	Metz,	Stimmel,
Brennan,	Goodrich,	Mihm,	Stone,
Brenninger,	Gramlich,	Mikula,	Stoner,
Breon,	Gross,	Miller, B. Z.,	Strausser,
Brown,	Guthrie,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Miller, W. H.,	Taylor,
Bucchin,	Hamilton,	Mills,	Thompson,
Buchanan,	Heavey,	Monroe,	Toli,
Capano,	Heffner,	Moody,	Tompkins,
Carson,	Henzel,	Moscrip,	Ujobai,
Cianfrani,	Hocker,	Moyer,	Varallo,
Cioffi,	Horst,	Muldowney,	Varner,
Cleveland,	Ide,	Mullen,	Vaughan,
Comer,	Isaacs,	Murphy,	Verona,
Cooper,	Jenkins,	Murray, H. P.,	Wall,
Cummins,	Jim,	Murray, P. G.,	Walsh,
Curwood,	Johnson,	O'Brien,	Wargo,
Dalrymple,	Jones, T. H.,	O'Dell,	Weidner,
Davis,	Jump,	Ogilvie,	Welsh,
DeLong,	Kamyk,	Parry,	Wescott,
Dengler,	Kehler,	Pashley,	Whittaker,
Dennison,	Keller,	Petrosky,	Willard,
Devlin,	Kernaghan,	Phillips,	Willaredt,
Dietterick,	Knecht,	Piper,	Wilt,
Donahue,	Kooker,	Polaski,	Wood,
Dougherty,	Krakow,	Pomeroy,	Wyatt,
Down,	Lafore,	Post,	Wynd,
Dunn,	Lee, A. M.,	Price,	Yatron,
Edwards,	Lee, K. B.,	Pursley,	Zimmerman,
Erb,	Leonard,	Ragot,	Helm,
Eshleman,	Light,	Readinger,	Speaker
Ewing,	Limper,		

NAYS—0

NOT VOTING—22

Agnew,	Holt,	Munley,	Smith,
Breth,	Johnston,	Musto,	Stroup,
Donaldson,	Jones, G. E.	Naugle,	Trusio,
Duffy,	Kornick,	Rudisill,	Wheeler,
Foster,	Korns,	Schuster,	Williams,
Garlock,	McCormack,	Silverman,	Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection
House Bill No. 60, Printer's No. 23 and
House Bill No. 109, Printer's No. 69
were passed over at the request of the SPEAKER.

REQUEST FOR INFORMATION

Mr. ANDREWS. Mr. Speaker, I desire to file a request with the Majority Leader. The request is this:

At various times in the public print and even on the floor of this House the assertion has been made that qualified technical and professional employes have been ruthlessly separated from the payroll at various times since the beginning of the present administration and that as a consequence the administration is now frantically endeavoring to replace the trained people that have been dismissed.

I would like to have the Majority Leader supply me with a list of those who have been so ruthlessly separated from the payroll so I may file it in this House as a part of the record.

I also desire to make this brief statement. I feel that these statements should not go unchallenged. It is a part of current comment and it is a statement that can be documented or it is a statement made for publicity purposes.

If this administration has displaced trained technical employes, then it has taken an about-face endeavoring to reestablish a qualified technical staff, and that fact should be known. If it is not true that technical employes have been fired ruthlessly and without respect to their abilities to perform, that fact shuold be known.

I would like to have the Majority Leader, since he is partly responsible for those statements, compile a record that I may file it as a part of the proceedings of this House.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, for the information of the gentleman we certainly will try and comply with his request. Since I made the statement on the floor here on Monday, various Members on this side of the House have come to me with specific instances bearing out the very thing I have stated on the floor. I already had some instances reported to me before that.

It would be very helpful, however, if we could get the Governor's Personnel Officer downstairs to make up a list of those Republicans who have been released, it would greatly facilitate it, and then we can give you their quali-

fications and give you the reasons why they were discharged.

I am sure it is quite a formidable list. As the names come in I will be glad to furnish them to the House.

PERMISSION TO ADDRESS HOUSE

Mr. BELL asked and obtained unanimous consent to address the House.

Mr. Speaker, in this morning's newspaper, the Patriot, on page 3 appears an article headed, "Young Members of Legislature To Be Honored at Dinner Here." The article then goes on to describe 20 young Republicans. I was very happy to note among the 20 my most esteemed friend, the gentleman from Lackawanna, Mr. Wargo. But I was very unhappy when I noticed that this newspaper article—I do not know why—left out the names of all of the young ladies of the House.

I think all of us are familiar with the fact that we have some very gracious lady Members on both sides of this House. I want to go on record at this time with certain of my colleagues that we do not believe any of these ladies are over 35.

Therefore, the list should be corrected.

PERMISSION TO ADDRESS HOUSE

Mr. WARGO asked and obtained unanimous consent to address the House.

Mr. WARGO. Mr. Speaker, I was going to rise to a question of personal privilege; however, the gentleman from Delaware, Mr. Bell, has beaten me to it.

I will not quote the article in whole, but it says, "A Tribute to Youth." To start with, they did make one mistake. I am a young fellow of 34, not 35, although I sometimes feel 60.

In my many trips to and from this Capitol in five terms here, I have grown fond of my many Republican friends on the other side. Although it is a privilege and an honor to be so mentioned, I feel at this particular time—I just do not know how to say it, I feel that I do not choose to be written out of the Democratic party.

So I will ask some of these young Republicans who are attending this affair to convey my wishes that they all have a good time. Sometime when partisan politics will not be discussed, I will be only too happy to break bread with Mr. Shirk, who I believe is the President of the organization.

The SPEAKER. The Chair was hopeful that after all those many years of association with the Republicans the gentleman might have a change of heart.

Mrs. KOOKER. Mr. Speaker, I simply rise to say "thank you" to Representative Bell.

The poet says, "Things are not what they seem." This is surely due recognition of that fact, and on behalf of the ladies we say, "Thank you."

QUESTION OF INFORMATION

The SPEAKER. For what purpose does the gentleman rise?

Mr. AUKER. I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. AUKER. Mr. Speaker, as I understand it, all bills on first reading, that is, in white, are supposed to be on the Members' desks before they are called up for action.

The SPEAKER. The gentleman is in error. The bills do not have to be on the Members' desks for first reading, according to the Rules of the House, and the Rules so state.

Mr. AUKER. All right. I am sorry, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. VARNER asked and obtained unanimous consent to address the House.

Mr. Speaker, Members of the House and Mr. Speaker, you may have seen a number of ads that have appeared in daily and weekly newspapers throughout the Commonwealth within the last week. There is a series of ads being run by the Department of Revenue called, "Sales Tax Fax." These advertisements run by the Department of Revenue are costing the Department of Revenue and the taxpayers of the Commonwealth, I am certain, thousands of dollars, because each of you know, if you ever advertised in the newspapers, it costs a lot of money.

I have here in my hand a clipping which states that these ads will appear in nearly 300 daily and weekly newspapers in the state. This statement was made by the Secretary of Revenue, Gerald A. Gleeson. The ads are appearing in various newspapers and some of you have seen them.

The point I want to make is that this again reflects the statement made by our State Chairman last week that the costs of sales tax and corporation tax collections are a lot higher than they should be. This is one aspect, one reason, why they are higher. These ads are totally unnecessary. They are supposed to point out clearly and precisely just what each person in selling or leasing taxable property must do in making sure his annual return form is submitted by February 28th. They are particularly concerned with those individuals who have not yet obtained a license.

I say to the House and the people of Pennsylvania, if they do not know a sales tax is in force by this time, they certainly are not very well informed.

RESOLUTION

WASHINGTON'S BIRTHDAY

Messrs. JOHNSON and READINGER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, February 20, 1957.

February 22 marks the birthday of our beloved first president.

It is good, in these troubled times to contemplate the life of this man who suffered through years of bitter adversity, and through his great spirit lifted his nation from defeat to victory, and his people from despair to hope. Faith in the cause of liberty lived in his day, and survives today because his faith was absolute, and his resolute devotion to that cause, incapable of surrender.

The example of George Washington is an American tradition, and is more powerful today in shaping the course of world affairs than is the total of all totalitarian "isms" ever contrived.

The meaning of Washington's life is known to every person in the world who loves liberty, and the fact of it, gives hope and courage to those who want liberty; therefore be it

Resolved, That the House of Representatives pay tribute to the father of our country and the principles for which he stands, and in solemn reverence, give thanks to God for his existence.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, in order to be fair with the gentleman from Tioga, I listened to the gentleman's speech last week and of course, it was not the Fourth of July, it was February 12th, which happens to be Lincoln's Birthday.

I expected more a less of a political speech on Lincoln's Birthday, nevertheless, some of the things the gentleman said interested me somewhat, because I have spent many years as a Member of the Legislature. He referred to the Governor making a statement that mandatory legislation had more or less tied the hands of the Governor.

Now, let's be fair about it. Over the years I have been here mandatory legislation has been passed and sent to the Governor. How much of it has been passed and sent to the Governor under the present administration, or the present Governor, I know not. I just want to say that the Governor, in my mind, has the last say on all legislation. If the Governors over the years in this state have left mandatory legislation pass without using their power of veto when they think it is bad legislation or it should not pass, then the Governors themselves are at fault. They have that right. They have the staff over there. The Governors do not run for reelection, so they cannot be playing politics, they should veto it. Over the years I have never seen such legislation being passed which has been vetoed by the Governor. So I say again that the gentleman in his remarks on mandatory legislation should blame not only this administration, but previous administrations when the Governors themselves should have done something about it.

PERMISSION TO ADDRESS HOUSE

Mr. TOLL asked and obtained unanimous consent to address the House.

Mr. Speaker in further trying to straighten the record in the case where I believe an injustice has been done to a young lady who has been mentioned for high public office, I want to call the attention of the Members of the House to the fact that very shortly I expect to receive a certificate showing that Mrs. Forer has been a member of the Democratic party, a registered member, ever since she has been in Pennsylvania. I also expect to receive an affidavit that in 1948 she campaigns for the Democratic candidates.

ADJOURNMENT

Mr. MERRY. Mr. Speaker, I move that this House do now adjourn until Monday, February 25, 1957 at 4:30 p. m.

The motion was agreed to, and (at 11:37 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, FEBRUARY 25, 1957. No. 17.

SENATE

MONDAY, February 25, 1957.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. JOHN C. MOORE, Rector of Christ Episcopal Church, Coudersport, offered the following prayer:

O God, the Holy Spirit, Sanctifier of the faithful, visit, we pray Thee, this Senate assembled with Thy love and favor. Enlighten their minds more and more with the light of the everlasting gospel.

Graft in their hearts a love of the truth; increase in them true religion. Nourish them in all goodness and of Thy great mercy, keep them in the same, O Blessed Spirit, Whom, with the Father and the Son, we worship and glorify as one God, world without end. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HARNEY, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House, as follows:

House Bill No. 11, entitled:

An Act authorizing incorporated towns to regulate junk yards.

Which was committed to the Committee on Local Government.

REPORTS FROM COMMITTEES

Mr. ELLIOTT, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 110, entitled:

A Supplement to the act of June 12, 1931 (P. L. 588) entitled "An act authorizing the Department of Property and Supplies to acquire lands in Harris Township, Centre County, for the use of the Department of Military Affairs; and making an appropriation," transferring the control, supervision and management of the lands to the Pennsylvania Historical and Museum Commission; requiring the Commission to complete, and thereafter maintain, the "Twenty-eighth Division Shrine," thereon, dedicating of same to the officers and men of the Twenty-eighth Division; creating the Twenty-eighth Division Memorial Shrine Commission, and prescribing its powers and duties; and making an appropriation.

Mr. McMENAMIN, from the Committee on State Government, reported as committed, Senate Bill No. 224, entitled:

An Act requiring that all meetings of legislative bodies of all political subdivisions, including school districts, and of all meetings of boards, commissions, and authorities, created by or operating as agencies of political subdivisions, including authorities created by or operating as agencies of the Commonwealth shall be open to the public.

BILLS INTRODUCED AND REFERRED

Messrs. MALLERY, McMENAMIN and BERGER read in place and presented to the Chair, Senate Bill No. 257, entitled:

An Act amending the act of May 3, 1909 (P. L. 408), entitled, as amended, "An act authorizing the merger or consolidation of certain corporations," providing for the merger into a holding company of a subsidiary corporation incorporated under or subject to the Business Corporation Law, and eliminating any requirement of stockholder approval and any right of objecting stockholders to payment for their stock if the holding company is the owner of all the outstanding stock of the subsidiary corporation.

Which was committed to the Committee on Corporations.

They also read in place and presented to the Chair, Senate Bill No. 258, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," permitting corporate affidavits to be made by persons duly authorized by a board of directors and excluding certain days from the computation of certain tax periods.

Which was committed to the Committee on Corporations.

Mr. MALLERY read in his place and presented to the Chair, Senate Bill No. 259, entitled:

A Supplement to the act approved June 27, 1923 (P. L. 858) entitled "State Employes' Retirement Law," providing for credit for prior service for persons heretofore retired for superannuation.

Which was committed to the Committee on State Government.

Messrs. WALKER, WOLFE and WATSON read in place and presented to the Chair, Senate Bill No. 260, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," authorizing game to be hunted, caught, taken, wounded or killed with auto-pistols.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. STIEFEL read in his place and presented to the Chair, Senate Bill No. 261, entitled:

An Act amending the act of July 25, 1913 (P. L. 1024), entitled "Women's Labor Law," prohibiting the working of women for more than six consecutive days without at least one day of rest.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair, Senate Bill No. 262, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," providing that there shall be one representative of organized labor on the Advisory Health Board, the State Welfare Commission and the State Board of Public Assistance.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair, Senate Bill No. 263, entitled:

An Act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; prescribing penalties and making an appropriation.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair, Senate Bill No. 264, entitled:

An Act amending the act of June 12, 1931 (P. L. 510) entitled, as amended, "An act providing for the licensure and regulation of certain private nursing homes, private convalescent homes and private hospitals; . . .," requiring homes and hospitals to post certificates showing maximum number of occupants allowed in rooms.

Which was committed to the Committee on Public Health and Welfare.

REPORTS FROM COMMITTEE

Mr. ELLIOTT. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ELLIOTT, from the Committee on Military Affairs and Aeronautics, reported as amended, Senate Bill No. 18, entitled:

An Act making an appropriation to the Department of Military Affairs for expenses of a civilian high-power rifle team to the annual High-Power National Rifle Matches presently held at Camp Perry, Ohio.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 138, entitled:

An Act providing for the publication of the names and records of Pennsylvania volunteers who served in the Spanish-American War and making appropriation.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, February 25, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 4, 1957 at four o'clock, p. m., E. S. T.; and when the House of Representatives adjourns this week, it reconvene Monday, March 4, 1957 at four-thirty o'clock, p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF ARTHUR L. CHAPMAN AS A MEMBER OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the confirmation of the appointment of Arthur L. Chapman, Warren, as a member of The Pennsylvania Industrial Development Authority, from August 20, 1956, for a term of three years, and until his successor shall be duly appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

RECALLING THE NOMINATION OF JOHN W. SMITH AS A MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the confirmation of the appointment of John W. Smith, Selinsgrove, as a member of the Board of Trustees of Laurelton State Village, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward H. Herbert (Republican), 2 Boyden Street, Susquehanna, Susquehanna County, for appointment as a member of the Susquehanna County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice David Scales, Jr., Susquehanna, resigned.

GEORGE M. LEADER.

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wilbur I. Newstetter, Jr., Esq. (Democrat), 658 Pennridge Road, Pittsburgh 11, Allegheny County, for appointment as a member of the Allegheny County Board of Assistance, until December 31, 1958, and until his successor is duly appointed and qualified, vice Dean Stanton C. Crawford, Pittsburgh, resigned.

GEORGE M. LEADER.

ALDERMAN

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Pat Ryan, 1414 Thirteenth Ave, Altoona, Blair County, for appointment as Alderman in and for the Third Ward of the City of Altoona, Blair County, until the first Monday of January 1958, vice Anthony O'Toole, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Florence C. Bowers, Wind Gap, Northampton County, for appointment as Justice of the Peace in and for the Borough of Wind Gap, Northampton County, to serve until the first Monday of January 1958, vice Rush J. Bowers, deceased.

GEORGE M. LEADER.

MEMBER OF THE MONROE COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Barbara C. Reese (Democrat), 162 East Brown Street, East Stroudsburg, Monroe County, for appointment as a member of the Monroe County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice J. Nelson Westbrook, Stroudsburg, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE FOREST COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hilda H. Wright (Democrat), East Hickory, Forest County, for appointment as a member of the Forest County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Louise E. Phillips, Endeavor, resigned.

GEORGE M. LEADER.

MEMBER OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jeannette V. Hampton (Democrat), 511 North First Street, Titusville, Crawford County, for appointment as a member of the Crawford County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Mrs. Margaret D. Mitchell, Titusville, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate U. Frank English, 1013 Mifflin Street, Huntingdon, Huntingdon County, for appointment as Justice of the Peace in and for the Borough of Huntingdon, Huntingdon County, to serve until the first Monday of January 1958, vice Robert L. Norris, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Richard B. Weightman, 210 Connellsville Street, Fayette City, Fayette County, for appointment as Justice of the Peace in and for the Borough of Fayette City, Fayette

County, to serve until the first Monday of January 1958, vice Robert D. Park, Sr., resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold L. Fegley, High Street, Elkland, Tioga County, for appointment as Justice of the Peace in and for the Borough of Elkland, Tioga County, to serve until the first Monday of January 1958, vice James Kizer, resigned.

GEORGE M. LEADER.

ALDERMAN

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Lubomski, 745 Second Avenue, New Kensington, Westmoreland County, for appointment as Alderman in and for the Second Ward of the City of New Kensington, Westmoreland County, to serve until the first Monday of January 1958, vice Joseph B. Bordonaro, resigned.

GEORGE M. LEADER.

MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Warren B. Watson, Durham Road, Mechanicsville, Bucks County, for reappointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, for the term of four years, and until his successor is appointed and qualified.

GEORGE M. LEADER.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, last Tuesday, the Senate adopted a resolution relative to the proposed payment of some $250,000 by the Department of Welfare to the Commonwealth Mental Health Research Foundation. It was stated in that resolution that the intent of the Legislature, when the original Act was passed, was that this Foundation should be a recipient of gifts or funds from other foundations and from individuals for the purpose of research in the Commonwealth. At that time, the Commonwealth had no vehicle by which this might be accomplished.

Mr. President, we are informed that the resolution apparently was not sufficiently persuasive and that the Secretary of Welfare is pressing for the payment of this money over to this Foundation.

In order to clarify the situation, Mr. President, we have drawn the following bill and a companion bill. The companion bill relates to the training and the payment of salaries while in training of certain people who have been defined, more or less, as psychiatric assistants in various educational institutions. The companion bill would restrict such training to State-owned institutions.

Therefore, Mr. President, I am presenting the following two bills on behalf of Senator Mahany, Senator McMenamin, Senator Dent and myself.

BILLS INTRODUCED AND REFERRED

Mr. BERGER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. BERGER, MAHANY, McMENAMIN and DENT read in place and presented to the Chair Senate Bill No. 265, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts, page 110, Act No. 146-A), entitled "An act to provide for the ordinary expenses of the Department of Welfare . . .," making certain appropriations for research and training applicable only to State-owned institutions.

Which was committed to the Committee on Rules.

They also read in place and presented to the Chair Senate Bill No. 266, entitled:

An Act amending the act of May 21, 1956 (P. L. 1642) entitled "Commonwealth Mental Health Research Foundation Act," further defining the powers and jurisdiction of the Foundation.

Which was committed to the Committee on Rules.

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 267, entitled:

An Act amending the act of May 18, 1937 (P. L. 654) entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; . . .," requiring nurses to be on duty in certain establishments.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 268, entitled:

An Act defining and relating to installment land contracts and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 269, entitled:

An Act requiring circus and carnival operators to supply drinking water and toilet facilities to patrons.

Which was committed to the Committee on Public Health and Welfare.

Mr. DENT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT read in place and presented to the Chair Senate Bill No. 270, entitled:

An Act making an appropriation to the Department of Military Affairs to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

Which was committed to the Committee on Military Affairs and Aeronautics.

He also read in his place and presented to the Chair Senate Bill No. 271, entitled:

An Act amending the act, approved the twenty-seventh day of July, one thousand nine hundred fifty-three (P. L. 641) entitled , "An act prohibiting the erection and maintenance of obstructions to the operation of aircraft in certain areas and prescribing penalties," by requiring notice of construction in the vicinity of airports.

Which was committed to the Committee on Military Affairs and Aeronautics.

Messrs. DENT and MAHANY read in place and presented to the Chair Senate Bill No. 272, entitled:

An Act amending the act of January 26, 1956 (P. L. 955) entitled "An act authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an interstate compact concerning juveniles and for related purposes authorizing and directing the Governor on behalf of the Commonwealth of Pennsylvania to execute an additional interstate compact concerning juveniles.

Which was committed to the Committee on Judiciary General.

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I report at this time, from the Committee on Executive Nominations, communications from His Excellency, the Governor of the Commonwealth, recalling the nominations of Arthur L. Chapman as a Member of the Pennsylvania Industrial Development Authority, and John W. Smith as a member of the Board of Trustees of Laurelton State Village.

The Clerk read the communications as follows:

RECALLING THE NOMINATION OF ARTHUR L. CHAPMAN AS A MEMBER OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the confirmation of the appointment of Arthur L. Chapman, Warren, as a member of The Pennsylvania Industrial Development Authority, from August 20, 1956, for a term of three years, and until his successor shall be duly appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

RECALLING THE NOMINATION OF JOHN W. SMITH AS A MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the confirmation of the appointment of John W. Smith, Selinsgrove, as a member of the Board of Trustees of Laurelton State Village, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

I respectfully request the return to me the official nomination in the premises.

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. WATSON. Mr. President, I further report from the Committee on Executive Nominations, the nominations of Arthur L. Chapman and John W. Smith, and ask that they be read by the Clerk.

The Clerk read the nominations as follows:

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

Arthur L. Chapman, Warren, from August 20, 1956, for a term of three years, and until his successor shall be duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

John W. Smith, Selinsgrove, from December 14, 1956, for a term of four years and until his successor is appointed and qualified.

GEORGE M. LEADER.

NOMINATIONS RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nominations will be returned to the Governor.

The PRESIDENT. By direction of the President pro tempore of the Senate, the Chair invites the gentleman from Berks, Mr. Ruth, to the rostrum to preside.

The PRESIDING OFFICER (Frank W. Ruth) in the Chair.

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 5, Printer's No. 34, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 71, Printer's No. 39, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Kalman,	Mullin,	Wade,
Camiel,	Kessler,	Murray,	Wagner,
Chapman,	Kopriver, Jr.,	Pechan,	Walker,
Dent,	Kromer,	Propert,	Watkins,
Derk,	Lane,	Sarraf,	Watson,
DiSilvestro,	Madigan,	Schmidt,	Weiner,
Donolow,	Mahany,	Scott,	Whalley,
Ehrgood,	Mallery,	Seyler,	Wolfe,
Elliott,	McCreesh,	Silvert,	Yosko,
Flack,	McGinnis,	Stevenson,	Ruth,
Fleming,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was deterimned in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. MAHANY. Mr. President, we put a bill in the hopper last week which is more clear, relative to having these meetings of the various governing bodies open to the public. I understand that that bill is going to be reported out of the committee to which it was referred.

Therefore, Mr. President, I move that Senate Bill No. 141, on third reading, entitled:

An Act requiring that meetings of the governing body of authorities be open to the public.

be recommitted to the Committee on State Government.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 22, entitled:

An Act making an appropriation to the National Agriculture College Farm School Pennsylvania at Doylestown Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, inasmuch as Senate Bill No. 22, the bill just read, carries an appropriation, I move that it be re-referred to the Committee on Appropriations.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 33, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 74, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" further regulating the issuance of registration plates to news photographers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 108, entitled:

A Supplement to the act of June 2, 1915 (P. L. 736) entitled as amended "The Pennsylvania Workmen's Compensation Act" providing for the payment of compensation to auxiliary police or their dependents

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER TEMPORARILY

Mr. BARR. Mr. President, I ask unanimous consent tha Senate Bill No. 115, Printer's No. 38, on second reading go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 161, Printer's No. 30, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? Th Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 203 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 208, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State University for the use of the School of Agriculture for the erection of experimental mushroom houses and research in the communicable diseases of mushrooms and other places of the mushroom industry

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HARNEY offered the following amendment:

Amend Section 1, page 1, line 1, by striking out the words and numbers "fifty thousand dollars ($50,000)" and inserting in lieu thereof the following: "one hundred thousand dollars ($100,000)".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 216 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

RECESS

Mr. MAHANY. Mr. President, I request a three-minute recess of the Senate for the purpose of holding a meeting of the Committee on Rules.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a three-minute recess.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Rules, reported as committed, Senate Bill No. 266 entitld:

An Act amending the act of May 21, 1956 (P. L. 1642) entitled "Commonwealth Mental Health Research Foundation Act," further defining the powers and jurisdiction of the foundation.

BILLS INTRODUCED AND REFERRED

Mr. PROPERT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PROPERT read in place and presented to the Chair Senate Bill No. 273, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled, as amended, "Banking Code," increasing the aggregate amount of loans which a bank or bank and trust company may make upon the security of real property.

Which was committed to the Committee on Banking.

He also read in his place and presented to the Chair Senate Bill No. 274, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled, as amended, "Banking Code," making further provision for receipts of deposits in certain cases.

Which was committed to the Committee on Banking.

SENATE BILL No. 115 CALLED UP

Mr. LANE. Mr. President, I call up, from Page 2 of today's Second Reading Calendar, Senate Bill No. 115, Printer's No. 38, which went over in its order temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I now ask unanimous consent that Senate Bill No. 115, Printer's No. 38, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 18, entitled:

An Act making an appropriation to the Department of Military Affairs for expenses of a civilian high-power rifle team to the annual High-Power National Rifle Matches presently held at Camp Perry, Ohio.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 110, entitled:

A Supplement to the act of June 12, 1931 (P. L. 588) entitled "An act authorizing the Department of Property and Supplies to acquire lands in Harris Township, Centre County, for the use of the Department of Military Affairs; and making an appropriation," transferring the control, supervision and management of the lands to the Pennsylvania Historical and Museum Commission; requiring the commission to complete, and thereafter maintain, the "Twenty-eighth Division Shrine" thereon, dedicating the same to the officers and men of the Twenty-eighth Division; creating the Twenty-eighth Division Memorial Shrine Commission, and prescribing its powers and duties; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 138, entitled:

An Act providing for the publication of the names and records of Pennsylvania volunteers who served in the Spanish-American War and making appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 224, entitled:

An Act requiring that all meetings of legislative bodies of all political subdivisions, including school districts, and of all meetings of boards, commissions, and authorities, created by or operating as agencies of political subdivisions, including authorities created by or operating as agencies of the Commonwealth shall be open to the public.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 266, entitled:

An Act amending the act of May 21, 1956 (P. L. 1642), entitled "Commonwealth Mental Health Research Foundation Act," further defining the powers and jurisdiction of the Foundation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PETITIONS AND REMONSTRANCES

Mr. SCHMIDT. Mr. President and Members of the Senate, for many years, the Commonwealth of Pennsylvania neglected its duty toward the mentally ill of this Commonwealth. The treatment of our mentally ill really was a national shame for this Commonwealth.

Two years ago, we elected a Governor in this State who made, as one of his greatest contributions to this Commonwealth, a program to take care of our mentally ill. I do not have to remind the Members of this Senate of the long and tedious Session which we went through in order to make sure that a mental health program, which would meet with the needs of the Commonwealth of Pennsylvania, would be passed and properly financed. I will say that in years to come, the people of this Commonwealth, yes, the people of this Nation, will know Governor Leader because of that mental health program.

It seems since the present Session of the Legislature has commenced, there has been a gradual building up within this Senate of an opposition toward that mental health program.

Today, we witnessed the introduction of two bills which dealt with this problem, both of which were referred to the Committee on Rules. These bills were of such great importance to the Committee on Rules that they saw fit to hold a meeting and consider these bills and one of the bills was reported out. The particular bill which was reported out dealt with a situation which was published in the newspapers this present week, wherein it was stated that the Department of Welfare was providing a course of training for people interested in psychiatric work.

In order to have a proper mental health program, you need the personnel to carry out this program. I might say to you, gentlemen, sitting here today, that I wish each and every one of you would read today's issue of the Pittsburgh Post-Gazette. It contains a feature article written by Mr. Sprigle who, some ten years ago, made an investigation of our mental institutions and called to the attention of this Commonwealth the terrible situations which existed in our mental health institutions. In his article today he starts out by referring to one of these particular institutions, Byberry, and telling what a change has been effected at that institution in the short space of two years, since the present Governor and the present Administration has been in control.

In order to carry out that program, as I said, it is necessary to have trained personnel. This personnel cannot be just trained at any particular place. The Secretary of Welfare and the Governor of this Commonwealth have worked out a program with the State-aided hospitals, as well as with the State-owned hospitals, to conduct proper courses of training so that we may have people who are able to handle our mental health program. What is wrong with such a procedure, I do not know. However, it seems to disturb Members of this legislative body to the extent that a bill was introduced today which would take away the right to train these people in State-aided institutions. Why these institutions have been taken out of the program, I do not know. They are the finest hospitals in the Commonwealth of Pennsylvania. They are trained to give training to these people whom we need. Yet this bill which was hurried out of committee, passed first reading, and will appear on the Calendar tomorrow,—will say that we do not dare spend money to train personnel in these hospitals which receive State aid.

What has happened in this Senate, I do not know. The bill, Senate Bill No. 266, was introduced here in the Senate and, as I understand it, is out on the floor.

Mr. President, mental health is not a political issue. Mental health is one of the greatest issues that we have here in Pennsylvania. I do not feel that a body of this type should make it a political issue or an issue of likes or dislikes as to who may be Secretary of the Department of Welfare which is operating this mental health program. I ask you to think of this very seriously because you are dealing with people who cannot stand before you and plead their cause.

I hope that this bill will not be rushed through the Legislature and that, if there is a question in the mind

of the members of the committee or the Members of the Legislature, they see fit to call in people who are properly qualified to advise the Senate and the House as to whether or not we should remove State-aided institutions from the right to train personnel which will take care of our mentally ill.

Mr. McMENAMIN. Mr. President, I am sorry that my good friend and distinguished colleague, the Senator from Allegheny, saw fit to give such an impassioned plea on the wrong bill.

However, I think that implicit in his remarks is a continuation of the debate that went on last week and on which we will probably hear a little bit more next week, if not again this week.

Implicit in the thinking which he represents, it seems to me, is the philosophy that the end justifies the means. The Secretary of Welfare and those who seem to be allied with him feel that because the mental health program is so worthy, any means whatsoever, whether they are legal or not, are justified to carry out what they believe to be the best possible course of action to take.

Now those of us who opposed last week and I, as one of the sponsors on the bill which has just come out of committee, feel just as strongly as the Senator from Allegheny does about the need for a fine, progressive and modern mental health program. However, we also believe that its ends should be accomplished in a legal and constitutional manner.

I want to commend the Majority Leader and the Members of the Rules Committee for taking time out from their work today to hold an immediate meeting, and to have given this bill prompt and favorable consideration in a committee meeting. We are faced with an emergency situation. That situation is brought about by an attempt on the part of the Secretary of Welfare to spend funds, we believe, in an illegal manner. We believe purely and simply the difficulty here is a flagrant, arrogant and dictatorial assumption of powers which are not conferred by law upon the Secretary of Welfare. That is the situation we are trying to cure.

We believe that when this situation is cured, the mental health program will move more smoothly and more rapidly to its goal which all of us endorse.

Mr. MAHANY. Mr. President, Senator McMenamin has put in very fine language all the thoughts that I had when I first asked to be recognized by the Chair. Therefore, I have nothing to add to what he has already said.

Mr. BARR. Mr. President, to clear the minds of those in the Senate, I will read just what the bill that was reported from committee does.

It simply says that:

"No appropriation made to the Founudation shall be available unless and until it shall have complied with section 604 of the Administrative Code in the same manner as if it were an administrative department, board or commission." I think that is all we care about here in the Senate.

There is another thought that I had in regard to the second bill, and I thought for the edification of the Members of the Senate who do not belong to the Council of State Governments or are not delegates to the Convention, that I would call to your minds what they have done.

In 1953 at the conference, they said that the States should appraise the personnel situation in the State mental hospitals and support, where necessary, the training of increased numbers of personnel. They should take steps in encouraging and increase the number of students.

In New York, the Council on Social Work Education has told us that there were thirteen States listed as offering various kinds of scholarships. I would like to name those places for you: Illinois, Kentucky, Maryland, Minnesota, New York, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Virginia and Wisconsin, which is a pretty good cross-section of our Country.

Now in Illinois presently, they have 150 nurses in training, for which the State provides the room, the board, the uniforms, the tuition and the books, plus forty to sixty dollars spending money a month. These are nurse trainees. They have twenty-five physicians and residents training in psychiatry, and twenty-eight social workers, for whom they pay full tuition and a stipend ranging up to $190 a month.

Now in New York, they have a little different system. They pay a flat rate out of which each student pays his own tuition. The pay is $2,400 a year. Forty are on that arrangement now, with a total of $70,000 in the program, and another $30,000 in another program for part time schooling.

Ohio has appropriated $115,180 for this work, and they have some psychiatrists they are paying $8,000 a year while they are going to school; four of them in number. They pay some tuitions from $135 up to $700 a year and some they pay $450 a semester. They make separate arrangements with various institutions and, as you probably know in Ohio, The state is far more generous to their State institutions than we are in Pennsylvania. I have forgotten how many, but we only help, as you know, Pitt, Penn, Temple, Penn State and a few medical schools. In Ohio they have six or eight schools, I think, which are almost completely land grant colleges and they have these various arrangements with them.

Now the reason I am saying that today is I think it is in keeping with the remarks that Senator Schmidt made, and the bill that he is so fearful about, I am sure before it comes out will have some amendments in it, and I think probably when he sees the bill it will be most satisfactory.

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Barr.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Barr, permit himself to be interrogated?

Mr. BARR. I do not promise I can answer the questions, but I will be interrogated.

Mr. YOSKO. Senator Barr, you read off a list of States that grant scholarship aid to students who eventually get into mental institutions in some of the States. Was this program authorized by the Legislature in those States or was it done by a directive or by an executive order?

Mr. BARR. I am afraid you will have to call those States to get their answer. I cannot answer that; I do not know. I know that we have a $500,000 appropriation, which is in the 1955-57 appropriation bill, for training and research in mental health. Therefore, I presume that we have appropriated money for this training because training means being trained by those who are proficient in mental care, etc., psychiatry and things such as that.

Mr. YOSKO. Mr. President, since I have been a Member of this Senate, I believe starting in 1949, I introduced a

bill each Session calling for the setting up of a scholarship plan for medical students and for the training of nurses, so that an adequate supply of trained personnel would be forthcoming into our mental institutions.

Unfortunately, the bills were always killed in committee; at least, they were never reported out. I was a little bit surprised to read in Sunday's Philadelphia paper, I think it was the Philadelphia Bulletin, where a number of these scholarships were set up by the Secretary of Welfare. I am not opposed to the plan. I might be opposed to the method. The story indicated that about fifty students are now attending our postgraduate schools and are having their tuition paid, together with a weekly allowance for expenses I am assuming. What I do not like about the plan—of course, I do not know too much about it because Mr. Shapiro has never submitted the plan to us—is the lack of publicity on the plan, especially the failure to inform the Legislature on the plan.

What I would like to know and, if I do not get the information, I am going to present a resolution tomorrow to find out exactly how the students are selected. Under the bill that I submitted here session after session, it called for competitive examinations and I still think that is the manner in which the students should be selected because if that method is not followed, there is the possibility of showing favoritism to students to the detriment of other students.

I believe, like Senator Schmidt and everybody else in Pennsylvania, that we need an effective mental health program, but I say that it should be done in an orderly fashion and whatever is done, I think should be made public and this Legislature should be informed so that discussions such as we have participated in here the last couple of days would not be necessary.

Mr. MAHANY. Mr. President, I would also suggest to Senator Yosko that he find out what commitments are made by those who are receiving these scholarships and this money from the State to go to these schools; as to what they are going to do after they graduate. Are they making any commitments to the State that they will be available for help in our State hospitals and if so, how are those commitments being backed up? What guarantee does the State of Pennsylvania have from these people that they will be available to the State institutions when, as and if they graduate?

It seems that those who are in favor of this mental health program are so enthusiastic over it that they want to stampede this Legislature into doing a lot of things which are unconstitutional and illegal. I am for the best possible mental health program that we can have but, with Senator McMenamin and a great many other Senators, I want it to be done in a legal and constitutional fashion.

I notice in these various newspapers—I have one in my hand called the Observer. I think that is published down in Philadelphia and it has, among other things, various tips on the horse races at Hialeah and other news relative to Harrisburg, but I note between the column on Hialeah and the "Lowdown and Inside" column here, they have an article saying that "Shapiro Wins First Round for Mental Health Program." It says in one of the paragraphs:

"Another example was when Shapiro wanted to shell out a quarter million dollars to the Mental Health Foundation, the Republican Senate steamed and ranted with the help of most Democrats. It adopted a resolution supposed to put Shapiro on notice that the hand-out was not to be made.

"But Shapiro came up with McBride's formal opinion that everything was okay. After all, the foundation was part of the government structure." So, therefore, they proved that Shapiro won the first round with us.

Well, now it is not a question of playing golf with Mr. Shapiro or being in a boxing match with him. We are just merely trying to point out to Senator Shapiro that he should do things in a legal and constitutional way.

Last week when I stated that we should vote on the resolution, which told him that we felt it was not the intent of the Legislature that he should appropriate money to this Foundation, Senator Schmidt assured me that he would see that Senator Shapiro held the status quo over there and would not put out any money until we cleared this whole thing up.

Well, Secretary Shapiro showed that Senator Schmidt was wrong, because we no more than adjourned last Tuesday than Shapiro again demanded that the Auditor General O.K. this appropriation. In other words, he had a thumb to the nose attitude as far as this Senate was concerned. If he thinks he is going to curry a great amount of favor for his pet projects by that type of attitude, I think he has certainly lost his sense of legislative process.

I want to state to the editor of this newspaper that certainly, all of us, are in favor of the best mental health program that we can achieve. We do not want any of our mentally handicapped people in the State of Pennsylvania, who are in our State institutions, to want for anything especially the best care that we can provide for them, but we intend to do what the people of Pennsylvania sent us down here for and I am not going to be stampeded by newspaper articles or editorials or anything else in the future.

I am stating to these Senators and to the newspaper editors that we are not going to give Mr. Shapiro any blank check again. If he wants to set up a certain fund for various projects which he thinks are worthy, I suggest that he put it in his budget, then submit the budget as all other department heads have to do to the Appropriation Committees of the House and Senate, and if we feel that those particular items are worthy, then we will give him the green light and give that item the green light in the budget, and then he may feel free to use the money in the way it was constitutionally intended. We do not feel that this business of trying to draw red herrings across the path by stating that all those who do not quite agree that Shapiro should do whatever he wants to do in an illegal way, that this, therefore, puts us in a class where we are against the poor mentally handicapped people. We are not going to stand for that anymore and we want the issue not to be beclouded, especially by our colleagues in the Senate, who should know better.

Mr. YOSKO. Mr. President, it seems to me that Senator Mahany is for a scholarship plan which is properly controlled and has attached to it some rules and regulations to make sure that our mental institutions inure the benefit from the financing that we might provide for medical students.

If I am correct in that statement, I suggest that the committee that now has my bill—I think it is in the Com-

mittee on Education—call a meeting, report the bill out, amend it as they see fit and let us pass it so that we have a scholarship plan that will be under proper control, with proper rules and regulations, and at the same time guarantee a steady flow of trained personnel into our mental institutions.

Mr. SILVERT. Mr. President, we have heard considerable discussion and debate on a bill which is not before us. We have not had the opportunity to read it. However, I am assuming that the contents of the bill have been revealed in the discussions. I have heard the comments by all the Senators with great attention.

I say, first, that Senator Schmidt is right, at least in one respect. Here is a bill, introduced today, a special meeting called and it was reported out today. Personally, I think that is a bit hasty and it certainly shows some motive which does not appear on the surface. Secondly, we heard it stated on this floor, by a Member on the Democratic side and by the Majority Leader, that what the Secretary of Welfare is doing and what the bill is intended to do is to prevent him from spending the money illegally and unconstitutionally.

Mr. President, as one of a number of lawyers here, I never knew that you needed legislation to stop an illegal act or an unconstitutional act. My thought always was that a question of constitutionality or legality is first decided by the Attorney General and if anyone in the Commonwealth is dissatisfied with his opinion on the constitutionality or illegality, then there is such a thing as a taxpayer's suit for the courts to determine. However, this is the first time I have heard a bill introduced to stop an act which they claim is illegal and unconstitutional.

Mr. DENT. Mr. President, I am sorry that this matter has gotten so far out of hand. However, there is one thing that I want to make clear and I think that this is a good time to do it. Especially, I want to point out to Senator Schmidt, and those who think as he does, as to the personal feelings of the Members of this Senate and I am speaking now, I hope, for all of the Members and, especially, for myself.

Long before this controversy came up, I prepared for myself and for the people in my District a piece of campaign literature which I used in my campaign. I have always felt that when I stand before the people, having been a Member of the Senate of Pennsylvania, I have a right to present to them a record of my vote, a record of what I have stood for and the things for which I voted. Under the title of "Welfare Legislation," I called attention to the record that I had voted for in this Senate to all of the people in my District. I said this:

"Perhaps the most far-reaching advances made by the Administration were in the field of mental care, an area so long neglected" because of a "policy of 'custody instead of cure' that Pennsylvania ranked 45th in the nation in the percentage of mental patients discharged from mental institutions."

We add the following accomplishments to our credit in this field. I was happy to have been a small part in creating the following legislation:

"1. Appropriated $26.5 million to hire skilled personnel to speed up the cure of mental illness. (Act 1673)

"2. Reorganized the Bureau of Mental Health, placing it under a skilled and experienced mental health commissioner. (Act 255)"

The following is the one which I want you to pay particular attention to:

"3. Establishment of a mental health foundation to put private funds to work in state hospitals for research into the causes of mental illness. (Act 551)"

Mr .President, when Act No. 551 was before this Legislature, I stated on the floor and to the Rules Committee, when the question was asked whether or not this piece of legislation was going to be a State supported foundation, that I had it on the authority of the Secretary of Welfare that this Foundation was being created to receive private funds. I do not hesitate to say to all of you right now that I would never have voted for the Foundation if I thought that we were creating a Foundation over which we would have no control, and that any amount could be taken from the appropriation passed by this General Assembly and given to this Foundation to spend as it sees fit. I am not questioning how they would spend it. I am only saying that it is not the proper function of this Legislature to provide moneys to be spent in that manner.

I went on to say about the mentally retarded and handicapped children as follows:

"1. A $42 million appropriation for the construction of three hospitals for severely retarded children in the State and the renovation and enlargement of existing hospital facilities. (Act 147-A)

"2. The purchase of White Haven Hospital and diversion of Mont Alto Sanatorium for the care of mentally retarded children, with an appropriation of $5 million for the operation of these institutions. (Act 432)

"3. Setting up special training classes within our public school system to give proper schooling for the first time to all of our physically and mentally handicapped children. (Act 249, Act 451)

"4. Providing transportation to classes for mentally and physically handicapped children. (Act 673)"

Mr. President, I do not believe that any Senator in this room can accuse me or any other Senator of being opposed to the mental health program when we voted for this legislation. All of this legislation passed this Senate unanimously. All of us are aware of the problem; all of us are aware of our responsibilities. However, our responsibilities just do not stop at passing on a parcel of money and letting it go into the hands of somebody to distribute it as they please. We may be able to salve our consciences by saying, "Well, I provided the money; I voted for the money for mental health." That, however, is not our job. Our job is to ride herd upon the spending of that money.

There has been some defense made of the students who are in special training. I want to ask one qeustion. I represent a District in this State of 322,000 people. I do not know that there is one of these students who comes from that District. I do not know how they were selected. I do not know who chooses them. I have no understanding at all of the program, of whether they are committed to serve the Commonwealth of Pennsylvania for a number of years after they finish their schooling or whether they may jump into another State after they have trained and work for another State for more

money. I do not know these things. However, I have to know them if I am a Member of this Senate, because someone out of the 322,000 people is going to ask me those questions some day. Now since it is in the newspapers that there are fifty some students attending college under the auspices of the Department of Welfare, with all of their expenses paid and a salary besides, I will have demands from my District to find out how they can get onto this preferred list of scholarships. You cannot do it that way.

I have had legislation in, and Senator Yosko has had legislation in since he has been a Member of this Senate, trying to create a scholarship fund in this Commonwealth for the training of medical doctors, psychiatrists and those who would be needed in this program. This General Assembly has turned that program down year after year, year after year. Where do we stand? What are we doing here? I believe that that is an important enough item that the Legislature should know.

I do not say that Secretary Shapiro kept it from us deliberately. However, I do know that when I voted for the Foundation, the Mental Health Foundation in Pennsylvania, I believed them and I believe now that it was for the purpose of receiving private funds to be expended by this Foundation to aid us in our search for a cure for mental health. If you give $250,000 today to that foundation,—and they have not been able to get off of the ground in their attempts to create a workable Foundation with all of the necessary expenses that go with it—I predict that within five years you will be contributing $2,000,000 to this Foundation.

Mr. WEINER. Mr. President, last week a rather shocking and cruel thing happened in this Body. I do not know whether many of you Members took notice of it but if you did not. I would like to refresh your memory as to what took place.

A judge died in Philadelphia not too long ago and the Bar Association saw fit to submit a list of names to the Governor, as they have done to every Governor since I have been a Member here. On the list of seven names were persons whom the Bar Association thought were fit subjects to be appointed judge by the Governor. For some reason best known to themselves, certain persons —and I am afraid that they exist throughout our society —saw fit to give information to certain Members of this Assembly which would besmirch the name of one of the nominees. Possibly this was done because the newspaper stories carried the line at the end of the story listing the names of the persons selected to be fit subjects to be judges, that one of these persons had an inside track.

The charge was made that one of these persons, a Mrs. Forer, had leanings or tendencies which were undemocratic and that she had leanings toward the Progressive Party. These were, mind you, unsubstantiated. As a matter of fact, they were so much so that one of the gentlemen who made this charge has retracted the statement publicly and I understand will do so on the floor of the Body in which he made this charge.

I have talked on this subject before this body previously. As a matter of fact, during the last Session of the Legislature, I introduced a resolution in regard to this matter. I even wrote an article for one of the Bar publications in regard to this very matter. The newspapers did what they characteristically do. The charge is printed on page one with the full treatment. When the retraction is made or the charges are not substantiated, it will be buried somewhere back on the obituary page.

This person, whose name has been besmirched by unsubstantiated charges made against her, is a married woman who practices law in Philadelphia. Her husband also practices law in Philadelphia. They have three youngsters who go to school in Philadelphia and they are about the age where their friends who go to school read the newspapers and are quite aware of what is going on. They probably hear these discussions in their homes. There is nothing more cruel than small children are to each other.

This young lady graduated from Northwestern University with honors, both in the undergraduate school and in the law school where she took the degree of Doctor of Jurisprudence. She was Editor of the Law Review for two years; she was on the legal staff of the United States Department of Labor; she served as part of the legal staff of the United States Senate Committee on Education and Labor; she served on the legal staff of the Rural Electrification Administration; and she was Law Clerk to Judge Biggs who is Chief Judge down in the Federal Circuit Court. She is now serving as Deputy Attorney General in Pennsylvania and has been serving in that post with distinction.

She has been a Lecturer at the University of Pennsylvania. She was the winner in 1953 of the National Ross Essay Contest of the American Bar Association. She has been an author of many articles in the Harvard Law Review, University of Pennsylvania Law Review, Temple Law Review, University of Pittsburgh Law Review, Columbia Law Review and many others. She was a candidate for the State Senate, from Montgomery County, in 1950. She has been a Democratic committeewoman.

Senator Propert, who is shaking his head, alas, knows her well. She ran in a county which is characteristically Republican and which has been that way for many years. She put up an excellent battle in running in that campaign. I think she ran her campaign on a high level; she engaged in no personalities; she stuck strictly to the issues.

I feel that to do that to anybody is the type of thing that we in this Country are opposed to. Many demagogues have tried that type of procedure, some of them for a time, and we know of a famous case very recently of a man who is on the National scene who has used that method and that approach to gain National prominence. He has found to his dismay that it was his own downfall, actually caused by his own acts.

I am not standing here proposing that Lois Forer be appointed judge or to any other office. I am simply stating the record of Lois Forer and other people of her type who have been besmirched for no other reason than, when somebody mentions their name, a jealous office seeker or somebody who is jealous of her prominence comes forward to cast aspersions on her character or to blacken her name publicly.

I also want to use this opportunity to let the newspapers know—most of the working press are sober, intelligent gentlemen—and have them realize that it is easy with a stroke of the pen to destroy a person's character. It is very difficult, however, because it is a

somewhat nebulous thing, to build up. I would leave this message with them, as well as with the Members of this Body, that they had best use care in getting these charges and not write merely for headlines in trying to sell newspapers.

Mr. SILVERT. Mr. President, I want to say that I heartily concur with what Senator Weiner has stated here. I further want to state that Mrs. Forer's name was not mentioned on this Senate floor publicly, but it was in the House and there is a slight correction that I want to call to the attention of Senator Weiner.

I was happy to read over the week end that the retraction by the Member of the House, of the statement which he made there, was not on the inside but was prominently displayed on the front page.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, February 25, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 4, 1957 at four o'clock, p.m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, March 4, 1957 at four-thirty o'clock, p.m., E.S.T.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, February 26, 1957, at 11:00 o'clock, a.m., Eastern Standard Time.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:57 o'clock, p.m., Eastern Standard Time, until Tuesday, February 26, 1957, at 11:00 o'clock, a.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, February 25, 1957

The House met at 4:30 p. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Harry A. Houseal, Pastor of Grace Evangelical United Brethren Church, Lemoyne, guest Chaplain, offered the following prayer:

Our Heavenly Father, we approach Thee at the beginning of another week's sessions of this representative body, with the realization that "they labor in vain who build the house, except the Lord build it." So we would pause reverently in Thy Holy presence to ask first that each of us might be freed from all self-interest and unholy purposes.

Then we would earnestly seek Thy Divine guidance in every discussion which may ensue, in every matter which may be deliberated, and in every decision that will be made.

As these Representatives approach the tasks before them, we earnestly pray that each one will be cognizant of the truth contained in Thy Holy Word, that "there is no power but of God; that the powers are ordained of God; and that they are ministers of God for the good" of our commonwealth.

We pray that to each of them might be given the wisdom and the will, the desire and the determination, that above everything else the purposes of God for our state shall be carried out in these legislative halls.

So give us humble spirits to perform Thy will, O God, we earnestly pray in the name of Jesus Christ, Our Lord.
Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, February 18, Tuesday, February 19, and Wednesday, February 20, 1957? If not, and without objection, the Journals are approved.

BILLS INTRODUCED AND REFERRED

By Mr. LOPRESTI. HOUSE BILL No. 532.

An Act authorizing the certification of reports and returns, required to be filed with the Commonwealth.

Referred to the Committee on State Government.

By Mr. DUNN. HOUSE BILL No. 533.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) making it a crime to picket or parade in or near any building housing a prison or jail of the Commonwealth of Pennsylvania, or of any of its political subdivisions.

Referred to the Committee on Labor Relations.

By Mr. DUNN. HOUSE BILL No. 534.

An Act amending the "Pennsylvania Election Code" of June 3, 1937 (P L 1333), requiring certain candidates for nomination to any elected office at a primary election to file an affidavit of withdrawal and providing penalties.

Referred to the Committee on Elections and Apportionment.

By Messrs. McINROY and MUSTO.
HOUSE BILL No. 535.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), revising the procedure for appointment of special fish wardens; extending the use of moneys paid in lieu of fish-ways or other devices at dams; and conforming provisions to those of the Fish Law as amended.

Referred to the Committee on Fisheries.

By Messrs. AUKER and HAUDENSHIELD.
HOUSE BILL No. 536.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing the powers and duties of the Department of Welfare, the Commissioner of Mental Health and the boards of trustees of the several State mental institutions and juvenile delinquent institutions.

Referred to the Committee on State Government.

By Mrs. HENZEL and Mr. THOMAS H. W. JONES.
HOUSE BILL No. 537.

An Act imposing liability upon parents for the tortious acts of children under eighteen years of age, setting forth limitations and providing procedure for recovery.

Referred to the Committee on Judiciary Special.

By Mrs. HENZEL and Mr. LIPPINCOTT.
HOUSE BILL No. 538.

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), further regulating exclusions from the tax.

Referred to the Committee on Ways and Means.

By Mr. SNARE. HOUSE BILL No. 539.

An Act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duty and providing benefit to their widows and dependents in certain cases.

Referred to the Committee on State Government.

By Messrs. THOMAS H. W. JONES and LAFORE. HOUSE BILL No. 540.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further providing for the time at which polls shall be opened and closed.

Referred to the Committee on Elections and Apportionment.

By Messrs. BUCHANAN and LOPRESTI. HOUSE BILL No. 541.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), providing for tenure for professional employes employed by county boards for training handicapped children and harmonizing the language of existing amendments.

Referred to the Committee on Education.

By Mrs. VARALLO, Mrs. MONROE, Mrs. MARKLEY and Mrs. DONAHUE. HOUSE BILL No. 542.

An Act to further amend the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property,

to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," by increasing the rights of married women with regard to their property and repealing certain provisions.

Referred to the Committee on Judiciary.

By Messrs. VAUGHAN and STUART.
HOUSE BILL No. 543.

An Act amending the act of March 30, 1915 (P. L. 34), entitled "An act to promote the health and efficiency of firemen, in cities of the second class, * * *" further regulating the hours of duty of firemen in cities of the second class.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. EWING, PARRY, HOCKER and CURWOOD. HOUSE BILL No. 544.

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, * * *" extending the provisions of the act to certain additional political subdivisions, and changing the requirement for retirement, retirement benefits and payments required from the contributors.

Referred to the Committee on Municipal Corporations.

By Mrs. MARKLEY, Mrs. VARALLO, Mrs. MONROE and Mrs. HENZEL. HOUSE BILL No. 545.

An Act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; prescribing penalties and making an appropriation.

Referred to the Committee on Labor Relations.

By Messrs. GELFAND and FINEMAN. HOUSE BILL No. 546.

An Act amending the "Lien Priority Law" approved June 28, 1951 (P. L. 927) providing that future advances made by a mortgagee or by a grantee of a defeasible deed in the nature of a mortgage up to the original amount of the mortgage or deed shall have the same priority and lien as the original mortgage or deed.

Referred to the Committee on Judiciary.

By Mr. FLOYD. HOUSE BILL No. 547.

An act prohibiting discrimination in leases or rental agreement against occupancy by children; making unlawful refusal to enter into a lease or actual agreement because of occupancy by children and providing penalties therefor.

Referred to the Committee on Judiciary.

By Mr. FLOYD. HOUSE BILL No. 548.

An Act amending the act of May 2, 1929 (P. L. 1518), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; * * *," regulating the requiring and renovating of elevators, requiring permits and fixing fees, permits and inspections.

Referred to the Committee on Labor Relations.

By Messrs. BUCHANAN, KNECHT, ROVANSEK and POLASKI. HOUSE BILL No. 549.

An Act to amend the act approved the 10th day of March 1949, (P. L. 30), entitled, "An act relating to the public school system, etc. * * *," by further providing for reimbursement by the Commonwealth to school districts and vocational school districts, authorizing the revision of budgets and temporary loans, and harmonizing the language of existing amendments.

Referred to the Committee on Education.

By Messrs. GOLDSTEIN, KNECHT, McCANN and REIDENBACH. HOUSE BILL No. 550.

An Act amending the act of March 10, 1949, (P. L. 30), entitled, "An act relating to the public school system, etc. * * *," by providing for the payment of minimum salaries and increments of county and district superintendents, assistant county and district superintendents, principals, supervising principals, teachers and other employes; and authorizing the revision of budgets and temporary loans.

Referred to the Committee on Education.

By Mr. GRAMLICH. HOUSE BILL No. 551.

An Act amending "The Fish Law of 1925," approved May 2, 1925, (P. L. 448), further amending, revising and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

Referred to the Committee on Fisheries.

By Messrs. RIGBY and KAMYK (By request) HOUSE BILL No. 552.

An Act making an appropriation to the Carnegie Institute, at Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. VARNER. HOUSE BILL No. 553.

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Clarion River * * *.

Referred to the Committee on Highways.

REPORTS FROM COMMITTEES

Mr. LAFORE from the Committee on Rules, reported as committed, House Resolution No. 11.

Mr. LAFORE from the Committee on Rules, reported as committed, House Resolution No. 27.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 32, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing unnaturalized foreign-born residents to own or possess dogs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 247, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing the definition of "unprotected birds" to exclude hawks

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 250, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsman's shows

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 267, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) permitting township commissioners to hold their organization meeting the day after a holiday

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 268, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), changing the dues payable by the township for membership in the State Association of Township Supervisors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 301, entitled:

An Act amending "The Fourth to Eighth Class Assessment Law," approved May 21, 1943 (P. L. 571) increasing compensation and providing for travel expenses of assessors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 309, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925, (P. L. 448), providing for the issuing of lifelong free resident fishing licenses to persons sixty-five years of age or over.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 338, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing fish wardens to make arrests for certain offenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 341, entitled:

An Act amending "The Private Detective Act of 1953," approved August 21, 1953 (P. L. 1273), permitting former members of the Pennsylvania State Police to apply for licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 443, entitled:

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 32, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eight classes amending revising consolidating and changing the laws relating thereto" fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908) * * *" authorizing county commissioners to destroy or dispose of certain records and papers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. McCORMACK. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. McCORMICK. Mr. Speaker, ever mindful of the great constitutional privilege that is afforded to Members of this General Assembly, those in the Senate and House, whereby we are immune from suit for any statement that we might make on the floor of this House and are not subject to the laws of libel and slander, I also recognize that there is a corresponding duty on the part of the Members of this House. That duty is one of fair play.

Last Tuesday on the floor of this House, Mr. Speaker, I made a statement which I now wish to retract. The statement was that a Deputy Attorney General of this Commonwealth by name of Lois Forer was a Member of the Progressive Party in 1948 and that she had actively campaigned for the election of Henry Wallace, the Progressive party candidate.

That statement was an incorrect one. It cannot be proven. I am sorry that I made the statement. It is with a great deal of pleasure that I am able to retract that statement fully.

QUESTION OF INFORMATION

Mr. GOLDSTEIN. I rise to a question of information.

The SPEAKER. The gentleman will state it.

Mr. GOLDSTEIN. Mr. Speaker, is it proper for the post office to insert in our mail boxes anonymous statements concerning pending legislation?

The SPEAKER. The gentleman's point is well taken. It is not proper for anonymous statements to be placed in the post office boxes of the Members. Anything that is put in the boxes should first be cleared by the proper officers of this House.

Mr. GOLDSTEIN. It might have been cleared, but I believe the source of any statement on legislation should be stated.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 21, entitled:

An Act amending the act of June 26 1895 (P. L. 333) entitled "An act to authorize occupants of real estate in cities and boroughs * * * to employ night watchmen * * *" authorizing the appointment of day and night watchmen in all political subdivisions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 94, entitled:

An Act amending "The Vehicle Code" approved May 1 1929 (P. L. 1005) providing for the classification of tractors used as portable saw mill rigs.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 122, entitled:

An Act amending "The Tractor Code" approved May 1 1929 (P. L. 905) changing certain penalties for making illegal noises.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 295, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2 1915 (P. L. 736) removing time limitation for filing petitions when disability increases or recurs.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 330, entitled:

An Act amending the act of June 1 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' * * * increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 331, entitled:

An Act reenacting and amending "The Realty Transfer Tax Act" approved December 27 1951 (P. L. 1742) extending the provisions of the act for a further limited period of time.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LOVETT offered the following amendments:

Amend Sec. 1 (Sec. 11), page 11, line 8, by inserting a bracket before "Section."

Amend Sec. 1 (Sec. 11), page 11, line 14, by inserting a bracket after "act."

Amend Sec. 1 (Sec. 12), page 11, line 15, by inserting brackets before and after "12" and inserting immediately thereafter: "11."

On the question,

Will the House agree to the amendments?

Mr. JOHNSON. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Lovett, permit himself to be interrogated?

Mr. LOVETT. I shall, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, I believe the Members of the House would appreciate a very lucid explanation of this amendment. Would the gentleman care to give it, please?

Mr. LOVETT. Mr. Speaker, I would be very glad to give that information to the House.

Mr. Speaker, the amendment that I have now offered to House Bill 331 strikes out in the bill that part of the bill that will continue to give the local municipality the right to enact a property transfer tax. You Members who were here when Act No. 481 was enacted, I think that is correct, otherwise known as the "Tax Anything" law, and the Sterling Act which was passed some years ago, remember that you put in a clause stating that when the state taxed anything the municipality now taxes, the municipality must yield after a certain period of time and not tax that particular subject. We have many local municipalities and school districts now taxing real estate transfers. This amendment would compel these local municipalities after a certain period of time to cease collecting taxes from that source.

Mr. JOHNSON. Mr. Speaker, as I understand these amendments, the effect of them would be that those municipalities which are presently also putting on, or have put on, a real estate transfer tax, that particular tax as far as that municipality is concerned would be suspended by these amendments. These amendments, if that is what they purport to do, would have tremendous, far-reaching effects in this state and would certainly throw out of balance the budgets of many of our school districts and municipalities.

I would say that anything as important as these amendments should be the subject of a separate bill and should

get publicity all over the state as to what is being done so that public hearings could be held on such a vital tax matter as this is to the municipalities at the present time. Therefore I am asking the House to vote down this amendment.

It seems to me that this amendment is wholly inconsistent with the tax bill as it is before us, namely a tax which gives the state the right to levy a one percent real estate transfer tax. Yet I repeat, to do this would do a great injustice to the municipalities of Pennsylvania. If the gentleman desires to put that into effect, he should introduce a bill and let it come before a committee just like any other major proposal that might come before us. I therefore ask you to vote "no" on these amendments.

Mr. READINGER. Mr. Speaker, I too rise to oppose these amendments and join in the thoughts expressed by the Majority Floor Leader.

In my humble opinion if we were to pass these amendments it would be tantamount to sawing the last 12 inches off a pair of crutches expecting the poor crippled person to get along with one long crutch and one short one. This is not the time or place to do this. Perhaps some day we would carry out the original intent of Act 481, and that is to prevent municipalities from staying in the tax field to which the state determines later is must go. In my opinion this is not the proper way to do it, and I ask the Members on this side to vote against these amendments.

Mr. LOVETT. Mr. Speaker, may I interrogate the Majority Floor Leader?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, is the gentleman familiar with the "tax anything" law in Pennsylvania?

Mr. JOHNSON. Mr. Speaker, just fairly familiar.

Mr. LOVETT. Mr. Speaker, the gentleman is just "fairly familiar." After all these years, he means he is just fairly familiar? Is the gentleman familiar with the clause in the Act that says when the state taxes, the local municipalities shall get out of that tax field. Is he familiar with that section of the Act?

Mr. JOHNSON. Mr. Speaker, if the gentleman says that it is in the law, I would say that it is in the law.

Mr. LOVETT. Mr. Speaker, would the gentleman agree that under the provisions of that Act we also protect the municipality to the extent that they have a certain period of time in which they may balance their books and get out of the tax field. Is he familiar with that?

Mr. JOHNSON. Mr. Speaker, that could be in the law.

Mr. LOVETT. Mr. Speaker, may I enlighten the gentleman that that is in the law and therefore we would not be putting any immediate pressure on the local municipalities, because they would have an opportunity to balance their books and get out of that particular field.

Mr. Speaker and Members of the House, they say that this is not the proper time. Under the original Act this is the proper time.

When the state proceeds to tax any particular thing, then the municipality should give way. That is the original intent of the Act.

I am sorry to stand here and have the Majority Floor Leader say that he "supposes" that is the law; he thinks that is the law. That is possibly true. I say again to you that there was nothing in the original "tax anything" Act that forbids the local municipalities from having a sales tax, but the local municipalities never had any sales taxes. Therefore, the one field that was left open to us to use for taxation is the sales tax. We had given the right to the local municipalities to tax anything.

We sit here Session after Session trying to find ways and means for a state-wide tax having the hands of the Legislature tied because you will not use the means at your command in order to have a state-wide tax without double taxation which you will have under this particular Act if you pass it. There are certain municipalities, certain school districts, that do not use this form of taxation. There are others that do. When you enact it state-wide you then have those municipalities paying double taxes.

I ask you to support it, and I ask for a roll call.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. LOVETT and LOPRESTI and were as follows:

YEAS—14

Ashton,	Ewing,	Kornick,	Miller, H. G.,
Auker,	Farabaugh,	Lovett,	Mills,
Bucchin,	Garlock,	Maxwell,	Thompson,
Cooper,	Haudenshield,		

NAYS—190

Adams,	Filo,	Lopresti,	Royer,
Agnew,	Fineman,	Lutty,	Rudisill,
Amarando,	Floyd,	Magee,	Scarcelli,
Anderson, M. S.	Flynn,	Mahan,	Schuster,
Anderson, S. A.,	Foster,	Markley,	Schwartz,
Andrews,	Fox,	Marsh,	Seltzer,
Barton,	Frascella,	McCann,	Sherman,
Bell,	Gailey,	McCormack,	Shields,
Blair,	Gelfand,	Merry,	Silverman,
Boles,	George,	McInroy,	Smith,
Boory,	Gibb,	McKeever,	Snare,
Bower,	Gibson,	McLaughlin,	Snider,
Bowman,	Goldstein,	Metz,	Spray,
Brand,	Goodling,	Mihm,	Steckel,
Breisch,	Goodrich,	Mikula,	Stevens,
Brennan,	Gramlich,	Miller, B. Z.,	Stimmel,
Brenninger,	Gross,	Miller, W. H.,	Stone,
Breon,	Guthrie,	Monroe,	Stoner,
Breth,	Hamilton,	Moody,	Strausser,
Brown,	Heavey,	Moscrip,	Stroup,
Brucker,	Henzel,	Moyer,	Stuart,
Buchanan,	Hocker,	Muldowney,	Taylor,
Capano,	Holt,	Mullen,	Toll,
Carson,	Horst,	Munley,	Ujobai,
Cianfrani,	Ide,	Murphy,	Varallo,
Cioffi,	Isaacs,	Murray, H. P.,	Varner,
Cleveland,	Jenkins,	Murray, P. G.,	Verona,
Comer,	Jim,	Naugle,	Wall,
Cummins,	Johnson,	O'Brien,	Walsh,
Curwood,	Jones, G. E.	O'Dell,	Wargo,
Dalrymple,	Jones, T. H.,	Ogilvie,	Weidner,
Davis,	Jump,	Parry,	Welsh,
DeLong,	Kamyk,	Pashley,	Wescott,
Dengler,	Kehler,	Petrosky,	Wheeler,
Dennison,	Keller,	Phillips,	Whittaker,
Devlin,	Kernaghan,	Piper,	Willard,
Dietterick,	Knecht,	Polaski,	Willaredt,
Donahue,	Kooker,	Pomeroy,	Williams,
Donaldson,	Korns,	Post,	Wilt,
Down,	Krakow,	Price,	Wood,
Duffy,	Lafore,	Pursley,	Worley,
Dunn,	Lee, A. M.,	Ragot,	Wyatt,
Edwards,	Lee, K. B.,	Readinger,	Wynd,
Eilberg,	Leonard,	Reidenbach,	Yatron,
Erb,	Light,	Renwick,	Zimmerman,
Eshleman,	Limper,	Rigby,	Helm,
Fetterolf,	Lippincott,	Rovansek,	Speaker

NOT VOTING—5

Dougherty,	Johnston,	Musto,	Truslo,
Heffner,	McGee,	Tompkins,	Vaughan,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring.

Will the House agree to the section?

It was agreed to.

The second section was read and agreed to.

Mr. LOVETT. Mr. Speaker, I withdraw my amendments to the title.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 332, entitled:

An Act amending the "Cigarette Tax Act" approved June 14, 1935 (P. L. 341) extending the provisions imposing an additional tax for a further limited period of time.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 333, entitled:

An Act reenacting and amending the "Corporation Income Tax Law" approved August 24, 1951 (P. L. 1417) imposing the tax permanently.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 334, entitled:

An Act reenacting and amending the "Corporate Net Income Tax Act" approved May 16, 1935 (P. L. 208) imposing the tax permanently.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 335, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) extending the provisions of one additional tax for a limited time.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 336, entitled:

An Act amending the "Fuel Use Tax Act" of January 14, 1952 (P. L. 1965) extending the provisions of one additional tax for a limited time.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 337, entitled:

An Act amending the "Selective Sales and Use Tax Act" of March 6 1956 (P. L. 1228) eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interstate bodies

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. I understand this bill amends the Interstate Act and therefore requires more study than we realized. Therefore, I move this bill be recommitted to the Committee of State Government for further study and possible amendments.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 31, entitled:

An Act amending the act of June 25 1941 (P. L. 159) entitled * * *" defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 87, Printer's No. 23

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 124, entitled:

An Act amending the act of July 13 1953 (P. L. 431) entitled "An act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers" further providing a procedure for enforcement of the act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

PERMISSION TO INTERROGATE

Mr. ANDREWS asked and obtained unanimous consent to interrogate the Majority Leader.

Mr. Speaker, when does the Majority Leader propose informing the Members of this House, and the people of the Commonwealth what his tax program proposes to do for business, and does the gentleman not propose to do anything at this Session to lighten the load which we have been told is burdening business and driving some of it from the state?

Mr. JOHNSON. Mr. Speaker, the tax bills are on third reading tomorrow, and as soon as the motion is made for a special order of business of these tax bills in the morning, I intend to make a full and complete statement about the taxes, what they will yield, and what our position is with respect to the manufacturers' exemption and the other proposed corporate levies which have been recommended to be dropped.

I will have a complete statement on that tomorrow.

Mr ANDREWS. I thank the gentleman.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 62, entitled as follows:

An Act amending the "County Institution District Law" approved June 24 1937 (P. L. 2017) authorizing the granting of financial assistance by deferred loan or otherwise to political subdivisions or municipality authorities for construction of water supply system with service available to and institution of the district.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 109, entitled as follows:

An Act relating to the recovery of damages for injuries to property in consequence of mobs and riots and imposing duties and liabilities on counties county commissioners sheriffs chiefs of police aldermen constables and justices of the peace.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. LIGHT. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study and possible amendment.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. ROVANSEK. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. ROVANSEK. Mr. Speaker, in Tuesday, February 19th's Journal, on House Bill No. 288, I am recorded as not voting.

I would like to call the attention of the Speaker and the Members of the House that I was present and voted "no" on this bill. I would therefore request to be recorded that way.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 25, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 4, 1957 at four o'clock p. m., EST and when the House of Representatives adjourns this week, it reconvene Monday, March 4, 1957 at four-thirty o'clock p. m., EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, several weeks ago the Honorable Robert Kent, Treasurer-elect of the Commonwealth, spoke at a Republican rally in Berks County and was quoted in the local Press to the effect that the present administration has placed on the payroll of the Commonwealth 8,000 more employes than the previous Administration.

Other statements have appeared in the public Press from time to time made by various Republican orators indicating that unnecessary employes are being placed on the state's payroll. These statements are obviously being made for partisan political purposes and without adequate knowledge of the facts.

In order to set this matter straight and to establish a fair comparison between the number of employes on the state payroll under the preceding administration and the present administration.

I have had a comparison made of the payroll of November 30, 1954, and November 30, 1956. Because of seasonal variations in employment, it is necessary to use comparable months. November 30, 1954, would appear to be the last date of the preceding administration having a normal employment complement because of political employes seeking other employment after the election of November, 1954.

On November 30, 1954, the Commonwealth had a total of 66,881 employes, both salaried and per diem. Two years later during this administration the payroll of the Commonwealth totalled 68,177, an increase of 1,296.

All of this 1,296 increase, and an additional 1,750 persons who were on before, represent persons carrying out new and expanding programs initiated by this administration. There is in fact a decrease of approximately 3,000 in the number of employes carrying out the fun

tions undertaken during the past administration. For instance, we have increased the number of employes in our mental institutions by approximately 1,625. This includes over 100 doctors, about 40 psychologists, in addition to nurses, psychiatric social workers and others who are bringing about a new program of cure for the mentally ill.

Another 304 employes have been added to our State Teachers' Colleges and other schools under the Department of Public Instruction. At the same time the enrollment at these schools increased by over 3,500 students. In these schools the number of employes has increased approximately 11 percent while the enrollment has increased approximately 32 percent.

In the Department of Property and Supplies 213 additional employes have been added to service a 100 percent increase in state-owned office buildings, to establish for the first time an adequate Bureau of Standards to see that the Commonwealth gets what it pays for in purchasing materials and supplies and to initiate other new programs which are reflecting savings in Commonwealth purchases.

In the Department of Forest and Waters 249 employes were added in connection with the special flood control project undertaken as a result of Hurricane "Diane." These are typical areas of activity undertaken which have involved additional personnel to provide better and more efficient services to the citizens of the Commonwealth.

I make these remarks today, Mr. Speaker, for the reason that it seems to have become a popular pastime for members of the Republican party to shout and make speeches all over the Commonwealth about Democratic administration squandering money and putting on the state payroll a lot of unnecessary employes.

I hope you will listen to these words indicating where these employes are going and what they are there for so you do not get out on the limb too far and find that it is cut off with no chance of reclaiming yourselves.

Mr. JOHNSON. Mr. Speaker, I would like to interrogate the Minority Leader, Mr. Readinger.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. JOHNSON. Without having other figures in front of me, we will use the gentleman's 66,881 on the payroll in November 30, 1954, as compared with 68,177 on the payroll on the same date in 1956. Recognizing that the gentleman has done quite a bit of research on this, does the gentleman have the figures there of the dollar cost in 1954 for those employes as compared to the dollar cost of the employes in November 30, 1956?

Mr. READINGER. I do not have those figures here, but I assure the gentleman that this is only a first of a series of talks on this subject. I intend to bring in dollar figures, and every other kind of figures, to show that this administration is putting on the payroll only necessary employes and paying them a decent wage. I will furnish those figures.

Mr. JOHNSON. Mr. Speaker, does the gentleman know whether this list includes the special consultants at $50 and $100 a day that the Governor presently has on his payroll?

Mr. READINGER. I would not be able to answer that question definitely, but I would presume this does not include any consultants.

Mr. JOHNSON. To further interrogate the gentleman as to what we have read in the Press over the weekend does the gentleman know whether, in addition to the names and numbers of special consultants at the high salaries that Mr. Wood announced in the Press, there are other consultants and high-salaried research men, and so forth, that Mr. Wood has not disclosed?

Mr. READINGER. Mr. Speaker, in answer to the gentleman, I would say that I did not see any high-salaried consultants' fees set forth in the newspaper at any time. I do not know how many consultants are being consulted and paid by the Commonwealth or any of its agencies at the present time, nor do I know in detail what their consulting fees have been, but I say those that I have read about are anything but high or exorbitant.

Mr. JOHNSON. Mr. Speaker, would the gentleman say that having numerous consultants around Capital Hill and paying them anywhere from $50 to $100 or $150 a day is a resonable salary for casual employes who drop in now and then and get that big salary?

Mr. READINGER. Mr. Speaker, in answer to that I would say that the services I understand we are obtaining from these consultants the gentleman refers to are worth very, very much more than these men are receiving as compensation. I suppose the gentleman is familiar with the various expert witnesses who are called into court from time to time to testify on different matters. I know their fees run anywhere from $100 to $200 a day. In my opinion, all of the consultant fees I have read about in the newspapers so far represent monies well spent.

Mr. JOHNSON. Mr. Speaker, I would like to further ask the gentleman, I believe the paper said the Pennsylvania Citizens' Association, know as the PCA, received $20,000 as consultants on mental health. Did you read that in the papers over the weekend?

Mr. READINGER. I do not believe I did, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, did the gentleman notice that Mr. Bouterse, the Executive Director of PCA, also is a consultant at one of those high per diem salaries?

Mr. READINGER. Mr. Speaker, I do not believe I read the item, but I would suggest we have a field day some day on consultants so we can discuss them fully and thoroughly and find out whether they have been earning their money because it is my opinion they have been more than earning the money they have been getting.

Mr. JOHNSON. Mr. Speaker, I would like to further ask the gentleman whether he has received literature in the past year from the PCA with respect to the mental health program in Pennsylvania and the great job that is being done on the needs of the Department of Welfare?

Mr. READINGER. Mr. Speaker, I would say, if my recollection is correct, I have been receiving literature from that Association ever since I have been a Member of this House and it has a telling effect.

Mr. JOHNSON. Mr. Speaker, would the gentleman say that if this lobbying bill were passed the PCA would have to register under the lobbying bill just like any other lobby?

Mr. READINGER. Mr. Speaker, I would definitely

think so. If I may amplify that statement, I think the organization the gentleman refers to has been advocating the passage or defeat of various bills over a period of years and, therefore, would definitely be in the lobbying class.

Mr. GOLDSTEIN. Mr. Speaker, will the Minority Leader permit himself to be further interrogated?

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be further interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Is the gentleman from Berks aware that the erstwhile members of Governor Leader's former consultant group made a public statement that there were 5,000 too many people on the state payroll, to wit, Dr. David K. Lawrence?

Mr. READINGER. Mr. Speaker, if my recollection is correct, the gentleman from Allegheny is incorrect. My recollection is that his statement was that this state might operate with a certain number less employes than it had, he did not state it the way the gentleman states it.

Mr. GOLDSTEIN. Mr. Speaker, is that not a lawyer's distinction meaning nothing?

Mr. READINGER. Mr. Speaker, I could not hear the question.

Mr. GOLDSTEIN. Mr. Speaker, is the gentleman from Berks not aware that recently the Governor of Pennsylvania, George M. Leader, in a Press conference inferred that there were many drones on the state payroll who were not working a full eight-hour day? If that be the fact, could not our payroll be reduced substantially?

Mr. READINGER. Mr. Speaker, whenever or whereever a drone who is not pulling his share of the load is found, he can be eliminated and probably will have to be replaced by someone who will do the work.

The fact that somebody who is on the payroll who is not working does not mean the work should not be done. Somebody should be there doing it.

PERMISSION TO ADDRESS HOUSE

Mr. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, I am glad the administration after two years is waking up to the fact that the people are becoming exercised about the situation of our state payroll. I am glad Mr. Readinger is concerned about the jibes concerning same, whether they come from Republican orators or from erstwhile consultants in the Leader administration.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, all of these matters are being attended to in proper order. We have been informed by His Excellency, the Governor, that in making some replacements and sealing various deserving persons into state service they are being sealed into the state service at the ratio of 50 to 51. That means we catch a Democrat drone and we kick him out, and we experiment with a Republican drone and see how he works. In the meantime we are littering the payroll with consultants.

I have a high regard for intellect, but I would like to see the philosophy of my party represented among these consultants, because I have examined the list to some extent and I'll be darned if I can find a fundamental Democrat in the whole outfit.

Mr. FILO. Mr. Speaker, I would like to ascertain whether this House is going to be in session on Wednesday of this week?

The SPEAKER. The Rules Committee, after consultation with the minority, has decided there will be no session on Wednesday of this week.

ANNOUNCEMENT

The SPEAKER. I have been informed by the Chief Clerk that identification lapel buttons, a new innovation, are now available in the office of the Chief Clerk for all Members of the House. They do not replace the old membership badges which are given to the Members, they are in addition to them. They can be picked up in the Chief Clerk's office any time after the session today.

COMMITTEE MEETINGS

JUDICIARY, Mr. Tompkins, Chairman, Room 145, Tuesday, February 26, at 9:30 a. m.

LAW and ORDER, Mr. Naugle, Chairman, Room 325, Tuesday, February 26, at 10:15 a. m.

MILITAR AFFAIRS, Mr. Davis, Chairman, Room 323, Tuesday, February 26, at 10:00 a. m.

MUNICIPAL CORPORATIONS, Mr. Blair, Chairman, Tuesday, February 26, at 9:45 a. m., Room 521.

ADJOURNMENT

Mr. De LONG. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 26, 1957 at 10:30 a. m.

The motion was agreed to, and (at 5:58 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, FEBRUARY 26, 1957. No. 18.

SENATE

TUESDAY, February 26, 1957.

The Senate met at 11:00 o'clock, a.m., Eastern Standard Time.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

PRAYER

The Chaplain, Rev. JOHN C. MOORE, Rector of Christ Episcopal Church, Coudersport, offered the following prayer:

Direct us, O Lord, in all our doings with Thy most gracious favor and further us with Thy continual help that in all our works begun, continued and ended in Thee, we may glorify Thy Holy Name.

Grant, we beseech Thee, that whosoever shall draw near Thee in this place, to give Thee thanks for all the benefits received at Thy hands, may do it with such steadfastness of faith, affection and devotion of mind that Thou mayest accept their bounded duty and service, all of which we beg, through Jesus Christ, our Lord, Who hath taught us to pray unto Thee, our Father, in Thy almighty name and according to Thy word. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. WADE, further reading was dispensed with, and the Journal was approved.

PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, I would like to have the attention of the Senators to my first statement. After that, they can tune out.

This is a bill concerning public education and it will provide for a smaller amount to be withdrawn from the State Treasury. I think you should know that before I make my statement.

It has to do with something which a leading Philadelphia newspaper wrote about editorially on Sunday, entitled "Educational Bear Dance at Harrisburg," which I only agree with in part. I think this bill will remove some of the parasites that are on the bear as the bear dances. This has to do with this involved business which we derived some years ago, known as the reimbursement fraction. By this reimbursement fraction, we have tried to scientifically sort out the 2,400 school districts into the richest and poorest districts in the State. Basically, the subsidy goes to the districts on the basis of their wealth. Most of you are familiar with this. The two factors are the number of children and the taxable real estate in that particular district. Therefore, the 2,400 districts, more or less, fall in a long range according to this formula. It so happens that the scale, which the General Assembly has set up, is of such a nature that some districts seem to be too poor to operate under this scale and there are other districts, at the other end, which the scale does not apply to because they are too rich.

I see the Governor's budget this year calls for a $400,000 fund to pay the districts. I do not know the names of these districts, but using this editorial, it refers to a poor district in Coal Village in Clearfield County as being one of the poor ones. We, of course, insist, and rightfully so, that this district prove, through its audits and its tax collections, that they are unable to support public education. According to this formula, it is at the end of the scale, and I think this is right. However, at the other end of the scale, we do a very queer thing. Some districts are so rich that they spill over the other end of the scale. We do not ask to make an investigation of them. We simply say, "Here is a check. We do not know whether you need all this money. We will set the present minimum of $1,000 a district. We do not know whether you need it or not. You do not need to come to Harrisburg to ask for the money. We will send it to you; you endorse the check and put it in the bank."

This has been going on for six, eight and ten years. I am told that this year there are forty-seven such districts which are being paid at an estimated amount of about a quarter of a million dollars.

It seems to me that this proposal is long overdue. It should have been done six or eight years ago when we might have saved, perhaps over the years, a total of $8,000,000 or $10,000,000. It seems to me, with this proposal, we may still pay for the bear dancing, but these districts which have the wealth should, at least, be compelled to come to Harrisburg and say that they are needy and that they need the additional money, rather than to hand it to them without any questions.

BILLS INTRODUCED AND REFERRED

Mr. HAYS read in his place and presented to the Chair Senate Bill No. 275, entitled:

An Act amending the act of March 10, 1949 (P. L. 30),

entitled "Public School Code of 1949," abolishing minimum subsidies and further providing for assignment of reimbursement fractions, further regulating payments to first class A school districts.

Which was committed to the Committee on Education.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 276, entitled:

An Act providing for the incorporation as bodies corporate and politic of "Regional Service Districts" by adjoining counties; prescribing the rights, powers and duties of the regional service districts; authorizing the regional service districts to perform regional governmental functions, which can be rendered more effectively on a regional basis and to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor and to apportion costs and expenses among counties and municipalities served; providing for the payment of the bonds and the rights of the holders thereof; conferring the right of eminent domain on the regional service districts; authorizing the regional service districts to enter into contracts with and to accept grants from the Federal Government or any agency thereof.

Which was committed to the Committee on State Government.

REPORTS FROM COMMITTEE

Mr. WHALLEY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Education, reported as committed, Senate Bill No. 70, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," prohibiting payments for certain types of transportation from school district funds procured by the assessment, levy or collection of taxes.

He also, from the Committee on Education, reported as amended, House Bill No. 140, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing representation on the board of directors of union and merged school districts.

He also, from the Committee on Education, reported as committed, Senate Bill No. 241, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," limiting reimbursement for depreciation to school districts which use their own vehicles in transporting pupils.

BILLS RE-REFERRED

Mr. WHALLEY, from the Committee on Education, returned to the Senate, Senate Bill No. 209, entitled:

An Act making an appropriation to the Trustees of Lincoln University for the rehabilitation of two dormitories.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on Education, returned to the Senate, Senate Bill No. 210, entitled:

An Act making an appropriation to the Trustees of Lincoln University, Chester County.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on Education, returned to the Senate, Senate Bill No. 211, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the completion and furnishing of a new girls' dormitory.

Which was re-referred to the Committee on Appropriations.

He also, from the Committee on Education, returned to the Senate, Senate Bill No. 212, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Which was re-referred to the Committee on Appropriations.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 5, Printer's No. 34, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 33, entitled:

An Act amending the act of May 21 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 71, Printer's No. 39, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 74, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code" further regulating the issuance of registration plates to news photographers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 108, entitled:

A Supplement to the act of June 2 1915 (P. L. 736) entitled as amended "The Pennsylvania Workmen's Compensation Act" providing for the payment of compensation to auxiliary police or their dependents

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 208, on third reading, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State University for the use of the School of Agriculture for the erection of experimental mushroom houses and research in the communicable diseases of mushrooms and other places of the mushroom industry

be re-referred to the Committee on Appropriations.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 18, Printer's No. 40;
Senate Bill No. 110, Printer's No. 41;
Senate Bill No. 115, Printer's No. 38;
Senate Bill No. 138 (Pink);
House Bill No. 161, Printer's No. 30;
Senate Bill No. 203 (Pink); and
Senate Bill No. 216 (Pink).

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 224, entitled:

An Act requiring that all meetings of legislative bodies of all political subdivisions including school districts and of all meetings of boards commissions and authorities created by or operating as agencies of political subdivisions including authorities created by or operating as agencies of the Commonwealth shall be open to the public

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 266, entitled:

An Act amending the act of May 21, 1956 (P. L. 1642) entitled "Commonwealth Mental Health Research Foundation Act" further defining the powers and jurisdiction of the Foundation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. SILVERT. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SILVERT, from the Committee on Judiciary General, reported as amended, Senate Bill No. 147, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled, as amended "The Realty Transfer Tax Act," exempting from the tax the transfer of real property by certain holders in escrow.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 70, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," prohibiting payments for certain types of transportation from school district funds procured by the assessment, levy or collection of taxes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 140, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing representation on the board of directors of union and merged school districts

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 147, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled, as amended "The Realty Transfer Tax Act," exempting from the tax the transfer of real property by certain holders in escrow.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 241, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," limiting reimbursement for depreciation to school districts which use their own vehicles in transporting pupils.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

SENATE RESOLUTION

DIRECTING THE SECRETARY OF WELFARE TO SUBMIT TO THE JOINT STATE GOVERNMENT COMMISSION DATA RELATIVE TO SCHOLARSHIPS GRANTED TO MEDICAL STUDENTS

Mr. YOSKO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. YOSKO, MAHANY, BERGER and McMENAMIN offered the following resolution which was twice read as follows:

In the Senate, February 26, 1957.

Resolved, that the Honorable Harry Shapiro, Secretary of Welfare, submit to the Director of the Joint State Government Commission on or before March 4, 1957, the following data relative to scholarships granted to medical students.

(1) The names and addresses of students granted such scholarships.

(2) The names of the schools where such students are attending.

(3) The financial assistance granted such students, including tuition, salary, if any, and subsistence allowances and any other financial arrangements.

(4) Terms of any agreement between such students and the Commonwealth of Pennsylvania and the method of selecting such students.

and all other data relative to the scholarship plan.

RULE 39 SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. STIEFEL. Mr. President, I wish to be recorded as voting "no" on this resolution.

And the question recurring,

Will the Senate agree to the resolution?

(A voice vote having been taken, the question was determined in the affirmative.)

PETITIONS AND REMONSTRANCES

Mr. MAHANY. Mr. President, in relation to the last resolution, I request that the Secretary of the Senate send a copy of that resolution to Secretary Shapiro, and also a copy to the Governor.

I think a couple of weeks ago we passed a resolution asking the Superintendent of Public Instruction for certain information relative to the payment of fees to various consultants. I do not know whether that resolution was transmitted to the Superintendent or not. I notice the Secretary of the Senate is nodding his head that it was, and if it had not been, I was going to suggest that that resolution also be forwarded to him.

As yet, I understand, we have not received any response to our request for that information, and I would request the Secretary to get in touch with the Department of Public Instruction and find out when we may expect to receive the information called for in that resolution.

The PRESIDING OFFICER. The Chair will request the Secretary of the Senate to comply with the Majority Floor Leader's request.

Mr. STIEFEL. Mr. President, this is an opportune moment to make an observation.

I am glad that it was noted that I was objecting to this resolution, but I want to bring to the attention of the Membership of the Senate the haste with which this resolution was passed this morning.

Not to embarrass the sponsors of this resolution, I abstained from asking for a roll call, but in the future, I want Senator Mahany to bear the famous Golden Rule in mind, because whenever I put in a resolution, he gets up and says, "Caution, circumspection, study. What is the rush? What is the race?"

Today he just repudiated all these monitory remarks.

Mr. YOSKO. Mr. President, the committee appointed to investigate the activities of the State Pardons Board met yesterday, and among other things, we discussed the availability of records on file with the Pardons Board.

I picked up the paper this morning, the Philadedphia Inquirer, and I find what I call a misleading headline, and it reads as follows and I quote:

"Clemency Records of Pardons Board Sealed by McBride."

I think it needs a little bit of clarification, because anybody that reads this headline would come to the conclusion that the Attorney General is attempting to withhold information from the investigating committee. I want to say here for the record, and say publicly, that this is not true, at least in so far as the investigating committee is concerned.

Mr. McBride appeared before our committee yesterday, and we discussed the subject, and he told every member of the committee that the committee members or counsel for the committee could review any records that are on file with the Pardons Board or at any institution. As a matter of fact, he was so cooperative as to tell us that if counsel or any member of the committee wanted to review these records at night, he would see to it that there was somebody in the Pardons Board office at night to assist in every way possible. It is for that reason, Mr. President, that I am on my feet. I want to clarify any distorted headlines or any misleading headlines that might appear in any of the newspapers in this Commonwealth.

Mr. McBride has been very, very cooperative, and I have every reason to believe that he will continue to be cooperative with this committee so that it can efficiently carry out the terms of the resolution under which it was appointed.

PERSONAL PRIVILEGE

Mr. STIEFEL. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The gentleman will state it.

Mr. STIEFEL. Mr. President, on February 12, my colleague, Senator Walker, and I enjoyed the extreme privilege and honor of delivering remarks on the occasion of Lincoln's Birthday. I read them in the Journal and I want to absolve our secretary, Miss Sayer; I know she is very capable. However, upon reading my speech in the Journal, I gathered the impression of a dog which I sent out in the morning and got back a raven. I cannot recognize my speech. It is all mixed up, lines upon lines, making my remarks sound silly.

The Legislative Journal is a very important document. It is the only document which is surviving this maze of legislation. I do not want people, in years to come, to read my speech and say, "That man is an ignoramus." Therefore, Mr. President, I feel that we should do something about it. Maybe now it will be that the only man reading the Legislative Journal at bedtime is Add B. Anderson, the Secretary of the Board of Education. I do not you see, but I guess I will have to because each time one makes a statement and then a mistake creeps in, this is very embarrassing. We will have to caution the printers to be more careful and, at the same time. I would like to have permission to have my speech reprinted, just as a matter of precaution.

The PRESIDING OFFICER. I am sure that the gentleman's reputation as a scholar and as a student would preclude anyone in Pennsylvania from ever thinking he was an ignoramus. I am sure that the correction will be made in the Journal so that your speech will be legible to the 11,000,000 Pennsylvanians.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess until 1:00 o'clock, p. m., for the purpose of awaiting communications from the House of Representatives.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, March 4, 1957, at 4:00 o'clock, p.m., Eastern Standard Time.

Mr. WHALLEY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:05 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, February 26, 1957.

The House met at 10:30 a. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Harry A. Houseal, Pastor of Grace Evangelical United Brethren Church, Lemoyne, guest Chaplain, offered the following prayer:

May I suggest before I begin the prayer that we all bow our heads for a moment of absolute silence as we wait before God.

Eternal God, reverently we wait before Thee, that we might have our hearts cleansed and our souls purged of all the unclean thoughts and unholy desires which so often motivate our decisions and our actions.

Amid the many voices clamoring to be heard, may we hear Thy voice of Divine authority and omniscience saying to us "This is the way, walk ye in it." Help these who assemble here today to decide important issues for our Commonwealth, that they will be open to Thy leading, receptive to Thy counsel, and humble enough to say "Not my will, but Thine be done," for we know, even though sometimes we do not admit it, that Thy will is wiser and better than our own.

We pray for Thy blessing upon the Speaker of this House, that he may be given the ability to properly and effectively lead in all the deliberations and discussions; we pray for the presence of Thy Spirit in the heart of every member of this House, that each one may be "not wise in his own conceits, not slothful in his work, but fervent in spirit, serving the Lord," and the Commonwealth, to the best of his God-given abilities.

Let Thy blessing be upon their families, and the people whom they represent across this great Keystone State, and help us all to so live this day that at its close we shall not be ashamed to look Thee in the face.

We pray in and through the Name of Thy Son, the Lord Jesus Christ. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, February 25, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. WORLEY. HOUSE BILL No. 554.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) increasing compensation paid to constables for attending election places.

Referred to the Committee on Elections and Apportionment.

By Mr. WORLEY (By request). HOUSE BILL No. 555.

An Act amending "The Administrative Code of 1929," approved April 9, 1929, (P. L. 177), providing that the Pennsylvania State Police use only motor vehicles painted white while patrolling highways.

Referred to the Committee on State Government.

By Mr. STROUP. HOUSE BILL No. 556.

An Act relating to criminal prosecutions, permitting defendants to make motions for discharge on the ground that the evidence is insufficient to sustain the charge and providing for the effect thereof.

Referred to the Committee on Judiciary.

By Messrs. AUSTIN M. LEE, CARSON, Mrs. B. Z. MILLER and Mr. BRUCKER. HOUSE BILL No. 557.

An Act fixing the maximum hours of employment for members of the fire and police departments and uniformed officers and men employed as park guards in cities of the first class, except in emergency cases.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. STECKEL and THOMAS H. W. JONES. HOUSE BILL No. 558.

An Act amending the "Fictitious Name Act" approved May 24, 1945 (P. L. 967) providing for amended certificates of registration and of cancellation or withdrawal from the prothonotary.

Referred to the Committee on Judiciary.

By Messrs. STUART and COOPER. HOUSE BILL No. 559.

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P.L. 1145), exempting certain persons over sixty-five years of age from the tax.

Referred to the Committee on Municipal Corporations.

By Mr. DUNN. HOUSE BILL No. 560.

An Act amending the "Public Assistance Law," approved June 24, 1937, (P. L. 2051), changing definition of dependent children and enlarging the category of relatives of dependent children eligible for assistance.

Referred to the Committee on Welfare.

By Messrs. STUART and COOPER. HOUSE BILL No. 561.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), exempting certain persons over sixty-five years of age from certain taxes levied and collected by school districts with a population of less than 1,500,000.

Referred to Committee on Education.

By Messrs. ESHLEMAN and ROYER. HOUSE BILL No. 562.

An Act amending "The Administrative Code" approved April 9, 1929 (P. L. 177) providing a standard for the punctuation of legislation.

Referred to Committee on State Government.

By Mr. HAROLD G. MILLER. HOUSE BILL No. 563.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) providing for annual vacations and special leaves from employment for State employes.

Referred to Committee on State Government.

By Messrs. RENWICK and GOODRICH. HOUSE BILL No. 564.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) providing penalties for violation of rules governing State Parks, State Forest Picnic Areas, State Forest Monuments and State Historical Parks.

Referred to Committee on State Government.

By Mrs. VARALLO and Mr. MOSCRIP.
HOUSE BILL No. 565.

An Act amending the act of June twenty-ninth one thousand nine hundred fifty-three (P. L. 304), known as the "Vital Statistics Law of 1953," by providing for the registration of children born in countries other than the United States, and the registration of foreign born children adopted in Pennsylvania.

Referred to the Committee on Public Health and Sanitation.

By Messrs. BRETH, JIM and WHITTAKER.
HOUSE BILL No. 566.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to grant rights of way over State park lands.

Referred to the Committee on State Government.

By Messrs. STUART, SPRAY, JOHNSTON and JENKINS. HOUSE BILL No. 567.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further providing for retirement of members of the police force; further regulating voluntary retirement; * * *

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. STROUP. HOUSE BILL No. 568.

An Act providing for a referendum to determine the will of the electorate with respect to the adoption of daylight saving time.

Referred to the Committee on State Government.

By Mrs. KOOKER and Mrs. DONAHUE.
HOUSE BILL No. 569.

An Act authorizing the recovery of damages from owners of aircraft causing injury.

Referred to the Committee on Judiciary.

By Messrs. POST, DIETTERICK, CURWOOD and PARRY. HOUSE BILL No. 570.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) further regulating the scheduling operation and equipment of motor buses and motor omnibuses * * *

Referred to the Committee on Motor Vehicles.

By Mr. MARSH. HOUSE BILL No. 571.

An Act repealing "The Support Law" approved June 24, 1937 (P. L. 2045).

Referred to the Committee on Welfare.

By Mr. MARSH. HOUSE BILL No. 572.

An Act amending the "Public Assistance Law," approved June 24, 1937, (P. L. 2051), prohibiting the requiring of security as a prerequisite to receiving assistance or general assistance.

Referred to the Committee on Welfare.

By Messrs. PARRY and HOCKER.
HOUSE BILL No. 573.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), exempting veterans who served in the armed forces of the United States during any period of war or armed conflict and lost eyesight as a result of such service from fees charged for certificates of title or registration.

Referred to the Committee on Motor Vehicles.

By Mr. MARSH. HOUSE BILL No. 574.

An Act regulating the time of payment of wages and earnings and prescribing penalties.

Referred to the Committee on Labor Relations.

By Mr. BRENNINGER, Mr. FETTEROLF, Mrs. HENZEL and Mr. WILLAREDT.
HOUSE BILL No. 575.

An Act relating to the control and suspension of air pollution; imposing powers, functions and duties on the Air Pollution Control Commission; providing for the appointment, powers and duties of county air pollution associations and fixing penalties.

Referred to the Committee on State Government.

By Mr. BRENNINGER, Mr. FETTEROLF, Mrs. HENZEL and Mr. WILLAREDT.
HOUSE BILL No. 576.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the Air Pollution Control Commission as a departmental administrative commission in the Department of Health.

Referred to the Committee on State Government.

By Mr. BRENNINGER, Mr. FETTEROLF, Mrs. HENZEL and Mr. WILLAREDT.
HOUSE BILL No. 577.

An Act regulating air pollution, refuse disposal and salvage operations; imposing duties on local health authorities; and fixing penalties.

Referred to the Committee on State Government.

By Mr. MAXWELL. HOUSE BILL No. 578.

An Act amending "The Vehicle Code," approved May 1, 1929, (P. L. 905), requiring that motor vehicles be equipped with mirrors.

Referred to the Committee on Motor Vehicles.

By Messrs. HORST, GEORGE, GOODLING and GROSS. HOUSE BILL No. 579.

An Act requiring the Pennsylvania Turnpike Commission to change the names of certain interchanges on the Pennsylvania Turnpike.

Referred to the Committee on Highways.

By Mr. GEORGE, Mrs. DONAHUE, Messrs. McINROY and STONER. HOUSE BILL No. 580.

An Act amending "The General County Assessment Law," approved May 22, 1923 (P. L. 853), exempting all parsonages and manses from taxation.

Referred to the Committee on Municipal Corporations.

By Mr. GEORGE, Mrs. DONAHUE, Messrs. McINROY and STONER. HOUSE BILL No. 581.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571) exempting all parsonages and manses from taxation.

Referred to the Committee on Municipal Corporations.

By Mr. WOOD. HOUSE BILL No. 582.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring the Budget Secretary to submit budget material to the chairman of the Committee on Appropriations of the House of Representatives and the Senate within a specified time.

Referred to the Committee on State Government.

By Messrs. METZ, SNIDER, GOODRICH and FOSTER. HOUSE BILL No. 583.

An Act placing a limitation on the combined acreage to be acquired by the Department of Forests and Waters, the Pennsylvania Game Commission and the Pennsylvania Fish Commission in any one county.

Referred to the Committee on State Government.

By Messrs. SHIELDS and FLOYD. HOUSE BILL No. 584.

An Act amending the "Liquor Code" of April 12, 1951 (P. L. 90) limiting the number of Pennsylvania Liquor Stores in each municipality and the issuance and transfer of retail licenses in any ward of any city of the first class and in certain other cases, and requiring proposed sites for Pennsylvania Liquor Stores to be posted.

Referred to the Committee on Liquor Control.

By Messrs. RAGOT, McCANN, MOYER and IDE. HOUSE BILL No. 585.

An Act amending the "Local Tax Enabling Law," approved June 25, 1947, (P. L. 1145), further defining the taxing power of townships of the second class.

Referred to the Committee on Townships.

By Mr. GRAMLICH. HOUSE BILL No. 586.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), further regulating the use of lights by ambulances and fire, sheriff and police vehicles and emergency lamps on snow plows and cinder trucks.

Referred to the Committee on Motor Vehicles.

By Mr. VERONA. HOUSE BILL No. 587.

An Act relating to proof of financial security with respect to registration, ownership, maintenance, use and operation of motor vehicles; regulating proof of such financial security and types thereof; providing for self-insurers; imposing duties on the Secretary of Revenue and owners and operators of motor vehicles; and imposing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. FLOYD and SHIELDS. HOUSE BILL No. 588.

An Act providing for and legalizing horse racing with wagering on the results thereof, *** creating the Pennsylvania Racing Commission *** providing for establishment and operating of State racing plants *** disposing of moneys received and making an appropriation and providing penalties.

Referred to the Committee on Law and Order.

By Messrs. BRETH and GIBSON. HOUSE BILL No. 589.

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled "An act making an appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August, one thousand nine hundred fifty-five," making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before the completion of projects.

Referred to the Committee on Appropriations.

By Messrs. STONER, GEORGE and HORST. HOUSE BILL No. 590.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County and making an appropriation.

Referred to the Committee on State Government.

By Messrs. STONER, GEORGE and HORST. HOUSE BILL No. 591.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County and making an appropriation.

Referred to the Committee on State Government.

By Messrs. STONER, GEORGE and HORST. HOUSE BILL No. 592.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberalnd County, and making an appropriation.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 140.

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

Referred to the Committee on Appropriations.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Reidenbach for Mr. MUSTO because of illness.

REPORTS FROM COMMITTEES

Mr. FETTEROLF from the Committee on Municipal Corporations, reported as committed, House Bill No. 29, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; * * * and providing for the reinstatement of the liens of such claims and judgments.

Mr. OGILVIE from the Committee on Military Affairs, reported as committed, House Bill No. 105, entitled:

An Act amending the "World War II Veterans' compensation Act," approved June 11, 1947 (P. L. 565), extending the time during which applications may be filed for veterans' compensation.

Mrs. KERNAGHAN from the Committee on Law and Order, reported as committed, House Bill No. 172, entitled:

An Act amending "The Penal Code," approved June 24, 1939, (P. L. 872), extending provisions relating to obscene literature and objects; and increasing the penalty for violating the provisions.

Mr. IDE from the Committee on Municipal Corporations, reported as committed, House Bill No. 458, entitled:

An Act validating the assessment rolls of counties from the fourth to eighth class.

Mr. BOWMAN from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 29, entitled:

An Act amending the act of May 9, 1949 (P. L. 908) entitled * * * authorizing county controllers to destroy or dispose of certain records and papers.

Mr. GELFAND from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended * * * providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard.

Mr. MOODY from the Committee on Judiciary, reported as committed, Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 4, entitled:

An Act amending "The Administrative Code of 1929" approved April 9 1929 (P. L. 177) requiring the Auditor General to publish a monthly report of persons employed by the Commonwealth.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. AUKER and WARGO offered the following amendments:

Amend Sec. 1 (Sec. 603) page 4, line 4 by inserting after "Allegheny" Berks, Blair, Cambria.

Amend Sec. 1 (Sec. 603) page 4, line 5 by inserting after "Erie" Lackawanna, Lancaster, Lehigh, Luzerne.

On the question,

Will the House agree to the amendments?

Mr. JOHNSON. Mr. Speaker, as the House knows, the principle of this bill is that we want to give publicity shall be say, to the state payroll.

As I understand these amendments the bill now calls for compulsory publication by the Auditor General of this information in certain counties, and I believe Mr. Auker's amendments add other counties. Is that correct, Mr. Auker?

Mr. AUKER. Yes, Mr. Speaker.

Mr. JOHNSON. The thought has come to us overnight that whenever we say in a bill a department must publish that becomes a paid advertisement and will cost the Commonwealth money. In line with our "hold the line" policy on expenditures it was thought that perhaps the best thing to do would be to amend the bill and say that the Auditor General shall make public this information through a news release which would be disseminated state-wide to newspapers as a news item and would not cost the Commonwealth for this printed advertisement.

I am wondering whether the sponsors of the bill and the sponsor of the amendment would entertain an amendment of that character rather than compulsory advertising in a newspaper which would have to be paid for at advertising rates.

I see Mr. Goldstein is on his feet and I would like to yield to Mr. Goldstein.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. GOLDSTEIN. I would like to make a brief statement on the purpose of the bill.

We now have legislation which provides that the information shall be given to the Auditor General and also to other governmental authorities. This information for years has been buried and has been very difficult to find. We all know that a public officer can keep records in a file or a cabinet. The sole purpose of this bill is to make certain that information which is very minor and does not cost very much money will be published in a selected group of papers scattered throughout the state. My estimate of the cost of this advertising for a year would be not in excess of 15 hundred to 2 thousand dollars. Where the state is spending 2 billion dollars a year the voters and the people have a right to know monthly how many people are on the payroll. If this information is published in newspapers by mandatory legislation, the people will get this information. I think it is sound, constructive legislation and I am sorry to disagree with my Majority Leader.

Mr. JOHNSON. Mr. Speaker, I am not against the amendments nor the principle and I think the reason for this interchange is the fact that yesterday we were so pressed for time we did not have a chance to caucus on the bill. I am certainly not against the amendments and if that is all it will cost to advertise, we certainly should go along with these amendments.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Auker.

The SPEAKER. Will the gentleman from Blair, Mr. Auker, permit himself to be interrogated?

Mr. AUKER. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, will the gentleman advise me whether Berks County is one of the counties contained in his amendments?

Mr. AUKER. It is, Mr. Speaker. I certainly took good care of the Minority Floor Leader.

Mr. READINGER. May I ask the gentleman who requested him to insert Berks in that amendment, if anybody?

Mr. AUKER. No one, Mr. Speaker. I merely tried, for the purpose of carrying out the real principle of the

bill, to get as wide a general circulation as possible for the printing of these lists, geographically speaking, so far as metropolitan newspapers were concerned, and those that would serve surrounding counties.

Mr. READINGER. I thank the gentleman. I was just curious to know how Berks County got into that picture.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman from Blair.

The SPEAKER. Will the gentleman from Blair, Mr. Auker, permit himself to be interrogated?

Mr. AUKER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, do I understand that Blair County papers would crawl into the bill, according to this amendment?

Mr. AUKER. That is right, Mr. Speaker.

Mr. ANDREWS. Do I understand that Cambria County papers, a paper from Cambria County,—

Mr. AUKER. That is right.

Mr. ANDREWS. —would also crawl into the bill?

Mr. AUKER. That is correct, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, did anybody importune the gentleman from Blair to take such careful account of the Cambria County papers?

Mr. AUKER. They did not. In answer to the gentleman I will simply make the same reply as I made to the gentleman from Berks.

Mr. ANDREWS. I thank the gentleman.

Mr. Speaker, this bill is sheer nonsense and waste, absolute drivel. It is all very well if we want to inform the public about certain matters to print the information in papers of general circulation. There are no papers of general circulation outside of Pittsburgh, Philadelphia, and perhaps by subscription, Harrisburg. Now it is simply grab bag, petty thieving, in a way, to raid the funds of the Commonwealth to put this kind of advertising in the Johnstown paper, the Altoona paper, or even the Erie paper, or in a Berks County paper. If we want to put it in the major papers of general circulation there might possibly be a case for it, but you just cannot make out a case, and I do not think the publishers of papers in Blair or even Cambria asked to be included. I think they would recognize the absurdity of being included in this bill.

Mr. GOLDSTEIN. Mr. Speaker, I want to call to the attention of the gentleman from Cambria that the primary purpose of my bill was identical with his remarks. My bill only provided for papers of general circulation in four counties, Philadelphia, Allegheny, Dauphin and Erie, and I did not intend it, and do not intend it, to be a grab bag for newspaper advertising.

Mr. VARNER. Mr. Speaker, I agree with Mr. Andrews that the phrase, "newspapers of general circulation in the state" should be used. I think it is simply silly to pick out certain counties. Certainly none of the weekly newspapers in the state would come under this classification. I think these amendments are unsatisfactory. I think the amendment to the original bill, where he picks out four counties, is unsatisfactory to me. There should be some other way to handle it besides this particular amendment.

Mr. AUKER. To speak briefly on the amendments, Mr. Speaker, I can hardly let the remarks of the gentleman from Cambria go unanswered when he accuses me of trying to make a newspaper grab. I assure him that was not my intention. So far as raiding the coffers of the State are concerned, I think he and his party had better look to their own skirts before they accuse anybody else.

My motive in presenting these amendments was simply to more extensively carry out what I consider a very good bill. I have no objections to having the bill amended to make it newspapers of general circulation, because practically all the newspapers in the State do carry these paid State advertisements. I believe the papers in Cambria County carry them. I know the papers in Blair County carry them. I know the papers in other counties carry them as paid advertisements.

It is immaterial to me which way you amend the bill, but I do not think four newspapers are going to get the coverage over the State that is designed to carry out the purpose of this bill.

I am not going to rest under any charge that I am trying to put amendments in a bill which are going to make a newspaper grab.

Mr. WARGO. Mr. Speaker, as cosponsor of these amendments I feel this way, if all counties are to be covered by a newspaper, it is only fair that a fellow like myself, representing the people of Lackawanna County, should also have these figures.

On the question recurring,

Will the House agree to the amendments?

On a rising vote, less than a majority having voted in the affirmative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 32, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing unnaturalized foreign-born residents to own or possess dogs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 204, entitled:

An Act amending the "Public Utility Law" of May 28, 1937 (P. L. 1053) excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children to and from school sponsored extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle

The first section was read.

On the question,

Will the House agree to the section?

Mr. EWING. Mr. Speaker, there was an agreement on this bill to pass it over until we caucus on it on Monday.

Mr. MOSCRIP. Mr. Speaker, in reply to the gentleman's

statement, we knew of no agreement and neither did the sponsors of the bill.

Mr. EWING. Mr. Speaker, I talked to Mr. Korns and also Mr. Naugle, and amendments are supposed to be prepared to take up in caucus on Monday. I am just asking for a postponement.

Mr. Speaker, I will yield to the gentleman, Mr. Naugle.

Mr. JOHNSON. Mr. Speaker, I realize this is a very important bill and the various school districts, particularly in the country counties, are clamoring for this legislation.

I realize we did not caucus on the bill yesterday. It was certainly hoped that if anybody had any amendments to the bill they would have been forthcoming today.

I know there are a lot of people on both sides of the House who would like to see this bill moved. If there is a real need to pass it over so that those who might want to come under the bill, like big cities, I believe it probably would be wise to pass it over until next Monday, if they will promise to have their amendments ready at that time.

BILL POSTPONED

Mr. JOHNSON. I, therefore, move to place it on the Second Reading Postponed Calendar with the understanding that it will certainly be called up next Monday when we return.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 247, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing the definition of "unprotected birds" to exclude hawks.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 250, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsman's shows.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 267, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) permitting township commissioners to hold their organization meeting the day after a holiday.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 268, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), changing the dues payable by the township for membership in the State Association of Township Supervisors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 301, entitled:

An Act amending "The Fourth to Eighth Class Assessment Law," approved May 21, 1943 (P. L. 571) increasing compensation and providing for travel expenses of assessors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 309, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925, (P. L. 448), providing for the issuing of lifelong free resident fishing licenses to persons sixty-five years of age or over.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STONER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 341, entitled:

An Act amending "The Private Detective Act of 1953," approved August 21, 1953 (P. L. 1273), permitting former members of the Pennsylvania State Police to apply for licenses.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 338, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing fish wardens to make arrests for certain offenses.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 443, entitled:

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCORMACK. Mr. Speaker, before making a motion to recommit this bill, I would like to interrogate the Chairman of the Investigating Committee, Representative Tompkins.

The SPEAKER. Whom does the gentleman from Philadelphia desire to interrogate?

Mr. McCORMACK. The Chairman of the Committee to investigate the Board of Pardons.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, how much money does this bill call for?

Mr. TOMPKINS. $20,000.

Mr. McCORMACK. Would the gentleman give us a breakdown, Mr. Speaker, of the expenditures made thus far?

Mr. TOMPKINS. The only expenditure made so far is in connection with the hiring of counsel.

Mr. McCORMACK. How much money is that?

Mr. TOMPKINS. The Committee authorized an expenditure not to exceed $5,000 for counsel, expenses and an appropriation not to exceed $600—

Mr. McCORMACK. Mr. Speaker, I cannot hear the gentleman.

Mr. TOMPKINS. So far the Committee has authorized a sum not to exceed $5,000 for counsel and his expenses and a sum not to exceed $600 for an assistant.

Mr. McCORMACK. As I understand it, there have been no hearings held as yet, is that correct?

Mr. TOMPKINS. We had one hearing last Wednesday. We have other hearings scheduled for Wednesday and Thursday of this week.

Mr. McCORMACK. Have there been notes of testimony taken at the first hearing?

Mr. TOMPKINS. There were.

Mr. McCORMACK. Has there been a bill submitted for the cost of transcribing the notes?

Mr. TOMPKINS. No, there has not.

Mr. McCORMACK. Is there any reason why we should deviate from the normal practice of waiting until the investigation has been completed and a breakdown submitted of the expenditures before we pass on an appropriation bill?

Mr. TOMPKINS. We need funds with which to operate while we are engaged in the course of our investigation. I do not know who is going to advance them out of their pockets.

Mr. McCANN. Mr. Speaker, would the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, are we following the same procedure as in the last session of this House in which the gentleman opposed the appropriation for the Delaware River Bridge Commission investigation?

Mr. TOMPKINS. I would not say so, no.

Mr. McCANN. Would the gentleman say, Mr. Speaker, that this is a complete reversal of the position of the gentleman from Cameron in the previous session?

Mr. TOMPKINS. I would not say so, no.

Mr. McCANN. Mr. Speaker, in last year's session when we asked for a specific sum of money for the committee investigating at that particular time, was the gentleman aware of what the Senate did when we met in Conference Committee regarding this particular amount of money to pay the bills which had been incurred to that date?

Mr. TOMPKINS. I understood they reduced the amount for which it passed the House. But I also remember that there were two other investigating committees for which bills went through during the time the investigations were in progress.

Mr. McCANN. Mr. Speaker, will the gentleman from Cameron inform us as to the figure which the House passed and the final compromise which was made with the Senate regarding bills which had been incurred up until that time? This was money which had been spent to that date.

Mr. TOMPKINS. I see no relation between the two, but my recollection is that the House bill last year called for $25,000 and my recollection is that the Senate finally approved it for $12,000.

Mr. McCANN. Mr. Speaker, the gentleman is correct in the final compromise figure.

The next question, is there any agreement at this time that this bill will pass the Senate as it is written, since the previous year, or the previous session, it was understood from the Senate that they would not approve a specific sum of money unless we had spent and authorized payment in that Conference Committee?

Mr. TOMPKINS. Mr. Speaker, I believe the gentleman from Greene has been a Member of this House long enough to know that you cannot depend upon what the Senate will do with legislation we send over to them. Therefore, I am unable to answer his question.

Mr. McCANN. Mr. Speaker, I was one of the gentlemen of this House who supported the appropriation in the previous session on the grounds that they had spent the money at that time—over $13,000—when we were asking for a specific sum. I agree we should support this particular bill and appropriate the money, but I certainly object, and I object strenuously, to the attitude of the Senate when they laid down the policy last year—and Mr. Lopresti was a member of that Committee—and informed us that bills in the future dealing with this type of legislation would have to be approved as to the amount of expenditures.

I believe we should pass this bill, but let them know that we believe in this investigation and believe that the Committee should have the funds they need. They should speak from their side of the House to the Senate to see that no more of those commitments are laid down as we go into conference committee meetings.

MOTION TO RECOMMIT

Mr. McCORMACK. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Mr. McCORMACK. Mr. Speaker, when I made this motion, I did not make it with the intention of interfering with the investigative work of this Committee.

I made it because I am opposed and the Chairman of the investigating committee is opposed to giving any committee a blank check.

What we are doing in effect, is giving this investigating committee a blank check for $20,000 without any itemization of expense. In the last session during the investigations of Laurelton and Morganza appropriation bills were introduced after detailed expenditures were submitted, the breakdown of the pages of testimony and the cost per page. I certainly am quoting the words of the Chairman of the investigating committee. I see no reason why we should deviate from the practice of making appropriations after the completion of the investigation and after this Legislature gets a list and a breakdown of the expenditures.

I, therefore, have moved that the bill be recommitted until the investigation is completed.

Mr. LOPRESTI. Mr. Speaker, I rise to oppose the motion to recommit.

This House together with the Senate has authorized that an investigation be made of the Pardons Board. Under ordinary circumstances what the gentleman from Philadelphia has said might be all right, but we must bear in mind that in this particular instance we are conducting an investigation wherein the Justice Department itself is the administrative department in charge of the Pardons Board.

Therefore, we cannot use the services of the State Police and we cannot use the services of the Attorney General in connection with this investigation. So it becomes necessary for this Commitee to employ people other than those who are already in the employ of the Commonwealth.

Therefore, I see there is a particular need for this appropriation to be made prior to the completion of the investigation.

I do not care particularly how much is appropriated. I intend to see that whatever amount is appropriated is spent judiciously. I intend to see that no money of this Commonwealth is wasted by this Committee. If I find there are any such cases, I will report them to the House.

I do believe the House and the Senate have asked for an impartial investigation, and I believe they are going to get it. I say the House and the Senate will get just the kind of an investigation that they are willing to pay for.

If this bill were to be sent back to the Appropriations Committee, the only purpose I know would be to perhaps cut the amount. If that is the kind of an investigation this House and the Senate would like to have, I, for one, am willing to give them just the investigation they are willing to pay for.

I think this House and the Senate owe a moral responsibility to any committee they appoint to see to it that the committee is allowed to function and that the funds they need to properly function are forthcoming at the time they are needed.

Mr. BELL. Mr. Speaker, I also rise to oppose the motion of the gentleman from Philadelphia, Mr. McCormack.

One thing I have found as a member of this Pardons Board investigating committee is that in the past there has been difficulty with investigating committees, because to preserve the rights of those who appear in front of the committee and so we can make an adequate report to the House of Representatives and the Senate of Pennsylvania, we must have a transcript of testimony. And to transcribe testimony costs money. I do not know any court stenographer who stands ready to put out possibly $5,000 to $8,000 of his money in expenses and wait for us to pay him some time in the future.

I think when we tie the hands of a committee by restricting its funds until an investigation is finished at some time two or three months in the future, we are hurting the little people, such as the court stenographers and others, because we are restricting them in refusing expense money.

Therefore, I ask that all the Members of this House vote against Mr. McCormack's motion.

Mr. TOMPKINS. Mr. Speaker, I also rise to oppose this motion, I want to commend the gentleman from Cambria, Mr. Lopresti, for his remarks, I think it was a very good analysis of the situation which has developed. We are learning by experience how some of these things should be done.

If there is any question in the mind of the gentleman from Philadelphia and the other Members of this House that this money is going to be squandered, I remind them of the statement of the gentleman from Cambria, Mr. Lopresti, and the further fact that the gentleman who was Chairman of the Committee over which we had a controversy last year in connection with the appropriation is a Member of this investigating committee. If you think he is going to allow any squandering of money, then I leave it up to your judgment.

Mr. McCORMACK. Mr. Speaker, I disagree with the gentleman. I think the money is being squandered. To cite a case in point, why was there a $5,000 appointment made of the County Treasurer of Dauphin County, who is a Republican?

Mr. LOPRESTI. Mr. Speaker. I want to correct the statement made by the gentleman from Philadelphia.

The Committee has allocated the sum of $5,000 for that purpose. However, if at the completion of our investigation we find his services were worth less than that, he will be paid less.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

SPECIAL ORDER ON REVENUE BILLS ON THIRD READING AND FINAL PASSAGE

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 330, Printer's No. 61, on page 4,

House Bill No. 331, Printer's No. 62,
House Bill No. 332, Printer's No. 63,
House Bill No. 333, Printer's No. 64,
House Bill No. 334, Printer's No. 65,
House Bill No. 335, Printer's No. 66,
House Bill No. 336, Printer's No. 67, and
House Bill No. 337, Printer's No. 68,

on Page 5 of today's calendar be made a Special Order of Business immediately upon the adoption of this motion in their calendar order for Third Reading and Final Passage.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the first bill on the Special Order of Business, being House Bill No. 330, Printer's No. 61.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 330, entitled as follows:

An Act amending the act of June 1 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' * * * increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHNSON. Mr. Speaker, we have before us today what we hope will be the tax program of the session. As I have stated before on the floor, these bills reenact the present temporary taxes now on the books with a few exceptions which I will point out as I go over each tax.

I have stated that I would, first of all, go over each of the tax bills and indicate what we feel would be a reasonable yield from these taxes. I will comment briefly on each tax bill as we go. It will save time perhaps in the over-all picture.

House Bill 330, on page 4, reenacts the tax on the gross receipts of public utilities. As you know we have an eight mills permanent tax on the gross receipts of these utilties and this bill reenacts on a temporary basis the additional six mills, making a total of 14 mills or 1.4 percent. According to the Governor's budget message this tax, with the temporary tax, will bring in $32 million or the 6 mills that we are reenacting today will bring in $13.8 million.

On page 5, House Bill 331, is the real estate transfer tax. That was first put on in the 1951 session. It is a one percent tax on the gross selling price of certain real estate in Pennsylvania and will return approximately $41.5 million.

The next bill, House Bill 332, is the cigarette tax bill which reenacts the one cent per pack temporary cigarette tax which will bring in $22.5 million. The Governor's budget estimates that the four cents permanent tax on the books will bring in $89 million. We are going along on that figure.

The next two tax bills, 333 and 334, are the six percent taxes on the net income of corporations, both foreign and domestic, doing business in Pennsylvania. One is called the corporation income tax law, the other the corporate net income tax law. One of these tax measures is in the nature of a use tax.

The Governor's budget says that tax will bring in $314 million. We however, are estimating that tax will bring in $330 million. That is by reason of the tremendous prosperity we are enjoying and which is predicted. Further, we think we will get a yield of that much money from this corporate income tax because of the job we are all trying to do to encourage industry and bring new industry into Pennsylvania.

In answer to the inquiry yesterday from Mr. Andrews as to what we plan to do for business this session, I believe I have stated publicly, I do not know whether I have stated it on the floor here, that we certainly intend to let the manufacturers' exemption go into effect. That will as you know, go into effect on January 1, 1958 without any legislation being passed in this House. The bill we passed last session had a terminal date of January 1, 1958.

As far as we are concerned, we have not put in any bill which will continue the tax on the capital stock of manufacturing corporations employed directly in manufacturing. We have always felt that is one of the greatest business determents we have in this state.

We have always put out a welcoming hand to manufacturing corporations to come into our state but in 1936, when Governor Earle became Governor and there was a tremendous need for revenue, manufacturing corporations were denied an exemption and the corporate net income tax was put on for the first time. In the press for revenue without a broad base tax in this state, succeeding Legislatures have continued the income tax on corporations and the manufacturers' capital stock tax. In all earnestness we expect to let that manufacturers' exemption go into effect.

Now with respect to the other business taxes I believe the Governor has recommended be repealed, there is the corporate loans tax, which it is estimated brings in $3.6 million; there is the bonus tax on foreign and domestic corporations, called an excise tax, which would bring in $4.8 million, and there is the tax on capital stock transfers of corporations in the state which is estimated to bring in $500 thousand.

The bonus tax on domestic corporations is one-fifth of one percent. The tax on foreign corporations coming in is one-third of one percent. I would say that particular tax is a definite business deterrent just as much as the manufacturers' tax is.

We have legislation drawn at the present time, to be introduced, which would repeal these three taxes. We expect to have a statement with respect to those three taxes a little later in the session.

Suffice it to say the bonus tax is a business deterrent and, all three should be repealed if we expect to attract industry into this state. A bonus tax, as I say, one-third of one percent on the fixed capital installed by a foreign corporation in this state, is a tax on incentive to come into our state.

To repeat, we figure that with the tremendous business activity which will be engendered in this state in the next two years, the corporate net income tax should bring in $330 million.

The next two tax bills are the reenactment of the five-cent gasoline tax. By next week I believe we will have the Governor's estimate of the gasoline tax yield, which can be estimated very accurately, and I believe that the five cents we have on the calendar today will bring in approximately $300 million during the biennium.

The last tax bill is 337, and the most important, because it is a broad base tax and is the vehicle, you might say, by which we are now operating our state government. The Governor estimates a yield of $473 million I believe from this tax and we have estimated $480 million, taking

into consideration the inflation today, the anticipated tremendous business and purchasing activity in the state in the next two years and the promised increase in the efficiency of collection of the tax.

I know Mr. Readinger, from what I have read in the Press, is going to say, "Well, why rush these taxes now?" With our estimates, this package on our calendar today, plus the permanent taxes on our books, we say should bring in $1.5 billion.

I know it is said, "Why not wait until you have your appropriations and then decide how much money you need?" I would say that in my six terms in the Legislature, this is the first time we have ever moved a major tax program through the House during the month of February. I believe some of those who have been around here for maybe half a century will say they cannot recall when a tax program moved so early in the session.

We believe if we can get this tax program on the statute books and can say to the Governor, to the Members of this House, to pressure groups all over the state and to the people generally, "Here is a fund of $1.5 billion, we in the Legislature are going to try earnestly to live within that amount of money during the next two years," we are certainly going to make a good-faith effort to balance a reasonable and fair budget within that norm.

There is nothing wrong with setting up a certain sum of money as a target at which to shoot.

As I have said here before, after our Appropriations Committee has audited the budget, has studied what has been going on, how many consultants have been on the payroll at large sums of money, how much money has been spent for propaganda, how much has been foolishly thrown away for this and that, and come up with the figures they feel are the reasonable needs for the next two years, if Norman Wood or Senator Chapman say to us, "We are going to need some more money, it must be raised," I, of all people, will certainly come before you and have the courage to ask for more.

In the meantime we are setting up this area in which we feel we can live. We hope it will be enough money. Therefore, we are doing the job expeditiously. It is part of the plan to have a short business-like session. I am appealing to each and every Member of this House, considering the needs of the Commonwealth for schools, welfare, health and running our departments, to have the courage to stand up here today and vote unanimously for each one of these tax bills on this program.

Mr. READINGER. Mr. Speaker, I desire to interrogate the Majority Floor Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, may I ask the gentleman whether the membership on his side of the House has at this time made a determination of the amounts of appropriations which they will vote for during this session?

Mr. JOHNSON. Mr. Speaker, I will stand on my statement that we are establishing a fund of $1.5 billion and that is the target, you might say. I do not believe our Members have any fixed notion as to any fixed amount they will vote for, but they are certainly hoping that we can do it on $1.5 billion.

Mr. READINGER. Will the gentleman tell us what specific gain, if any, is made by proposing the passage of these tax bills at this time in the session when we do not have actual figures on what the deficit will be? We are simply using estimates. What will be gained by passing these bills at this time rather than in April or May when we have better information concerning the status of the Commonwealth's financial structure?

Mr. JOHNSON. Mr. Speaker, as I say, this is the first time a tax program has moved so soon. We on this side believe we have a mandate from the people to hold the line on taxes; we have a mandate from the people to hold the line on unnecessary expenditures. We believe that the psychological effect, you might say, if for no other reason, on the Governor and on the people of saying, "Here is $1.5 billion. This is what we are going to try to live within." It will have an unmistakably good effect in toning down the excessive demands which will pour in here within the next couple of months for appropriations, many of which are put forth on a selfish basis.

Another thing, I believe that by moving this tax program the effect on the business community, on the people generally, on the taxpayer, will be tremendous. I think it will start a wave of new industries in the state right now for business in the state and the people generally to know that the Legislature honestly intends to try to live on the taxes we have on the books.

Mr. READINGER. One further question.

Does the gentleman really believe that passing the taxes, which he estimates will bring in $1.5 billion for the next biennium, will have any determining effect on the decisions made by the Members of the General Assembly on the amount of total appropriations and the amount of appropriations for specific programs, or items, which the Commonwealth is carrying out, or might intend to carry out, and not the actual determination of how much money we are going to need when the decisions are made on the appropriations?

Mr. JOHNSON. I would say that passing this tax program now will have just the effect on everybody that I have said, not only on the Governor, on the Members and on pressure groups, but on the state generally, that we are expecting to live on this sum of money. I do not think there is anybody in this House, whether they are fair-minded or not, if the chairman of the various appropriations committees come in here several months from now and say, "We need some more money," that will not go along and have the courage to vote for taxes too. But right now we are going to try to do the job on $1.5 billion.

Mr. READINGER. May I ask the gentleman what is so magic about $1.5 billion? Why did he not choose $1.2 billion, or $1.4 billion or $1.7 billion? May I inquire as to the magic of the $1.5 billion?

Mr. JOHNSON. That is the magical sum you arrive at when you reasonably compute what the taxes will bring in

Mr. READINGER. I repeat the question. If the gentleman had picked $1.3 billion, he might be able to eliminate one of these taxes, or a part of one of them. I realize that is the estimate he is using for the total yield of these taxes, but since we are passing a tax program, why $1.5 billion? Why do we not pass $1.3 billion at this time, or $1.6 billion?

Mr. JOHNSON. Mr. Speaker, I have been around here for six terms. I have studied and analyzed the Governor's budget every session I have been here. I have attended meetings of the Appropriations Committee when they brought in the various departments and different groups throughout the state to tell us what they needed. I am not so naive that I am going to stand on this floor and say we can get along on anything less than $1.5 billion. If the appropriations chairmen can do it, my hat is off to them. When you consider the mandated items and the other needs in the state, no matter how hard we try to do it, if we come up with a figure of $1.5 billion, we should all get a gold star for it in my opinion.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, I am not opposing the passage of these taxes today, but I did want to get on the record whatever reasons were to be offered by the Majority Leader as the reasons for passing these bills now.

I agree with the Majority Leader that we certainly need at least $1.5 billion to finance the next biennium It is my opinion that we will probably appropriate more than the Governor's budget calls for, which is roughly $1.6 billion.

To me it is obvious that we are going to have to find some other taxes in addition to these before we wind up this session. Whether they will be amendments to these bills, or whether they will be taxes which are not now on our program, I do not know. The decision as to what additional taxes will be imposed, if any are needed, will have to be made by your side because you have the controlling votes.

I have in caucus requested as many Democrates as can see fit to do so to vote for this entire package. There are some on our side who cannot. They feel they cannot vote for some of these taxes or perhaps all of them. We have not taken a count, I do not know where the membership on this side stands, but I think we all have the responsibility to finance the needs of this Commonwealth.

Unless we have some deep, abiding reason to oppose any of these taxes, I think it is our duty to impose taxes, as much as we dislike doing so and as much as the people complain at times about having to pay this tax burden. We have learned over the years, and we know very clearly now, that if we are going to carry on our state's functions, our various programs which are designed to help our people and make this a fine state in which to live, we have to pay for it. We personally must help to pay and so must every other citizen of the Commonwealth if he wants to participate in these benefits.

I do not think there is a great deal more to be said concerning this program at this time. I think the real harsh decision will have to be made later in the session as to what is to be cut, if anything, or what is to be added. Had I had my own way, I think I would have preferred to hold this tax package until a later date when the Appropriations Committee hearings were fiinished and we had a better idea of just how far we intended to go in the matter of appropriating money.

While I appreciate the political value of the statements made by the gentleman about squandering money, and so forth, and saving money, I assure him we have just as much interest on this side to see that no money is badly spent in this Commonwealth. We have the same strong desire as the men and women do on your side.

This is a very harsh tax burden we have in Pennsylvania. All of us want to see every tax dollar collected spent wisely and spent well. When it comes to determining what the appropriations should be, we assure you also that we will examine them thoroughly and we will make sure that the money appropriated is going to be used for the purposes for which it is appropriated and that it will be a beneficial purpose.

Mr. ANDREWS. Mr. Speaker, I had not filed a request and unless I am still further prodded into a provocatory line of discussion. I shall remain asleep.

The SPEAKER, The chair had been informed that the gentleman desired to be recognized.

Mr. LOVETT. Mr. Speaker, I have sat and listened very attentively to the remarks of the Majority Floor Leader and at this time I would like to interrogate the gentleman, if I may.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman feel that the Senate of Pennsylvania, after this tax program will allow it to lay very quietly until they have received the necessary appropriations which we feel are needed in the state?

Mr. JOHNSON. Mr. Speaker, I have assurance from the Senate leadership that as soon as this tax program is over in the Senate they will commence immediate work on it with a view of putting in on the Governor's desk at the earliest possible moment.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if he feels there will be any changes whatever by the Senate in this tax program?

Mr. JOHNSON. Mr. Speaker, the only possible change I can see that might be made in this program are some procedural amendments to the sales tax which are going to be worked out by the House and Senate leadership next week. I understand the administration has a few procedural amendments having to do with tightening up collections and matters of that kind. They will be offered and will come back here for concurrence and first will have been discussed with the House leadership.

Mr. LOVETT. Mr. Speaker, may I further ask the gentleman if he feels there will be any change at all in regard to the sales tax by putting in additional items that are not taxed now in the sales tax.

Mr. JOHNSON. Mr. Speaker, in answer to the question, as I understand it, if there are any other items to be put in the sales tax bill they would be started as an original revenue raising measure in the House and referred to the House Ways and Means Committee.

Mr. LOVETT. Do I understand by that that the Senate then would not amend the sales and tax bill to include items that are now not included in the sales tax?

Mr. JOHNSON. I believe that is the situation that prevails.

Mr. LOVETT. I thank the gentleman.

Mr. Speaker, I quarrel with your tax program and your haste in passing it over to the Senate of Pennsylvania. It is from long experience with the Senate of Pennsylvania. The Senate of Pennsylvania in my mind has ——

The SPEAKER. The gentleman is not in order. He s no right to criticize the other branch of this Legisla- re. They may do what they desire with this legislation nen it reaches that body.

The gentleman will proceed.

Mr. LOVETT. Mr. Speaker, I realize it is an unpardon- le sin to refer to the Senate of Pennsylvania.

The SPEAKER. The gentleman is correct.

Mr. LOVETT. May I say that the "other body"—I think at has been used here. They do not refer to the Senate, ey say the "other body," in some other place, in the me state, have not been progressive. We as House Mem- rs, both Republicans and Democrats, have continually reed on progressive legislation. We did it during the st session of the Legislature, which you well remember. e passed over to the "other place" in the state of nnsylvania certain types of legislation which would ve given us the right to an equal, fair tax program Pennsylvania.

The SPEAKER. Will the gentleman yield? The gentle- an is not discussing the bills before the House. The bill fore the House is House Bill 330. The Chair is giving much leniency as possible in discussing the entire tax ogram. If the gentleman desires to continue to discuss e tax bills he may do so.

Mr. LOVETT. Mr. Speaker, may I ask if I am not in der when I discuss the entire tax program?

The SPEAKER. The gentleman is in order when he scusses the bills before the House.

Mr. LOVETT. Mr. Speaker, may I ask if I have not ayed in order on that question?

The SPEAKER. Will the gentleman repeat his question?

Mr. LOVETT. May I ask if I have not stayed in order discussing the entire tax program?

The SPEAKER. It is the opinion of the Chair that he s not.

Mr. LOVETT. Will the Speaker please state in what ay he thinks I have not?

The SPEAKER. The gentleman has referred to other gislation in past sessions and is certainly not discussing e bills before the House. The Chair is trying to be as ir as possible and will ask the gentleman to confine s remarks to the subject matter before the House.

Mr. LOVETT. Mr. Speaker, may I say that to my mind e legislation now before the House to a great extent a sales tax program. With the exception of a few bills, ery bill on this calendar before us today in some re- ects is a sales tax. The cigarette tax is a sales tax, the soline tax is a sales tax, the general sales tax is a sales x.

Yesterday I was accused of cutting the crutch out om under the limping local districts, and we continually t the crutch out from under the Legislature, the body elf, in order to enact decent, fair legislation in the terests of the people of Pennsylvania. I say to you gain that we have passed legislation in this House, agreed by both sides of this House, which I feel was legisla- on in the interest of all the people of Pennsylvania. But, e still find the crutch we are trying to operate under still there.

My friends, I feel there will be changes made in this x program. If we are going to get the revenue which I el is necessary in Pennsylvania, we are going to con- tinue to place the tax on those least able to pay. May I say to you that in looking over the lists of donations to the political parties during the last campaign, when we find wealth in the state of Pennsylvania that can con- tribute thousand of dollars to political campaigns—

The SPEAKER. The gentleman is entirely out of order in that he is not discussing the bills before the House.

Mr. LOVETT. Mr. Speaker, I am trying to—

The SPEAKER. The Chair will appreciate it if the gentleman will confine his remarks to the bills before this House.

Mr. LOVETT. Mr. Speaker, I am trying to.

The SPEAKER. The gentleman should try just a little harder.

Mr. LOVETT. Mr. Speaker, I will try just as hard as I can.

The SPEAKER. The Chair thanks the gentleman.

Mr. LOVETT. I still say those words which I feel the people of Pennsylvania should know as to the difficulties we as Legislators have in order to enact—

The SPEAKER. The Chair is entirely in sympathy with the gentleman's problem, but suggests that he confine his remarks to the bills.

Mr. LOVETT. The Majority Floor Leader says the sales tax in Pennsylvania is the only broad base tax we have. That is my quarrel, if that is the only broad base tax, although the property transfer tax is pretty broad based. It covers the entire state and in many places it doubles taxes, so it is pretty much a broad based tax.

My friends, we as Legislators must make up our minds that when we pass legislation in this House we then try to stay under the law in the way in which it was passed, but which we continually evade. That is the reason we find ourselves in the position we are in today and why I am discussing this tax program.

I feel that the people least able to pay in Pennsylvania are paying the taxes in Pennsylvania. We have not put ourselves in a position where we can collect the revenue on a fair basis from those best able to pay. We have come to the point where we have put the tax on those least able to pay. We have placed it on the family. The man with the small family and the young family, who should be helped under our tax program, is the one who is carrying the burden of the taxes in Pennsylvania.

So, my friends, without getting any further off the subject, I want to say to you that the haste in passing this legislation is wrong. Democracy is worth every cent you spend for it, and a short business-like session of the Legislature to my mind is not in the interests of the people of Pennsylvania.

Mr. LOPRESTI. Mr. Speaker, I believe once again we are taking the easy way out. The easiest thing to do is to adopt all the taxes already in existence, reenact them and go home.

I also think we are abdicating one of our constitutional privileges. I believe all these bills shall originate in the House. I think we here in the House should try, in so far as possible, to eliminate all need for amendments to the bill once it has passed the House. I believe it is our constitutional obligation to discuss fully and at length every revenue-raising measure brought before us.

I think we saw here yesterday a sort of spectacle, a tax package, consisting of a number of bills, some of which we know definitely need amendment, in some of

which we know definitely there are questions which should be raised and voted upon in this House. I know, too, that the leadership on both sides of the House have prevailed upon people not to offer amendments and have asked that they not be discussed in the House for the sake of brevity, for the sake of some orderly process.

I am quite certain that the sales tax as it appears on our desk today is in need of amendment and I am confident that the leadership on both sides of the aisle will agree there are questions which should be brought before this House and voted upon.

I do not believe we should abdicate those rights. I believe this House is a constitutional body where those discussions should be had at length. I feel that taking the easy way out is not the solution to our tax problems in Pennsylvania.

The gentleman from McKean, Mr. Johnson, referred to the fact that one of these laws on corporate taxes was passed during the term of Governor Earle. Perhaps it was, but I want to point out that from that time, and for many years before and many years since, the party of which Governor Earle was then a member did not have control of the taxes of this Commonwealth.

I say today that this package, as we have it has been built up over a period of years and during that time it was not a bi-partisan package. For the benefit of the people of Pennsylvania and this Commonwealth, I believe some day we should have men from both parties big enough to sit down and discuss a program that will be fair and equitable in the matter of taxation. I am certain the day is not too far off when we will not be able to shirk it any longer.

The sales tax we are passing today will meet the needs perhaps for the next two years, but when we get beyond that we are going to need some additional taxation. I think all we are doing here is delaying the time when men will finally have to sit down and discuss some other form of taxation.

For the benefit of our Commonwealth, in order to continue to give the services we are accustomed to and entitled to receive, we will probably have to vote for this entire package. I think we are doing our duty when we do so. However, I will say that I think we are shirking our responsibility when we fail to give each one of these particular tax laws full discussion and full debate on the floor of this House.

Mr. MAXWELL. Mr. Speaker, I would like to briefly interrogate the Majority Floor Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, did I understand the gentleman to say a few moments ago that it would not be possible to amend this package?

Mr. JOHNSON. Where?

Mr. MAXWELL. Well, you are not allowed to mention the Senator's name in the House.

I will make it more specific, Mr. Speaker. Would it be possible later on to amend this package to include such items as clothing and the trade-in allowance on automobiles?

Mr. JOHNSON. It would. Just one moment and I will answer your question.

If this tax passes the Senate and is placed on the statute books and later we desire to put a tax on clothing, on trade-ins or on liquor across the bar, it will take a separate bill, an amendatory Act to the present sales tax law which, as you know, is a permanent tax at the present time. So it will take a special Act of Assembly to include additional items in the sales tax bill.

Mr. MAXWELL. Thank you.

I wanted to definitely bring out the point, and I think Mr. Johnson has answered it, that there can be no items added to this tax package after we vote on it today. Am I right?

Mr. JOHNSON. Mr. Speaker, I realize the gentleman is referring to the question whether, once it gets into that so-called "other place," additional items can be added. There is a feeling that if additional items are added by the other body it would mean that they would be initiating revenue measures and might destroy the constitutionality of the bill. Therefore, it is felt that if any item is added it should start as an initial revenue-raising measure here in the House, come out here on the floor and be debated as to the nature of the tax and the necessity for the money.

Mr. MAXWELL. Thank you, Mr. Speaker.

I just want to state to the Members of the House, I believe there are quite a few Members who feel the same as I do, that if the two items specifically—there may be more—of clothing and trade-in allowances on the automobiles were later added to this tax package after we voted on it today, many of the Members including myself, would vote against this tax package today. But if they do not intend to add these items to the package, then I feel I am free to vote for this tax package and in no other way.

Mr. READINGER. Mr. Speaker, we seem to have been getting mixed up on certain things around this House. At least, in my humble opinion we are. There seems to be a feeling current at the moment that we cannot even mention the Senate of Pennsylvania. It is my understanding we cannot stand here and criticize the Senate of Pennsylvania, but we can certainly refer to it, and compliment it and mention bills which are there. Am I correct or am I incorrect?

The SPEAKER. The Senate may be referred to in proper discussion, but certainly, as the gentleman has stated, not in a critical manner.

Mr. READINGER. I thank the Chair.

I did not want to let this moment pass while discussing these tax bills without offering my wholehearted congratulations to the House Ways and Means Committee for its wisdom in reporting a sales tax out without the stamp plan included.

Those of you who were here during the 1955 session will recall that there was extensive debate at that time concerning the wisdom or lack of wisdom in incorporating the stamp plan. I argued vigorously against including it, but it was included anyway. I am very happy to know that the present majority membership of the House has at long last become sold on the idea that the stamp plan just is not what some people hoped it would be.

It would have been a costly thing to use. It has in the opinion of the tax administratives of Ohio been a rather bad failure in that state. We have certainly cor-

rected a mistake which I think was made during the last session when it was put into the bill.

My congratulations to you again.

Mr. LOVETT. Mr. Speaker, there are just one or two more questions which are not quite clear in my mind, and, if the Majority floor leader will clear them up, I will not talk any further on this subject.

If my memory serves me correctly, during the last session of the Legislature, if I am in order in talking about the last session of the Legislature, we passed certain legislation in this House which were tax raising measures. We sent them to the Senate of Pennsylvania. They eliminated some of the tax program and sent it back to us. Now, if the Senate is in order in eliminating, if they can eliminate, why is it unconstitutional for them to add to it?

Will the gentleman please state what his reasoning is on that particular subject?

The SPEAKER: Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Ms. JOHNSON. I shall, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman, of course, when they eliminate they are not raising revenue.

I would say this in answer to the gentleman, I believe the Senate has in the past added to a tax bill, it has been signed by the Governor and the people have paid the tax. I do not believe there has been a court test on it. But I have especially requested during this session if there is anything to be added to any tax bills, that it be started in the House where we by the Constitution are required to initiate revenue raising bills, refer them to our Ways and Means Committee and have them out on the House floor first before we send them over to the Senate. Then we will be doing business in the constitutional way.

Mr. LOVETT. Mr. Speaker, would the gentleman say then that he has no guarantee, that either the Democratic Senators or the Republican Senators, either one of them, could amend this bill in the Senate if they so choose? There would be nothing to stop them from offering amendments and passing them if they so choose?

Mr. JOHNSON. Mr. Speaker, my only answer is that I have an understanding with the leadership of the Senate. Of course, a Member on the floor could offer amendments to these bills, I grant you that. That is something we cannot control over here or that the leadership could control in the Senate.

Does that answer the gentleman's question?

Mr. LOVETT. In other words Mr. Speaker, the gentleman is saying that they could be offered and if the majority of the Senate had so changed their mind, they could do it.

Mr. JOHNSON. Why, of course. The answer to that question is obvious, I would say.

Mr. PETROSKY. Mr. Speaker, I do not intend to take a great deal of time. Rather than interrogate the Majority Leader, which consumes a considerable amount of time, I, too, want to make an observation on the tax program before us.

Too many times in the past every one of us who has served in the General Assembly has been guilty of doing a disservice to the people of the Commonwealth of Pennsylvania in every way of life, industrial, individual, or what have you. We find that the tax package before us is going to be used to pay off interest and to set aside monies into a sinking fund for bonded obligations of the state.

The point I want to make is this. Are we again in this biennium leading to a recurrence of what has been going on biennium after biennium in the state government? That is, are we going to operate on a deficit financing which will necessitate at some future date, when certain services are required in the state, to again pass upon some bonded obligations of the state, thereby increasing the load that business and the people of the Commonwealth have to repay in interest on those obligations?

I have always been against deficit financing, and I am against it today. I shall be for this tax program, but I firmly and honestly believe it is not sufficient in the amount of revenue it is going to raise to pay for the budget required for the coming biennium.

All you are doing is postponing until a future date heavier obligations on the people of Pennsylvania. Out of these funds it will be necessary to pay in the neighborhood of $70 million in interest on bonded obligations. How long can that continue?

I am reminded of the utterances of the Majority Leader in the days gone by as to how he cried out against further bonded indebtedness because it would become a very heavy burden in the future on the people. I too say that is so. But I say you have to cut that down by financing the state on a pay-as-you-go basis. You have to provide in the days of a high economy sufficient revenue to run the government. You cannot run on deficit budgets, because when you come to the next biennium, and if there are needs for services, in order to make up the deficit and supply the additional services you just do not raise that kind of tax money within a given two-year period of time.

Time and again I have recommended the setting up by the General Assembly—not by the administrative body, but by the General Assembly—of a non-partisan committee, a standing committee of, let us say, six Members of the House and six Members of the Senate, three of each party, with a sufficient staff to study the tax problems of this Commonwealth. Take your taxes out of politics and then you will be doing a service to business and to all the people of the Commonwealth of Pennsylvania.

Gentlemen, I want to point out to you that I firmly believe the biggest evil we can ever get into is deficit financing, and I firmly believe that in future years it will catch up to us just the same as the $70 million which we are paying out in interest on obligations today. You continue to have that mount and I do not know where you are going to get sufficient tax revenues to pay it.

Maybe I am a disciple of Ruml, the advocate of pay-as-you-go. I think that is a good way to run your state government. We ought to pay the bills in the current biennium. Once we do that and continue to discharge the stated obligations of this Commonwealth, then we will all be happier, because in the long run we will have done a greater service to business and to the people of this Commonwealth.

Mr. Speaker, I implore the majority party at this time to let us stay away from deficite financing. Let us per-

use the budget, go through it with a fine tooth comb, make the cuts that are necessary, but above all else provide the services and put upon the books sufficient tax revenues to pay for those services in this biennium, rather than running anywhere from a $50 to a $150 million deficit which we will have to pay and in addition, pay the interest on it in the future.

I am going to vote for the program. I firmly believe it is not sufficient to carry out the needs. I hope that the majority party will see fit to bring before this House additional revenue raising measures so that we can finance ourselves today during a high economy, on a pay-as-you-go basis.

In closing, Mr. Speaker, I want to say this. I am happy to see that the Majority Leader recognizes the effect, the very apparent effect, that the Industrial Development Program has had upon the economy of our Commonwealth. I have seen it too. I have seen it through activity on the local level in invitations for industry to come into our state, grow by leaps and bounds. I, too, hope that this will bring in a greater revenue from the corporate tax bills.

I say the plan which was initiated and instituted should be enlarged upon and should be continued in this Commonwealth, because we must vie with our sister states in competing to have these industries locate within our Commonwealth.

Mr. Speaker, I am going to vote for these tax bills and I say we are wrong if we move into deficit financing. I say that not only with reference to the general fund, but I also point out the two measures we have here which concern the liquid fuels tax and the highway program. We have not to date received the needs of the Highway Department in their budget, yet we are passing upon the Liquid Fuels Tax and we are curtailing the additional one cent gas tax. Rather than having it curtailed in September, we are curtailing it at the end of the biennium here.

However, I say this, with an expanded highway program, which we must recognize because we realize that industry is dependent on those arteries of transportation, we also ought to look in that direction and rather than increase our bond obligations in the future, we ought to pay as we go in that branch of state government operation as well.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adams,	Fetterolf,	Light,	Readinger,
Agnew,	Filo,	Limper,	Renwick,
Amarando,	Floyd,	Lippincott,	Rigby,
Anderson, S. A.,	Fineman,	Lopresti,	Rovansek,
Anderson, M. S.,	Flynn,	Lovett,	Royer,
Andrews,	Foster,	Lutty,	Rudisill,
Ashton,	Fox,	Magee,	Scarcelli,
Auker,	Frascella,	Mahan,	Schuster,
Barton,	Gailey,	Markley,	Schwartz,
Bell,	Garlock,	Marsh,	Seltzer,
Blair,	Gelfand,	Maxwell,	Sherman,
Boles,	George,	McCann,	Shields,
Bower,	Gibb,	McCormack,	Silverman,
Bowman,	Gibson,	McGee,	Smith,
Brand,	Goldstein,	McInroy,	Snare,
Breisch,	Goodling,	McKeever,	Snider,
Brennan,	Goodrich,	McLaughlin,	Spray,
Brenninger,	Gramlich,	Merry,	Steckel,
Breon,	Gross,	Metz,	Stevens,
Breth,	Guthrie,	Mihm,	Stimmel,
Brown,	Hamilton,	Mikula,	Stone,
Brucker,	Haudenshield,	Miller, B. Z.,	Stoner,
Bucchin,	Heavey,	Miller, H. G.,	Strausser,
Buchanan,	Heffner,	Miller, W. H.,	Stroup,
Capano,	Henzel,	Mills,	Stuart,
Carson,	Hocker,	Monroe,	Thompson,
Cianfrani,	Holt,	Moody,	Toll,
Cioffi,	Horst,	Moscrip,	Tompkins,
Cleveland,	Ide,	Moyer,	Ujobai,
Comer,	Isaacs,	Muldowney,	Varallo,
Cooper,	Jenkins,	Mullen,	Varner,
Cummins,	Jim,	Munley,	Verona,
Curwood,	Johnson,	Murphy,	Wall,
Dalrymple,	Johnston,	Murray, H. P.,	Walsh,
Davis,	Jones, G. E.	Murray, P. G.,	Wargo,
DeLong,	Jones, T. H.,	Naugle,	Weidner,
Dengler,	Jump,	O'Brien,	Wescott,
Dennison,	Kamyk,	O'Dell,	Wheeler,
Devlin,	Kehler,	Ogilvie,	Whittaker,
Dietterick,	Keller,	Parry,	Willard,
Donahue,	Kernaghan,	Pashley,	Willaredt,
Donaldson,	Knecht,	Petrosky,	Williams,
Down,	Kooker,	Phillips,	Wilt,
Duffy,	Kornick,	Piper,	Wood,
Dunn,	Korns,	Polaski,	Worley,
Edwards,	Krakow,	Pomeroy,	Wyatt,
Eilberg,	Lafore,	Post,	Wynd,
Erb,	Lee, A. M.,	Price,	Yatron,
Eshleman	Lee, K. B.,	Pursley,	Zimmerman,
Ewing,	Leonard,	Ragot,	Helm,
Farabaugh,			Speaker

NAYS—2

Reidenbach,	Taylor,

NOT VOTING—6

Boory,	Musto,	Trusio,	Vaughan,
Dougherty,			Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair lays before the House the next bill on the Special Order of Business, being House Bill No. 331, Printer's No. 62.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 331, entitled as follows:

An Act reenacting and amending "The Realty Transfer Tax Act" approved December 27 1951 (P. L. 1742) extending the provisions of the act for a further limited period of time

And said bill having been read the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams,	Fetterolf,	Light,	Rigby,
Agnew,	Filo,	Lippincott,	Rovansek,
Anderson, M. S.,	Floyd,	Lopresti,	Royer,
Anderson, S. A.,	Flynn,	Lutty,	Rudisill,
Ashton,	Foster,	Magee,	Scarcelli,
Auker,	Fox,	Mahan,	Schuster,
Barton,	Frascella,	Markley,	Seltzer,
Bell,	Gailey,	Marsh,	Sherman,
Blair,	Garlock,	Maxwell,	Shields,
Boles,	George,	McCann,	Smith,
Bower,	Gibb,	McCormack,	Snare,
Bowman,	Gibson,	McGee,	Snider,
Brand,	Goldstein,	McInroy,	Spray,
Breisch,	Goodling,	McKeever,	Steckel,
Brennan,	Goodrich,	McLaughlin,	Stevens,

Brenninger,	Gramlich,	Merry,	Stimmel,
Breon,	Gross,	Metz,	Stone,
Breth,	Guthrie,	Mihm,	Stoner,
Brown,	Hamilton,	Mikula,	Strausser,
Brucker,	Haudenshield,	Miller, B. Z.	Stroup,
Buchanan,	Heavey,	Miller, H. G.,	Stuart,
Capano,	Heffner,	Miller, W. H.,	Taylor,
Carson,	Henzel,	Mills,	Thompson,
Cianfrani,	Hocker,	Monroe,	Tompkins,
Cioffi,	Horst,	Moody,	Ujobai,
Cleveland,	Ide,	Moscrip,	Varallo,
Cooper,	Isaacs,	Moyer,	Varner,
Dalrymple,	Jenkins,	Muldowney,	Wall,
Davis,	Jim,	Mullen,	Walsh,
DeLong,	Johnson,	Murphy,	Weidner,
Dengler,	Johnston,	Murray, H. P.,	Wescott,
Dennison,	Jones, T. H. W.	Murray, P. G.,	Wheeler,
Devlin,	Jump,	Naugle,	Whittaker,
Dietterick,	Kamyk,	O'Dell,	Willard,
Donahue,	Kehler,	Ogilvie,	Willaredt,
Donaldson,	Keller,	Parry,	Williams,
Dougherty,	Kernaghan,	Pashley,	Wilt,
Down,	Knecht,	Petrosky,	Wood,
Duffy,	Kooker,	Phillips,	Worley,
Dunn,	Krakow,	Piper,	Wyatt,
Edwards,	Kornick,	Pomeroy,	Wynd,
Eilberg,	Korns,	Post,	Yatron,
Erb,	Lafore,	Price,	Zimmerman,
Eshleman,	Lee, A. M.,	Pursley,	Helm,
Ewing,	Lee, K. B.,	Ragot,	Speaker
Farabaugh,	Leonard,	Readinger,	

NAYS—22

Amarando,	Fineman,	Munley,	Schwartz,
Andrews,	Gelfand,	O'Brien,	Silverman,
Bucchin,	Holt,	Polaski,	Toll,
Comer,	Jones, G. E.	Reidenbach,	Verona,
Cummins,	Limper,	Renwick,	Wargo,
Curwood,	Lovett,		

NOT VOTING—5

Boory,	Musto,	Trusio,	Vaughan,
Welsh,			

The majority required by the Constitution having oted in the affirmative, the question was determined in he affirmative.

Ordered, That the Clerk present the same to the Senate or concurrence.

The SPEAKER. The Chair lays before the House the ext bill on the Special Order of Business, being House ill No. 332, Printer's No. 63.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 332, entitled as follows:

An Act amending the "Cigarette Tax Act" approved une 14 1935 (P. L. 341) extending the provisions imosing an additional tax for a further limited period of me

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AUKER. Mr. Speaker, I have selected this bill, s a way to speak upon the entire tax package.

The extra one cent tax on cigarettes was put in as n emergency measure, just briefly to review, in the ession of 1955-1956. I voted against it at that time ecause I did not feel we needed it and we recited our easons on the floor of the House.

Doubly so, I am voting against it now because certainly do not feel it is needed for several reasons, well as the extra one percent franchise tax in the next bill coming up, and possibly also not restoring the manufacturers' exemption.

I am taking the Governor's own figures according to his present budget and the figures submitted therein. He estimates that in the next two years the three percent sales tax will bring in $473,500,000.

Now we break that down monthly and that is a simple matter of arithmetic. You simply divide it by 24 and come up with a figure of $19,729,166 per month. That is what he says he can collect every month over the next 24 months.

Now for the life of me, I cannot see why that same amount could not have been collected over the past 18 months or the succeeding three months remaining in this biennium, which is about the present number of months that the present three percent sales tax will be in force and effect.

Multiply that monthly figure by 18 and you come up with a figure of $353,124,989 which should have been collected under the three per cent sales tax as it is now on the books. Now, those are the Governors' own figures, they are not mine. They are right in the budget.

His deficit according to his own budget message, and again I quote from his budget message, his anticipated deficit is $82,242,433. If you subtract the total gross amount that it did produce, $203 million, from what it should have produced, $353 million odd, you get $150,124,988 that he should have had in excess, not a deficit, according to his own figures, in excess on these 18 months collections under the three percent sales tax. Take his deficit off that and he would have had a surplus this biennium if he would have adequately collected the three percent sales tax, which he says he can do over the next 24 months. He would have been in the black to the enormous figure of $67,982,555.

Now that is one reason why I am not going to vote for this particular cigarette tax. There are the figures. There is what he should have produced, there is what he did not produce and there is what he says he can produce using the same tax rate over the next 24 months.

So let us put the blame where it belongs. If there is not sufficient money appropriated to take care of welfare, educational purposes, retarded children the handicapped, the incompetent and so forth, let us put the blame right on the man in the front office who has not made any serious attempt to collect the present three percent sales tax until after the election was over in 1956. There is the crux of the whole matter.

I am suggesting, Mr. Speaker, to the Members of the House and to the people of Pennsylvania that he deliberately did not try to collect that particular sales tax. I am further saying that he thought he was going to have a controlled House and a controlled Senate of his own party, and he could still go back to that vicious wage income tax he so greatly loved in the 1955-1956 session. Just the minute the election was over and he found he was not going to have that control over those bodies, then he fell in love with the three percent sales tax.

The SPEAKER. Will the gentleman yield?

POINT OF ORDER

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it

Mr. ANDREWS. Mr. Speaker, I suggest that the Speaker conform to his previous rulings and place the same admonitions upon the gentleman from Blair that he placed upon the gentleman from Westmoreland.

The SPEAKER. The point of order is well taken. The gentleman will confine himself to the subject that is before the House.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Lopresti, to preside temporarily.

Mr. LOPRESTI IN THE CHAIR

Mr. AUKER. I am trying to, Mr. Speaker.

For the edification of the gentleman from Cambria, I am trying to explain why I am not voting for this particular cigarette tax.

However, so be it. That is one reason.

The second reason and this involves some criticism of my own party and the leadership of my own party, is that I believe their estimate of $480 mililon to be collected over the next 24 months under the present tax package as we are voting on it today is way underestimated. I would say it will produce, if properly collected, $600 mililon, at least, over the next 24 months.

For these reasons. I am making a comparison with the old one percent sales tax which did not include rentals, motels and hotels and food in restaurants.

Our prosperity in the last two years, and as we see it in the next two years, is certainly going to be much better than it was during 1954 and part of 1955 when the old one percent was in effect. Wages are up. The over-all economy picture, according to national figures, is five and one-half to six percent better than it was two years ago. Taking all these facts in mind, I would say that the present three percent sales tax should produce at least $600 million over the next 24 months.

I think it is greatly under-estimated what this three percent sales tax will produce, if properly administered and properly collected.

I am not going to take up any more time of the Members of the House. (Applause)

At least, Mr. Speaker, that is one popular statement I made here today. Quite a few of the Members of the House may not have liked a lot of the other statements I made, but I guess they liked that one anyway.

In closing, Mr. Speaker, I am also thinking as some of the other gentlemen have spoken, that we should walk a little carefully and a little cautiously because two years from now this House is going to have to raise $130 to $150 million more than you are now raising.

I just want to reflect also on this, that due to the change in the atmosphere of the man in the front office, the Governor of this Commonwealth, in regard to business and the impact of taxes on business, we should get a goodly influx of possibly new industry and expansion of industry in Pennsylvania, which will likewise be reflected in greatly increased revenue from this three percent sales tax.

Mr. READINGER. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the Majority leader permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. READINGER, Will the Majority Leader, if he can recall, tell me what the estimated yield of revenue was for the one percent sales tax passed in 1953? Was it not $135 million?

Mr. JOHNSON. Mr. Speaker, the yield was between $125 million and $135 million.

Mr. READINGER. Is that right?

Mr. JOHNSON. The estimated yield—

Mr. READINGER. The estimates when that bill was passed, as I recall, were approximately $135 million for the biennium.

Mr. JOHNSON. I believe you will find that in 1953 I stated on this floor that the one percent tax would bring in approximately $125 million for the two years that it was to operate.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, the gentleman from Blair did not even make a good political speech, in my opinion. If you look at the same page of the budget he was referring to pefore, you will find that the actual amount collected under the one percnt sales tax of 1953 during the biennium was $99.5 million. The estimate at that time, to the best of my recollection, was $130 million to $135 million.

Of course, people with weak memories usually talk themselves into a beautiful hole, and I think the gentleman has done that. Unless my memory is incorrect, he voted for the one percent sales tax in 1953. If he only reads certain columns which this administration compiled for future reference, for future yields, and so forth, he would fall into this beautiful hole. But if he will look at that column he will see that actually the estimates were about $25 or $30 million higher than were received.

Am I supposed to infer that he is accusing himself and all of his Republican colleagues of wilfully not collecting that tax? Oh, no, he would not do that. He just accuses our administration of not collecting the tax. I have not heard anything so silly in years.

I do want to say a word in behalf of the cigarette smokers, being one of them, since we are voting on the extension for a two-year period of the cigarette tax. I intend to vote for it. I believe everybody will probably vote for it. But I do not think we should do so without saying just a word for the poor cigarette smokers, and that includes practically everybody in the Commonwealth today.

If a man smokes one carton of cigarettes a week, he contributes to the state of Pennsylvania, $26 in taxes. If his wife smokes a carton also, that is $52 a year. If I am correct in believing that the Federal tax is eight cents, that is a total of 13 cents a package on cigarettes, and if both the husband and wife smokes just one carton a week, and that is not unusual today, they jointly contribute to the Federal and state government the sum of $135.20.

Maybe smoking is a vice, I do not know, but if it is then I am afraid most of us in the Commonwealth of Pennsylvania indulge in it, because I see by the budget that the actual collections for the 1953-1955 biennium from the cigarette tax was $87.5 million. Now you cannot collect that kind of money without a lot of people doing a lot of smoking.

So may I ask, does anybody have a good cigarette cure?

Mr. AUKER. Mr. Speaker, just briefly to answer the

Minority Floor Leader. I dot not feel what I said was ully and I do not think I put myself in a hole.

I will buy the fact that possibly the one percent sales ax was not adequately collected during the two years when it was first put into force. For one thing, it was ntirely a new experience for Pennsylvania. We did not ave the experience of any other administrations to ollow. We did not have a tax collection set-up with ffices and people on the force scattered throughout the tate.

I am using the Governors' own figures on the $203 illion as to what he collected and what he expects to ollect under the same act in the next 24 months, so I till say I am right.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas nd nays were taken and were as follows:

YEAS—193

Adams,	Fetterolf,	Light,	Rovansek,
Agnew,	Filo,	Limper,	Royer,
Amarando,	Fineman,	Lippincott,	Rudisill,
Anderson, M. S.,	Flynn,	Lopresti,	Scarcelli,
Anderson, S. A.,	Foster,	Lutty,	Schuster,
Andrews,	Fox,	Magee,	Schwartz,
Ashton,	Frascella,	Mahan,	Seltzer,
Barton,	Gailey,	Markley,	Sherman,
Bell,	Garlock,	Marsh,	Shields,
Blair,	Gelfand,	Maxwell,	Silverman,
Boies,	George,	McCann,	Smith,
Bower,	Gibb,	McCormack,	Snare,
Bowman,	Gibson,	McInroy,	Snider,
Brand,	Goldstein,	McKeever,	Spray,
Breisch,	Goodling,	McLaughlin,	Steckel,
Brennan,	Goodrich,	Merry,	Stevens,
Brenninger,	Gramlich,	Metz,	Stimmel,
Breon,	Gross,	Mihm,	Stone,
Breth,	Guthrie,	Mikula,	Stoner,
Brown,	Hamilton,	Miller, B. Z.	Strausser,
Brucker,	Heavey,	Miller, H. G.,	Stroup,
Bucchin,	Heffner,	Miller, W. H.,	Stuart,
Buchanan,	Henzel,	Mills,	Taylor,
Carson,	Hocker,	Monroe,	Thompson,
Cianfrani,	Holt,	Moody,	Toll,
Cioffi,	Horst,	Moscrip,	Tompkins,
Cleveland,	Ide,	Moyer,	Ujobai,
Comer,	Isaacs,	Muldowney,	Varallo,
Cooper,	Jenkins,	Mullen,	Varner,
Cummins,	Jim,	Munley,	Verona,
Dalrymple,	Johnson,	Murphy,	Wall,
Davis,	Johnston,	Murray, H. P.,	Walsh,
DeLong,	Jones, G. E.	Murray, P. G.,	Wargo,
Dengler,	Jones, T. H. W.	Naugle,	Weidner,
Dennison,	Jump,	O'Dell,	Wescott,
Devlin,	Kamyk,	Ogilvie,	Wheeler,
Dietterick,	Kehler,	Parry,	Whittaker,
Donahue,	Keller,	Pashley,	Willard,
Donaldson,	Kernaghan,	Petrosky,	Willaredt,
Dougherty,	Knecht,	Phillips,	Williams,
Down,	Kooker,	Piper,	Wilt,
Duffy,	Kornick,	Polaski,	Wood,
Dunn,	Korns,	Pomeroy,	Worley,
Edwards,	Krakow,	Post,	Wyatt,
Eilberg,	Lafore,	Pursley,	Wynd,
Erb,	Lee, A. M.,	Ragot,	Yatron,
Eshleman,	Lee, K. B.,	Readinger,	Zimmerman,
Ewing,	Leonard,	Rigby,	Helm,
Farabaugh,			Speaker

NAYS—11

Auker,	Floyd,	McGee,	Reidenbach,
Capano,	Haudenshield,	O'Brien,	Renwick,
Curwood,	Lovett,	Price,	

NOT VOTING—5

Boory,	Trusio,	Vaughan,	Welsh,
Musto,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair thanks the gentleman from Cambria, Mr. Lopresti, for presiding.

The SPEAKER (W. Stuart Helm) IN THE CHAIR

The SPEAKER. The Chair lays before the House the next bill on the Special Order of Business, being House Bill No. 333, Printer's No. 64.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 333, entitled as follows:

An Act reenacting and amending the "Corporation Income Tax Law" approved August 24 1951 (P. L. 1417) imposing the tax permanently.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Farabaugh,	Light,	Reidenbach,
Agnew,	Fetterolf,	Limper,	Renwick,
Amarando,	Filo,	Lippincott,	Rigby,
Anderson, M. S.,	Fineman,	Lopresti,	Rovansek,
Anderson, S. A.,	Floyd,	Lovett,	Royer,
Andrews,	Flynn,	Lutty,	Rudisill,
Ashton,	Foster,	Magee,	Scarcelli,
Auker,	Fox,	Mahan,	Schuster,
Barton,	Frascella,	Markley,	Schwartz,
Bell,	Gailey,	Marsh,	Seltzer,
Blair,	Garlock,	Maxwell,	Sherman,
Boies,	Gelfand,	McCann,	Shields,
Bower,	George,	McCormack,	Silverman,
Bowman,	Gibb,	McGee,	Smith,
Brand,	Gibson,	McInroy,	Snare,
Breisch,	Goldstein,	McKeever,	Snider,
Brennan,	Goodling,	McLaughlin,	Spray,
Brenninger,	Goodrich,	Merry,	Steckel,
Breon,	Gramlich,	Metz,	Stevens,
Breth,	Gross,	Mihm,	Stimmel,
Brown,	Guthrie,	Mikula,	Stone,
Brucker,	Hamilton,	Miller, B. Z.,	Stoner,
Bucchin,	Haudenshield,	Miller, H. G.,	Strausser,
Buchanan,	Heavey,	Miller, W. H.,	Stroup,
Capano,	Heffner,	Mills,	Stuart,
Carson,	Henzel,	Monroe,	Taylor,
Cianfrani,	Hocker,	Moody,	Thompson,
Cioffi,	Holt,	Moscrip,	Toll,
Cleveland,	Horst,	Moyer,	Tompkins,
Comer,	Ide,	Muldowney,	Ujobai,
Cooper,	Isaacs,	Mullen,	Varallo,
Cummins,	Jenkins,	Munley,	Varner,
Curwood,	Jim,	Murphy,	Verona,
Dalrymple,	Johnson,	Murray, H. P.	Wall,
Davis,	Johnston,	Murray, P. G.,	Walsh,
DeLong,	Jones, G. E.	Naugle,	Wargo,
Dengler,	Jones, T. H.,	O'Brien,	Weidner,
Dennison,	Jump,	O'Dell,	Wescott,
Devlin,	Kamyk,	Ogilvie,	Wheeler,
Dietterick,	Kehler,	Parry,	Whittaker,
Donahue,	Keller,	Pashley,	Willard,
Donaldson,	Kernaghan,	Petrosky,	Willaredt,
Dougherty,	Knecht,	Phillips,	Williams,
Down,	Kooker,	Piper,	Wilt,
Duffy,	Kornick,	Polaski,	Wood,
Dunn,	Korns,	Pomeroy,	Worley,
Edwards,	Krakow,	Post,	Wyatt,
Eilberg,	Lafore,	Price,	Wynd,
Erb,	Lee, A. M.,	Pursley,	Yatron,
Eshleman,	Lee, K. B.,	Ragot,	Zimmerman,
Ewing,	Leonard,	Readinger,	Helm,
			Speaker

NAYS—0

NOT VOTING—5

Boory, Musto. Trusio, Vaughan, Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair lays before the House the next bill on the Special Order of Business, being House Bill No. 334, Printer's No. 65.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 334, entitled as follows:

An Act reenacting and amending the "Corporate Net Income Tax Act" approved May 16 1935 (P. L. 208) imposing the tax permanently.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and yeas were taken and were as follows:

YEAS—204

Adams,	Fetterolf,	Limper,	Renwick,
Agnew,	Filo,	Lippincott,	Rigby,
Amarando,	Fineman,	Lopresti,	Rovansek,
Anderson, M. S.,	Floyd,	Lovett,	Royer,
Anderson, S. A.,	Flynn,	Lutty,	Rudisill,
Andrews,	Foster,	Magee,	Scarcelli,
Ashton,	Fox,	Mahan,	Schuster,
Auker,	Frascella,	Markley,	Schwartz,
Barton,	Gailey,	Marsh,	Seltzer,
Bell,	Garlock,	Maxwell,	Sherman,
Blair,	Gelfand,	McCann,	Shields,
Boles,	George,	McCormack,	Silverman,
Bower,	Gibb,	McGee,	Smith,
Bowman,	Gibson,	McInroy,	Snare,
Brand,	Goldstein,	McKeever,	Snider,
Breisch,	Goodling,	McLaughlin,	Spray,
Breth,	Goodrich,	Merry,	Steckel,
Brennan,	Gramlich,	Metz,	Stevens,
Brenninger,	Gross,	Mihm,	Stimmel,
Breon,	Guthrie,	Mikula,	Stone,
Brown,	Hamilton,	Miller, B. Z.,	Stoner,
Brucker,	Haudenshield,	Miller, H. G.,	Strausser,
Bucchin,	Heavey,	Miller, W. H.,	Stroup,
Buchanan,	Heffner,	Mills,	Stuart,
Capano,	Henzel,	Monroe,	Taylor,
Carson,	Hocker,	Moody,	Thompson,
Cianfrani,	Holt,	Moscrip,	Toll,
Cioffi,	Horst,	Moyer,	Tompkins,
Cleveland,	Ide,	Muldowney,	Ujobai,
Comer,	Isaacs,	Murphy,	Varallo,
Cooper,	Jenkins,	Mullen,	Varner,
Cummins,	Jim,	Munley,	Verona,
Curwood,	Johnson,	Murray, H. P.,	Wall,
Dalrymple,	Johnston,	Murray, P. G.,	Walsh,
Davis,	Jones, G. E.	Naugle,	Wargo,
DeLong,	Jones, T. H.,	O'Brien,	Weidner,
Dengler,	Jump,	O'Dell,	Wescott,
Dennison,	Kamyk,	Ogilvie,	Wheeler,
Devlin,	Kehler,	Parry,	Whittaker,
Dietterick,	Keller,	Pashley,	Willard,
Donahue,	Kernaghan,	Petrosky,	Willaredt,
Donaldson,	Knecht,	Phillips,	Williams,
Dougherty,	Kooker,	Piper,	Wilt,
Down,	Kornick,	Polaski,	Wood,
Duffy,	Korns,	Pomeroy,	Worley,
Dunn,	Krakow,	Post,	Wyatt,
Edwards,	Lafore,	Price,	Wynd,
Eilberg,	Lee, A. M.,	Pursley,	Yatron,
Erb,	Lee, K. B.,	Ragot,	Zimmerman,
Eshleman,	Leonard,	Readinger,	Helm,
Ewing,	Light,	Reidenbach,	Speaker
Farabaugh,			

NAYS—0

NOT VOTING—5

Boory, Musto, Trusio, Vaughan, Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair lays before the House the next bill on the Special Order of Business, being House Bill No. 335, Printer's No. 66.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 335, entitled as follows:

An Act amending "The Liquid Fuels Tax Act" approved May 21 1931 (P. L. 149) extending the provisions of one additional tax for a limited time.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MOSCRIP. Mr. Speaker, I ask the indulgence of the Chair to have my remarks apply equally to House Bills 335 and 336.

I rise in opposition to these bills at this time. The net effect of these is to roll back the state gas tax to five cents a gallon effective June 1 1957. This is being done without any Highway budget having been submitted to this House. I was somewhat amazed to read in the Patriot this morning that it is very likely this bill may be amended back to six cents after we get the Highway budget, which I understand from the same paper is due to come out next week.

Frankly, I can see no reason for the hurry on this when the attitude of the Governor and his administration will be submitted to us probably in a week or ten days. These taxes have no relation to the General Fund budget. The General Fund budget has been submitted to us, at least, we have an outline of what our expenditures will be. I believe the House as the originator of revenue bills should be deliberate. I think we should wait for the Highway budget and consider whether the tax is to be four cents, five cents, or six cents and once we have made our decision stand upon it.

We all recognize that gas taxes must ultimately be enacted to keep our highway system going and there is plenty of time for a slow intelligent approach. If we pass these bills now, the impression is going to be given that we have made a tax reduction—a rare bird in the last few sessions of the Legislature.

If this bill should be amended back to six cents, it is very likely that it will come back to this House in the rush of final adjournment and, lo and behold, we would discover that we had concurred with little, if any, deliberation in doing away with the so-called reduction. I feel that such action is harmful to the reputation of the House. Certainly it does not increase our prestige in the eyes of the public.

At the present time I am opposed to a total gas tax

six cents, but because of the reasons stated above
m voting against both House Bill 335 and 336 at this
ie.

MOTION TO POSTPONE

Mr. LOPRESTI. Mr. Speaker, I agree with the re-
rks of the gentleman, but voting against the bills
ll not give us the time needed to give this bill in-
ligent consideration. Therefore, I would like to move
t this bill be placed on the Final Postponed Calendar.
On the question,

Will the House agree to the motion?

Mr. JOHNSON. Mr. Speaker, we have before us as was
ted the bills which reenact the gasoline tax at five cents
allon. What I said about the entire tax package applies
ually to the gasoline tax. If after we have audited the
dget of the Highway Department, have given it close
utiny as to the needs, and if it is pointed out to this
use, to the Ways and Means Committee and to the
propriations Committee that the extra one cent gas-
ne tax is necessary, I am sure that everybody in this
use will be man enough to stand up and vote for the
.

will say this about the Highway Department, under
Constitutional amendment and in our practice we give
m a blank check. We in the Legislature have absolutely
hing to say about how they spend the money. I want to
ure you that consideration is being given to the
estion in this session of adopting a budget for the High-
y Department and having the Members of this House
e on it. Let us allocate how much money shall go to
al roads in this state. Let us make the farmers feel
od in that they will get a fair share of the money. Let
say how much shall be spent on the urban system, and
forth. Let us try to hold down the cost of administra-
n, and so forth, in the Highway Department. It is
palpable wrong committed on the Legislature when
0 million to $350 million every two years is spent by
Highway Department without any check on it.

So, we want to pass these bills today and send them
the Senate as a part of our package. I therefore ask
Members of this House to vote down this motion. We
here today, let us pass these bills, let us give the
toring public the assurance that here is a five cent
soline tax that is going to go into roads.

Mr. LOPRESTI. Mr. Speaker, a discussion of the merits
the bill and the tax at this particular time would
obably be out of order.

Certainly no one in the House believes that we should
t pass the bill, whether it be five or six cents, but no
e in this House today has the information with which
ey can cast an intelligent vote. We do not have a High-
y budget, we have no notion whatsoever what it may
Why should we pass a bill just to find out two months
m now, or a month from now, that it is a totally
dequate bill and then be called upon to vote another
e cent additional tax. I think it involves additional
ie, additional expense and not only that it makes this
ticular group of Members vote on two tax bills when
can just as well vote on one.

On the question recurring,

Will the House agree to the motion?

On a rising vote, less than a maojrity having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Fetterolf,	Light,	Reidenbach,
Agnew,	Filo,	Limper,	Rigby,
Amarando,	Fineman,	Lippincott,	Royer,
Anderson, M. S.,	Floyd,	Lopresti,	Rudisill,
Anderson, S. A.,	Flynn,	Lovett,	Scarcelli,
Ashton,	Foster,	Lutty,	Schuster,
Auker,	Fox,	Magee,	Schwartz,
Barton,	Frasoella,	Mahan,	Seltzer,
Bell,	Gailey,	Markley,	Sherman,
Blair,	Garlock,	Marsh,	Shields,
Boles,	Gelfand,	Maxwell,	Silverman,
Bower,	George,	McCann,	Smith,
Bowman,	Gibb,	McCormack,	Snare,
Brand,	Gibson,	McInroy,	Snider,
Breisch,	Goldstein,	McKeever,	Spray,
Brennan,	Goodling,	McLaughlin,	Steckel,
Brenninger,	Goodrich,	Merry,	Stevens,
Breon,	Gramlich,	Metz,	Stimmel,
Breth,	Gross,	Mihm,	Stone,
Brown,	Guthrie,	Mikula,	Stoner,
Brucker,	Hamilton,	Miller, B. Z.,	Strausser,
Bucchin,	Haudenshield,	Miller, H. G.,	Stroup,
Buchanan,	Heavey,	Miller, W. H.,	Stuart,
Capano,	Heffner,	Mills,	Taylor,
Carson,	Henzel,	Monroe,	Thompson,
Cianfrani,	Hocker,	Moody,	Toll,
Cioffi,	Holt,	Moyer,	Tompkins,
Cleveland,	Horst,	Muldowney,	Ujobai,
Comer,	Ide,	Mullen,	Varallo,
Cooper,	Isaacs,	Munley,	Varner,
Cummins,	Jenkins,	Murphy,	Verona,
Dalrymple,	Jim,	Murray, H. P.,	Wall,
Davis,	Johnson,	Murray, P. G.,	Walsh,
DeLong,	Johnston,	Naugle,	Wargo,
Deugler,	Jones, G. E.	O'Brien,	Weidner,
Dennison,	Jones, T. H.,	O'Dell,	Wescott,
Devlin,	Jump,	Ogilvie,	Wheeler,
Dietterick,	Kamyk,	Parry,	Whittaker,
Donahue,	Kehler,	Pashley,	Willard,
Donaldson,	Keller,	Petrosky,	Willaredt,
Dougherty,	Kernaghan,	Phillips,	Williams,
Down,	Knecht,	Piper,	Wilt,
Duffy,	Kooker,	Polaski,	Wood,
Dunn,	Korns,	Pomeroy,	Worley,
Edwards,	Kornick,	Post,	Wyatt,
Eilberg,	Krakow,	Price,	Wynd,
Erb,	Lafore,	Pursley,	Yatron,
Eshleman,	Lee, A. M.,	Ragot,	Zimmerman,
Ewing,	Lee, K. B.,	Readinger,	Helm,
Farabaugh,	Leonard,		Speaker

NAYS—6

Andrews,	McGee,	Moscrip,	Renwick,
Curwood,			Rovansek,

NOT VOTING—5

Boory,	Trusio,	Vaughan,	Welsh,
Musto,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair lays before the House the next bill on the Special Order of Business, being House Bill No. 336 Printer's No. 67.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 336, entitled as follows:

An Act amending the "Fuel Use Tax Act" of Janu-

Comer,	Holt,	Monroe,	Silverman,
Cummins,	Jim,	Muldowney,	Strausser,
Curwood,	Jones, G. E.	Mullen,	Taylor,
Dougherty,	Krakow,	Munley,	Toll,
Duffy,	Leonard,	Murphy,	Varallo,
Eilberg,	Limper,	O'Brien,	Wargo,
Farabaugh,	Lopresti,	Pashley,	Worley,
Filo,	Lovett,	Polaski,	Zimmerman,

NOT VOTING—9

Auker,	Ewing,	Trusio,	Verona,
Blair,	Musto,	Vaughan,	Welsh,
Boory,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. RAGOT filed the following reasons for his vote:

Mr. Speaker, I feel that the people of Northampton County, whom I represent, have the right to know my reasons for voting for the sales tax amendments in House Bill No. 337.

Prior to my being elected in 1953, I made public commitments to my constituency that, if elected, I would vote against a sales tax. I was not returned to the House in 1954, although I ran three thousand votes ahead of the state ticket.

In the 1955-56 Session, the Democrat controlled House voted for a 3% sales tax. In 1956, I again was a candidate for the General Assembly. Since the sales tax was then a part of the permanent tax structure of the Commonwealth and was no longer an issue, I made no commitments during the last campaign.

Due to the increased subsidies to school districts, teachers' salary increases and increased services to the health and welfare of our people, more revenue is needed.

In comparing the wage tax with the flat income tax or the sales tax . . . with either the wage tax or a flat income tax there are no exemptions, therefore, the total income of a wage earner is taxable. With the sales tax only that portion of one's income which anyone spends for miscellaneous merchandise is taxed, food and clothing are exempt. The citizen has a freedom of choice through his purchases to control how much tax he will pay.

The people of Northampton County have come to the realization that the sales tax is preferable to an income tax or a wage tax.

I am therefore voting for the amendments for the reasons above stated.

Mr. WILLARD filed the following reason for his vote:

I vote yes on House Bill No. 337, Printer's No. 68 but I wish to go on record that I am for the prepaid tax receipts.

THANKS EXTENDED

The SPEAKER. The Chair would like to express its appreciation to the Members of this House for the splendid way they have conducted themselves during the Special Order of Business.

The Chair does not believe he has ever seen a time when the Members were so diligent in answering to the roll calls and the House was so orderly. The Chair appreciates it and expresses its thanks.

BILLS PASSED OVER

The SPEAKER. If there is no objection, all bills that have not been acted upon on today's calendar will be passed over. The Chair hears no objection, and the bills are passed over.

If there is no objection, the order of business of Resolutions will also be passed over. The Chair hears none.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 33.

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended "The Liquid Fuels Tax Act" making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

With the information that the Senate has passed the same without amendment.

ADJOURNMENT

Mr. PRICE. Mr. Speaker, I move that this House do now adjourn until Monday, March 4, 1957 at 4:30 p. m.

The motion was agreed to, and (at 1:50 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, MARCH 4, 1957. No. 19.

SENATE

MONDAY, March 4, 1957.

The Senate met at 4:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. ALBERT N. ROBERTS, Rector of St. Marks Episcopal Church, Erie, offered the following prayer:

Let us pray.

O Almighty God, Who alone canst order the unruly wills and affections of sinful and fallible men, grant unto Thy people that they may love the thing which Thou commandest, and desire that which Thou dost promise; that so, among the sundry and manifold changes of the world, our hearts may surely there be fixed where true well being and integrity are to be found.

We thank Thee for the high leadership and dedicated services which have made our governing bodies useful and effective servants of Thy people, upholding our democracy before both friends and foes.

We thank Thee for our health and faculties of mind and body, and especially today for the return of one of our Senators, Mr. DiSilvestro, who has been so ill.

May Thy blessing now rest upon the Senate of this State, here assembled in Thy presence. Save it from all error, pride and prejudice, and so guide its work as to further the happiness of our homes and the happiness and serenity of our workers in their respective daily tasks throughout our State.

God bless our native land; firm may she ever stand in wisdom, in justice, in unbounded energy and hope. We ask it in Christ's Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. DiSILVESTRO, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JOINT SESSION

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session tomorrow, March 5, 1957, at their convenience.

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edith Kresge, Star Route, White Haven, for appointment as Justice of the Peace in and for the Township of Kidder, Carbon County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward A. Skyanier (Democrat), 4840 Osage Avenue, Philadelphia 46, Philadelphia County, for appointment as a member of the Philadelphia County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Miss Marie DeBacker, Philadelphia, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE LEHIGH COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles S. Heimbach, Sr. (Democrat), 2104 East Cedar Street, Allentown, Lehigh County, for appointment as a member of the Lehigh County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Dr. Victor L. Johnson, Allentown, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE ERIE COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Erie County Board of Assistance:

Anthony L. Gambatese, Esq. (Democrat), 500 Masonic Building, Erie, Erie County, until December 31, 1959, and until his successor is duly appointed and qualified, vice Michael Ricci, Erie, whose term expired.

Francis A. Slattery (Democrat), 720 North Center Street, Corry, Erie County, until December 31, 1958, and until his successor is duly appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE STATE BOARD OF EXAMINERS OF ARCHITECTS

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward J. Rutledge, 148 Adams Avenue, Scranton 3, Lackawanna County, for appointment as a member of the State Board of Examiners of Architects, for the term of six years and until his successor shall have been appointed and qualified vice Clement S. Kirby, Erie, resigned.

GEORGE M. LEADER.

MEMBER OF THE CENTRE COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Johnson (Democrat), 314 North Second Street, Philipsburg, Centre County, for appointment as a member of the Centre County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice George R. Griest, Philipsburg, resigned.

GEORGE M. LEADER.

COMMUNICATION FROM THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF ROBERT C. MALCOLM AS A MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the confirmation of the appointment of Robert C. Malcolm, Curtisville, as a member of the Board of Trustees of Slippery Rock State Teachers' College, from May 29, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 330, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation.' . . ." increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

Which was committed to the Committee on Finance.

House Bill No. 331, entitled:

An Act reenacting and amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), extending the provisions of the act for a further limited period of time.

Which was committed to the Committee on Finance.

House Bill No. 332, entitled:

An Act amending the "Cigarette Tax Act," approved June 14, 1935 (P. L. 341), extending the provisions imposing an additional tax for a further limited period of time

Which was committed to the Committee on Finance.

House Bill No. 333, entitled:

An Act reenacting and amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1411), imposing the tax permanently.

Which was committed to the Committee on Finance

House Bill No. 334, entitled:

An Act reenacting and amending the "Corporate Net Income Tax," approved May 16, 1935, P. L. 208, imposing the tax permanently.

Which was committed to the Committee on Finance

House Bill No. 335, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149) extending the provisions of the additional tax for a limited time.

Which was committed to the Committee on Finance.

House Bill No. 336, entitled:

An Act amending the "Fuel Use Tax Act" of January 14, 1952 (P. L. 1965), extending the provisions of one additional tax for a limited time.

Which was committed to the Committee on Finance.

House Bill No. 337, entitled:

An Act amending the "Selective Sales and Use Tax Act" of March 6, 1956 (P. L. 1228), eliminating provisions which would reduce the rate of the tax.

Which was committed to the Committee on Finance.

GENERAL COMMUNICATIONS

CONSTRUCTION REPORT OF THE GENERAL STATE AUTHORITY TO THE 1957 SESSION OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

The General State Authority in accordance with Legislative Act 166, approved July 27, 1953, submits the following Construction Report to the General Assembly of the Commonwealth of Pennsylvania now in Session.

This Report is a Summary of Work Completed, Under Construction, Design and Study as of February 1, 1957.

Approved Construction and Equipment Projects (Exhibit A)

The Authority has:

Completed Projects in the amount of		$141,743,391
Projects Under Construction		126,551,821
Projects Under Design		106,407,337
Completed Equipment Projects in the amount of		5,066,400
Equipment Projects Under Purchase in the amount of		5,291,921
Projects Under Study:		
Construction	47,341,752	
Equipment	3,040,068	50,381,820
A Total of Completed, Under Construction, Design and Study		$435,442,690
For the Biennium 1957-59 the Authority estimates it will expend of its own funds for Construction and Equipment approximately:		60,000,000

The attention of the General Assembly is invited to the fact that the Bond Resolution under which bonds have been sold, and will be sold, requires that the Financial Cost include Administration, Contingencies and Interest during construction. For this reason, the Financial Cost must include not only the Contract Price of the project, but Fees for Architects, Administration Costs of operating the Authority, Contingency for those projects under Construction and Design, and the Interest Cost during construction.

The Bond Resolution restricts the Authority to an expenditure not to exceed 95% of its Bond Authorization until all projects have been completed, at which time the remaining funds become available for additional work.

EXHIBIT A

THE GENERAL STATE AUTHORITY
CONSTRUCTION REPORT

FINANCIAL COST OF APPROVED CONSTRUCTION AND EQUIPMENT PROJECTS BY DEPARTMENTS AS OF FEBRUARY 1, 1957

Construction Projects

Department	Completed	Under Construction	Under Design	Under Study
Agriculture			1,931,095	
Forests & Waters	14,558,550	14,627,488	1,810,880	1,628,141
State Police	2,461,938	257,609	3,141,020	
Health	4,142,447		7,385,944	156,629
Public Instruction	22,529,756	1,669,669	27,210,322	32,222
Welfare	83,904,660	39,434,233	46,213,160	45,524,760
Justice (Bureau of Correction)	2,253,373	18,373,088		
Labor & Industry		10,410,353		
Property & Supplies	2,313,482	30,256,376	6,691,712	
Rehabilitation Center, Johnstown		9,003,098		
Penn State University	9,409,521	2,484,549	12,023,204	
Military Affairs	73,230			
Miscellaneous (Brandywine Comm., etc.)	96,434	35,358		
Total of Construction	141,743,391	126,551,821	106,407,337	47,341,752

Equipment Projects

Department	Completed	Under Purchases	Under Study
State Police	81,994	115,225	
Health	193,107		
Public Instruction	1,076,451	36,630	
Welfare	2,658,616	2,325,365	
Justice (Bureau of Correction	35,691		
Labor & Industry		186,052	
Property & Supplies	46,551		
Rehabilitation Center, Johnstown		608,013	
Penn State University	973,990	2,020,636	
Equipment for Various Departments			3,040,068
Total of Equipment	5,066,400	5,291,921	3,040,068
Total of Construction		422,044,301	
Total of Equipment		13,398,389	
Grand Total		435,442,690	

The PRESIDENT. This communication will be printed in the Journal.

LETTER FROM THE SECRETARY OF WELFARE, PURSUANT TO SENATE RESOLUTION, SERIAL No. 17

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

(SEAL)
PENNSYLVANIA
OFFICE OF THE
SECRETARY OF WELFARE
HARRISBURG

March 1, 1957

Honorable A. H. Letzler
Secretary of the Senate
Senate of Pennsylvania
Harrisburg, Pennsylvania

My dear Mr. Letzler:

I acknowledge receipt of the resolution of the Senate dated February 26, 1957, in which I am directed to "submit to the Director of the Joint State Government Commission on or before March 4, 1957" specifically mentioned data relative to scholarships granted to Medical students.

This is to advise you that this Department has neither set up nor granted any scholarships to Medical students.

However, I assume from newspaper articles that it is quite possible that the Senate had in mind the program which this Department is carrying on in connection with the training of graduate students in the fields of psychology, social service, therapy (occupational, industrial, recreational) and nursing.

I am preparing a full and detailed statement of the program, including the names and addresses of the students, the schools, the financial assistance and the terms and conditions upon which these trainees are admitted into the program. I hope to be able to have that statement finished early next week. I trust you will bring this matter to the attention of the Senate.

With kindest personal regards, I am

Sincerely yours,

/s/ HARRY SHAPIRO
Secretary of Welfare

The PRESIDENT. This communication will be printed in the Journal.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

BRIGADIER GENERAL, PENNSYLVANIA NATIONAL GUARD

Harry A. Markle, Jr., Allentown, from May 23, 1956, until terminated.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

Ralph C. Swartz, Allentown, from July 24, 1956, for a term of one year, and until his successor shall be duly appointed and qualified.

Victor C. Diehm, Hazleton, from July 24, 1956, for a term of two years, and until his successor shall be duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

Charles Adonizio, West Wyoming, from a November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Robert J. Barrett, Pittston, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Henry F. Dorang, Ashley, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

John K. Evans, Nanticoke, from November 13, 1956, for a term of four years, and until his successsor is appointed and qualified.

Edward Joseph, Duryea, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

William J. McAneny, Wilkes-Barre, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Samuel Ross, Shickshinny, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Stanley Salva, Glen Lyon, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Anthony M. Zabiegalski, Nanticoke, from November 13 1956, for a term of four years, and until his successor is appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth o Pennsylvania:

In conformity with law, I have the honor to nominat for the advice and consent of the Senate the following

MEMBER OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

John Evancho, Jr., Freeland, from July 24, 1956, for term of four years, and until his successor is appointe and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth Pennsylvania:

In conformity with law, I have the honor to nomina for the advice and consent of the Senate the followin

MEMBERS OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

William S. Rahauser, Pittsburgh, from July 20, 195

until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Marlan O. Walter, Millersburg, from July 20, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Richard A. Seaman, Williamsport, from October 23, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

January 22, 1957.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Scotland School for Veterans' Children, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

I. Glenn Shively, 204 Lincoln Way West, Chambersburg, Franklin County.

Jacob W. Wineman, Richmond Furnace, Franklin County.

GEORGE M. LEADER.

MEMBER OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward H. Herbert (Republican), 2 Boyden Street, Susquehanna, Susquehanna County, for appointment as a member of the Susquehanna County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice David Scales, Jr., Susquehanna, resigned.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Patrick J. Connors, Old Forge, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Joseph J. Garrity, Drums, from October 8, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

February 25, 1957,

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Warren B. Watson, Durham Road, Mechanicsville, Bucks County, for reappointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, for the term of four years, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE FOREST COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hilda H. Wright (Democrat), East Hickory, Forest County, for appointment as a member of the Forest County Board of Assistance, until December 31,1959, and until her successor is duly appointed and qualified, vice Mrs. Louise E. Phillips, Endeavor, resigned.

GEORGE M. LEADER.

MEMBER OF THE MONROE COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

February 25, 1957.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Barbara C. Reese (Democrat), 162 East Brown Street, East Stroudsburg, Monroe County, for appointment as a member of the Monroe County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice J. Nelson Westbrook, Stroudsburg, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wilbur I. Newstetter, Jr., Esq. (Democrat), 658 Pennridge Road, Pittsburgh 11, Allegheny County, for appointment as a member of the Allegheny County Board of Assistance, until December 31, 1958, and until his successor is duly appointed and qualified, vice Dean Stanton C. Crawford, Pittsburgh, resigned.

GEORGE M. LEADER.

MEMBER OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jeannette V. Hampton (Democrat), 511 North First Street, Titusville, Crawford County, for appointment as a member of the Crawford County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Mrs. Margaret D. Mitchell, Titusville, resigned.

GEORGE M. LEADER.

MEMBER OF THE HUNTINGDON COUNTY BOARD OF ASSISTANCE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Frances E. Lincoln (Democrat), 201 Penn Street, Hunting-

don, Huntingdon County, for appointment as a member of the Huntingdon County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Mrs. Rachel N. Showalter, Huntingdon, resigned.

GEORGE M. LEADER.

MEMBER OF THE MONROE COUNTY BOARD OF ASSISTANCE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. Edward DePuy, Esq. (Democrat), 20 North Seventh Street, Stroudsburg, Monroe County, for reappointment as a member of the Monroe County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE UNION COUNTY BOARD OF ASSISTANCE

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. MaDora M. Payne (Democrat), R. D. 1, New Columbia, Union County, for appointment as a member of the Union County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Margaret Stewart, New Columbia, whose term expired.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

Edward McConnell, Bedford, from October 24, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE CENTRE COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary B. Mianulli (Democrat), Bellefonte, Centre County, for reappointment as a member of the Centre County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE CLARION COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Morrow Campbell (Democrat), Clarion, Clarion County, for reappointment as a member of the Clarion County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

George Clarke, Clearfield, from September 11, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Daniel P. Brown, Hawley, from December 26, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

REPORT FROM THE JOINT STATE GOVERNMENT COMMISSION SUBSIDENCE COMMITTEE

Mr. SCOTT submitted the following communication and report from the Joint State Government Commission.

The communication was read by the Clerk as follows:

March 4, 1957.

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

Pursuant to the provisions of the Act of 1956, May 31, (P. L. (1955) 1931), there is presented herewith the Report of the Subsidence Committee established under the act.

Copies of this report for members of the Senate have been delivered to the Senate post office.

Respectfully submitted,

/s/ BAKER ROYER.
Baker Royer, Chairman.

(For Report see Appendix)

REPORT FROM COMMITTEE

Mr. YOSKO, from the Committee on State Government, reported as committed, House Bill No. 76, entitled:

An Act reenacting and amending the act of July 7, 1955 (P. L. 256), entitled "An act creating a temporary advisory commission to examine, report upon and recommend reorganizations of agencies and functions of the State government; . . .," reactivating and extending the life of the commission.

BILLS INTRODUCED AND REFERRED

Messrs. MAHANY and DENT read in place and presented to the Chair Senate Bill No. 277, entitled:

An Act authorizing and empowering the Delaware River Port Authority, a body corporate and politic, functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey, and the express consent of the Congress of the United States, to appoint policemen; make rules and regulations for the prevention of disorder, the preservation of safety, and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate; to prevent the evasion of the payment of tolls; and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls.

Which was committed to the Committee on Rules.

Messrs. MAHANY and BERGER read in place and presented to the Chair Senate Bill No. 278, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," regulating powers of the State Board of Public Assistance with respect to rules, regulations and standards for eligibility for assistance.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 279, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," regulating powers of the Department of Public Assistance with respect to rules, regulations and standards for eligibility for assistance.

Which was committed to the Committee on Public Health and Welfare.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 280, entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 281, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts, page 120, Act No. 150-A), entitled "The General Appropriation Act of 1955," decreasing appropriations to the Department of Revenue.

Which was committed to the Committee on Appropriations.

Messrs. VAN SANT and SARRAF read in place and presented to the Chair Senate Bill No. 282, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code," further defining the powers of courts on appeals.

Which was committed to the Committee on Law and Order.

They also read in place and presented to the Chair Senate Bill No. 283, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further defining the powers of courts on appeals.

Which was committed to the Committee on Law and Order.

Messrs. ELLIOTT, SCOTT and SILVERT read in place and presented to the Chair Senate Bill No. 284, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act," excluding religious organizations from the tax.

Which was committed to the Committee on Finance.

Mr. ELLIOTT, on behalf of Mr. FLEMING, read in place and presented to the Chair Senate Bill No. 285, entitled:

An Act requiring the Commonwealth to reimburse school districts receiving pupils from other districts for loss sustained during a period of transition from one system of reimbursement to another.

Which was committed to the Committee on Education.

He also, on behalf of Mr. WATSON, read in place and presented to the Chair Senate Bill No. 286, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172), entitled "Borough Rural State Highway Law," adding a new route in Penndell Borough, Bucks County.

Which was committed to the Committee on Highways.

He also, on behalf of Mr. WATSON, read in place and presented to the Chair Senate Bill No. 287, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Middletown and Bristol Townships, Bucks County.

Which was committed to the Committee on Highways.

Messrs. WADE, MAHANY, and DENT read in place and presented to the Chair Senate Bill No. 288, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," regulating issuance of special registration plates, and fixing fees therefor in certain cases.

Which was committed to the Committee on Highways.

They also read in place and presented to the Chair Senate Bill No. 289, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing the Secretary of Revenue to establish minimum standards of quality for brake fluid sold in the Commonwealth and fixing penalties.

Which was committed to the Committee on Highways.

Messrs. FLACK, STEVENSON, DENT and DERK read in place and presented to the Chair Senate Bill No. 290, entitled:

A Joint Resolution proposing an amendment to article fourteen, section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. MALLERY, STEVENSON and HAYS read in place and presented to the Chair Senate Bill No. 291, entitled:

An Act designating the counties responsible for the up-

keep of certain convicts in penal or correctional institutions.

Which was committed to the Committee on Local Government.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 292, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," further defining and limiting the rights, powers, duties, liabilities and immunities of such associations and of their officers, directors, shareholders and employes; establishing additional limitations of actions; and imposing additional duties on the Department of Banking.

Which was committed to the Committee on Banking.

Messrs. STEVENSON and MALLERY read in place and presented to the Chair Senate Bill No. 293, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," providing that each person elected to the office of councilman shall be elected as the director of a specified department of the city.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, on Monday of last week, there appeared an article in the Philadelphia Inquirer, written by Royal H. Plenty, its Financial Editor, entitled "'Killer Brake Fluids' Imperil Millions of Motorists in Nation." This article is quite extensive, but I should like to read one or two short paragraphs from it which are quite pertinent.

"Few drivers know what kind of brake fluid is in their cars. Yet only about half of the fluid produced in this country is safe for modern cars and a good portion of it is so substandard that it makes a death trap of your car.

"Just the fact that 'killer brake fluids' are on the market imperils millions of people. But only eight States have passed laws to control the sale of these vicious fluids."

The States which have passed laws controlling the sale of brake fluids are New Jersey, Minnesota, California, Georgia, Mississippi, North Carolina, South Carolina and Tennessee.

Therefore, Mr. President, I am offering this bill in the hope that our State will go along for safer driving.

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. WADE. Mr. President, a few moments ago, Senator Dent, Senator Mahany and I introduced a bill that I presume is identical to the one which Senator Silvert is now offering.

I think considerable expense might be saved if Senator Silvert is given an opportunity to co-sponsor the bill which we introduced just a few moments ago, if that is agreeable to Senator Silvert.

Mr. SILVERT. Mr. President, I am always willing to join in economy. However, I think those gentlemen should have made some mention of the Philadelphia Inquirer which carried that article on which the bill is based.

Mr. DENT. Mr. President, I am sure my co-sponsors would not mind if my friend, Senator Silvert, wants to make the Philadelphia Inquirer a co-sponsor.

The PRESIDENT. There being no objection, the gentleman from Philadelphia, Senator Silvert, will be added as a co-sponsor to Senate Bill No. 289.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and CHAPMAN read in place and presented to the Chair Senate Bill No. 294, entitled:

An Act making an appropriation to the Trustees of The Academy of Natural Sciences of Philadelphia to be used for salaries, supplies and equipment and in providing certain services and facilities to the public and to students at all levels, interested in scientific studies and research.

Which was committed to the Committee on Education.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 295, entitled:

An Act abating certain tax penalties and interest on school taxes in cities of the first class and school districts of the first class.

Which was commited to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 296, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to prepare, edit and publish a Historical Atlas of Early Pennsylvania; providing for the sale and distribution thereof and making an appropriation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. SEYLER and WEINER read in place and presented to the Chair Senate Bill No. 297, entitled:

An Act establishing procedures relating to searches and seizures and search warrants and providing penalties.

Which was committed to the Committee on Judiciary General.

Mr. VAN SANT read in his place and presented to the Chair Senate Bill No. 298, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273) entitled "The Private Detective Act of 1953," providing for additional penalties for violation of the act.

Which was committed to the Committee on Judiciary General.

Messrs. WEINER, STEVENSON, MAHANY and SCHMIDT read in place and presented to the Chair Senate Bill No. 299, entitled:

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law," revising basic facts and policy; changing definition of "redeveloper" and "redevelopment"; further defining the powers of an Authority; and extending and changing redevelopment proposal requirements.

Which was committed to the Committee on Local Government.

Messrs. WEINER and DONOLOW read in place and presented to the Chair Senate Bill No. 300, entitled:

An Act requiring the Department of Public Assistance to increase maximum amounts in allowance schedules used in making assistance grants to needy persons.

Which was committed to the Committee on Public Health and Welfare.

Mr. WEINER read in his place and presented to the Chair Senate Bill No. 301, entitled:

An Act prohibiting certain practices of discrimination in the sale, renting and leasing of publicly assisted housing accomodations because of race, color, religion, national origin or ancestry; defining publicly assisted housing and providing for judicial remedy.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 302, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," limiting the number of Pennsylvania Liquor Stores in each municipality and the issuance and transfer of retail licenses in any ward of any city of the first class and in certain other cases, and requiring proposed sites for Pennsylvania Liquor Stores to be posted.

Which was committed to the Committee on Law and Order.

He also read in his place and presented to the Chair Senate Bill No. 303, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," giving the board discretionary power in certain cases as to the issuance or transfer of licenses.

Which was committed to the Committee on Law and Order.

Messrs. SILVERT and CHAPMAN read in place and presented to the Chair Senate Bill No. 304, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. LANE, STEVENSON, KOPRIVER, JR., and MALLERY read in place and presented to the Chair Senate Bill No. 305, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," regulating contract procedures and advertising for bids.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 306, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945," regulating contract procedures and advertising for bids.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 307, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," regulating contract procedure and advertising for bids.

Which was committed to the Committee on Local Government.

BILL SIGNED

The President (Lieutenant Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows.

House Bill No. 33, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled, as amended, "Liquid Fuels Tax Law," making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes.

Whereupon,

The President (Lieutenant Governor Roy E. Furman) in the presence of the Senate signed the same.

SENATE CONCURRENT RESOLUTION

JOINT SESSION

Mr. WHALLEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 4, 1957.

Resolved (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session Tuesday, March 5, 1957, at two o'clock p. m., E. S. T., in the Hall of the House of Representatives for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, March 4, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 11, 1957, at four o'clock, p. m., E. S. T., and when the House of Representatives adjourns this week, it reconvene Monday, March 11, 1957, at four-thirty o'clock, p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

REQUESTING THE PENNSYLVANIA TURNPIKE COMMISSION TO MAKE THE EMERALD INTERCHANGE A PERMANENT PART OF THE PENNSYLVANIA TURNPIKE SYSTEM

Messrs. VAN SANT, SCOTT and YOSKO offered the following resolution, which was twice read as follows:

In the Senate, March 4, 1957.

The present northern terminus of the Northeastern Extension of the Pennsylvania Turnpike is at Emerald Interchange at the convergence of Pennsylvania routes 29, 45 and 145 in Lehigh County.

The present plans of the Turnpike Commission are to eliminate this interchange after March 15 of this year, when the new section to Scranton will be opened.

The interchange at Emerald is of vital importance to all traffic approaching the turnpike from route 29, 45 and 145, because the only alternate route is over a hazardous road in extremely poor condition.

The maintenance of the Emerald interchange would promote safety for persons using our roads, convenience and expedite traffic approaching the turnpike from that area, and provide needed revenue to the Turnpike Commission; therefore be it

Resolved, That the Senate of Pennsylvania respectfully request the Pennsylvania Turnpike Commission to alter its present plans so as to make the Emerald Interchange a permanent part of the Pennsylvania Turnpike system; and be it further

Resolved, That copies of this resolution be forwarded to each member of the Pennsylvania Turnpike Commission.

RULE 39 SUSPENDED

Mr. VAN SANT. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Sena e do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President at the request of the sportsmen in my District, I am presenting the following resolution and ask that it be favorably considered by the committee to which it will be referred.

SENATE RESOLUTION

REFERRED TO COMMITTEE

URGING THE PENNSYLVANIA GAME COMMISSION TO POSTPONE THE OPENING OF THE 1957 SMALL GAME SEASON

Mr. YOSKO offered the following resolution which was twice read and referred to the Committee on Forests and Waters, Game and Fish:

In the Senate, March 4, 1957.

The Pennsylvania Game Commission has set tentative opening dates for the 1957 small game season which will permit the hunting of grouse, turkeys, and squirrels on October 19th and all other small game on October 26th.

A hunting season this early in the fall can cause immeasurable damage to farmers' crops which are still in the fields, and many farmers have threatened to close their land to all hunters unless the hunting of small game is postponed until later.

A postponment of the opening date until early November would not only prevent damage and loss to our farmers, but would also make thousands of additional acres of good hunting land available to our hunters; therefore be it

Resolved, That in the best interest of farmers and hunters alike the Senate of Pennsylvania hereby urges the Pennsylvania Game Commission to reconsider the tentative dates which have been set for the opening of the 1957 small game season and postpone the opening until approximately November 15th; and be it further

Resolved, That copies of this resolution be transmitted to the Executive Director and each member of the Pennsylvania Game Commission.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

JOINT SESSION

In the Senate, March 4, 1957.

Resolved (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Sssion Tusday, March 5, 1957, at two o'clock p. m., E. S. T., in the Hall of the House of Representatives for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, March 4, 1957.

Resolved (the House of Representatives concurring) That when the Senate adjourns this week it reconvene Monday March 11, 1957, at four o'clock p.m., E.S.T., and when the House of Representatives adjourns this week, it reconvene Monday, March 11, 1957, at four-thirty o'clock, p.m., E.S.T.

SENATE CONCURRENT RESOLUTION

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. PECHAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 4, 1957.

Resolved (the House of Representatives concurring), that a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency the Governor to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

BRIGADIER GENERAL, PENNSYLVANIA NATIONAL GUARD

Harry A. Markle, Jr., Allentown, from May 23, 1956, until terminated.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

Ralph C. Swartz, Allentown, from July 24, 1956, for a term of one year, and until his successor shall be duly appointed and qualified.

Victor C. Diehm, Hazleton, from July 24, 1956, for a term of two years, and until his successor shall be duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

Charles Adonizio, West Wyoming, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Robert J. Barrett, Pittston, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Henry F. Dorang, Ashley, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

John K. Evans, Nanticoke, from November 13, 1956. for a term of four years, and until his successor is appointed and qualified.

Edward Joseph, Duryea, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

William J. McAneny, Wilkes-Barre, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Samuel Ross, Shickshinny, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Stanley Salva, Glen Lyon, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

Anthony M. Zabiegalski, Nanticoke, from November 13, 1956, for a term of four years, and until his successor is appointed and qualified.

GEORGE M. LEADER

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

John Evancho, Jr., Freeland, from July 24, 1956, for a term of four years, and until his successor is appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward H. Herbert (Republican), 2 Boyden Street, Susquehanna, Susquehanna County, for appointment as a member of the Susquehanna County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice David Scales, Jr., Susquehanna, resigned.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Patrick J. Connors, Old Forge, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Joseph J. Garrity, Drums, from October 8, 1956, until the third Tuesday of January, 1957, and until his successor is appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

William S. Rahauser, Pittsburgh, from July 20, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

Marlan O. Walter, Millersburg, from July 20, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Richard A. Seaman, Williamsport, from October 23, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

January 22, 1957.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Scotland School for Veterans' Chil-

dren, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

I. Glenn Shively, 204 Lincoln Way West, Chambersburg, Franklin County.

Jacob W. Wineman, Richmond Furnace, Franklin County.

GEORGE M. LEADER.

MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Warren B. Watson, Durham Road, Mechanicsville, Bucks County, for reappointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, for the term of four years, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE FOREST COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hilda H. Wright (Democrat), East Hickory, Forest County, for appointment as a member of the Forest County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Louise E. Phillips, Endeavor, resigned.

GEORGE M. LEADER.

MEMBER OF THE MONROE COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Barbara C. Reese (Democrat), 162 East Brown Street, East Stroudsburg, Monroe County, for appointment as a member of the Monroe County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice J. Nelson Westbrook, Stroudsburg, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wilbur I. Newstetter, Jr., Esq. (Democrat), 658 Pennridge Road, Pittsburgh 11, Allegheny County, for appointment as a member of the Allegheny County Board of Assistance, until December 31, 1958, and until his successor is duly appointed and qualified, vice Dean Stanton C. Crawford, Pittsburgh, resigned.

GEORGE M. LEADER.

MEMBER OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jeannette V. Hampton (Democrat), 511 North First Street, Titusville, Crawford County, for appointment as a member of the Crawford County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Mrs. Margaret D. Mitchell, Titusville, resigned.

GEORGE M. LEADER.

MEMBER OF THE HUNTINGDON COUNTY BOARD OF ASSISTANCE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Frances E. Lincoln (Democrat), 201 Penn Street, Huntingdon, Huntingdon County, for appointment as a member of the Huntingdon County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Mrs. Rachel N. Showalter, Huntingdon, resigned.

GEORGE M. LEADER.

MEMBER OF THE MONROE COUNTY BOARD OF ASSISTANCE

February 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. Edward DePuy, Esq. (Democrat), 20 North Seventh Street, Stroudsburg, Monroe County, for reappointment as a member of the Monroe County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE UNION COUNTY BOARD OF ASSISTANCE

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. MaDora M. Payne (Democrat), R. D. 1, New Columbia, Union County, for appointment as a member of the Union County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Margaret Stewart, New Columbia, whose term expired.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

Edward McConnell, Bedford, from October 24, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE CENTRE COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary B. Mianulli (Democrat), Bellefonte, Centre County, for reappointment as a member of the Centre County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE CLARION COUNTY BOARD OF ASSISTANCE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Morrow Campbell (Democrat), Clarion, Clarion County, for reappointment as a member of the Clarion County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

George Clarke, Clearfield, from September 11, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE WAYNE COUNTY BOARD OF ASSISTANCE

Daniel P. Brown, Hawley, from December 26, 1956, until December 31, 1958, and until his successor is duly appointed and qualified.

GEORGE M. LEADER

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

In the Senate, March 4, 1957.

Resolved (the House of Representatives concurring), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency the Governor to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session pursuant to a resolution already adopted by the Senate and the House of Representatives.

COMMITTEE APPOINTED TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee, pursuant to the resolution just adopted by the Senate and the House of Representatives: the gentleman from Bucks, Mr. Watson; the gentleman from Delaware, Mr. Watkins; and the gentleman from York, Mr. Seyler.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 5, entitled:

An Act authorizing the recovery of damages from parents of children destroying property

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I do not intend to go into this bill or its features. I just want to say that there has been some legislation in various parts of the Country, for the past ten years, on this particular subject.

The Pittsburgh Press ran a supplement about three weeks ago, or somewhere in that neighborhood, in which it covered an analysis in history of the effectiveness of this particular type of legislation. In every instance where such legislation has been enacted, it has been found to be a dismal failure. It has not worked out according to the hopes of the sponsors. Particularly, I believe, the city of Toledo was the first city to have such legislation on its books and, as I understand it, they have discarded it.

There are many problems which can be raised by such legislation. Those of us who have raised families know that there are many peculiar problems that come up. I find that in many instances the damage is much greater than the sum stipulated in this bill as a liability on the part of the parent. In most cases where the parents are reputable citizens in a community, they without being taken before a court or a squire, work out some solution for the damages which may have been created by their children in an unguarded moment or while in the company of other children who are probably not as well trained. Then, again, you have that other group that come from parents who cannot afford to pay for any damages that their children may inflict upon private property.

You know, Mr. President, there are many cranks in this world, too. I do not know whether any of you have run into them. However, I can imagine some of them making a case against some child in a community over some incident that, in our childhood and early boyhood, would have been declared to be nothing but a boyhood prank.

None of us believe in condoning willful destruction of any property. None of us want it to happen to our property nor do we want our children to become involved in such a situation. However, in this day and age when records on everything are being kept, I would hate to see some of the extreme youth of our communities have a black mark against their records because of some foolish prank.

Of recent date I have known of one who would, under this act, have made the parents liable and responsible. Some boys were pledges to a fraternity at a certain college. They were ordered to go out, not to buy, mind you, but to steal so many Christmas trees. It was a boyhood prank, a college prank. I never had the opportunity to learn to steal Christmas trees because I never went to college. However, some of the boys had to steal some Christmas trees and they went out and stole them. Well, they were caught. Under this bill, the parents, who were miles and miles away from the scene, would have been called upon, under the act which we are now about to vote for, to be liable for this college boy prank. Certainly it was a destruction of property. However, I do not think these boys were bad boys. I know that the rest of the members of the fraternity got together and they made the damages good and that was that.

Mr. President, I am so fearful that so many children today are going to be called upon, through their parents, to be almost typified as criminals because someone scratches some Senator's car or something, or inadvertently breaks somebody's window.

I remember a story told upon this floor once by a Senator when he told about when he was a young man and a group of the boys were playing on the streets and someone batted a ball through some butcher's window. He ran home, all out of breath, and went into his father and said, "Dad, I want to tell you about a window we broke downtown. I want to explain it." His father said, "Don't explain it because when you do, it is bad already." Many little things like that would be cause for invoking this legislation.

Having fathere a few children and raised them, and having a string of grandchildren coming up, I just do not think I want to make life any more restricted or any worse than what it is now for them. For the parents who cannot afford it, it will be no help to those who have properties damaged; for the parents who can afford it, they do make good any damages created by their children. So long as we have children, we are going to have pranks. So long as we have adults we are going to have cranks.

Mr. LANE. Mr. President, in reading over this piece of legislation, I am wondering whether it would be applicable to a little kid on his kiddy car, probably riding down the street and upsetting on someone's flowers. I suppose then, that under the provisions of this act, this little child and his parents would be hauled into court.

It seems to me that the older generations always say that the younger groups are going to the dogs. I know when I was a small child the older people thought that we were pretty bad. I imagine that when this younger group grows up, they are going to think the same about their offsprings.

However, I cannot subscribe to this type of legislation because, number one, if we pass this bill, we might just as well repeal the Juvenile Court Act. It seems to me that it is silly and ridiculous, and I could not bring myself to even consider this because it has so many ramifications. It is so broad. It is applicable to any child under the age of eighteen years who does anything wrong, whereby it is going to be interpreted as willful or malicious. Those are terms which are always used. That is the way the suit of assumpsit will be set up, willfully and maliciously.

This little child had a bicycle or a kiddy car and he went too fast. In so doing, he destroyed somebody's flowers or roses and that poor little kid is going to be hauled into court, and his father is going to be made to pay for the damages that the little boy on the kiddy car willfully inflicted. I think it is silly.

Mr. PECHAN. Mr. President, I am not going to spend too much time in debating the merits or the demerits of this bill. I do want to say, however, in answer to Senator Lane that if that person's dog would have been on that kiddy car and would have gone into somebody's flower garden, yes, that man would have been held liable. Under this bill the child must do it willfully or maliciously, not by riding down in his kiddy car and running into somebody's flower garden. However, if a dog would be in that kiddy car, the man would be liable for the flowers which were destroyed. The bill specifically says, "maliciously and willfully."

In reply to Senator Dent, when he talked about the college boy who stole the Christmas trees, the bill also specifically says on page 1, line 5: "if he is living with his parents at the time the property is destroyed."

Senator Dent also made the statement that where a similar bill has been introduced in a Commonwealth or

in a State, it has not helped. Now that is totally different from what we read in newspapers or in magazine articles. For instance, in the Reader's Digest, there appeared an article in which it stated that in May of 1953 the law was passed in Michigan. It also stated:

"In Wayne County, in Detroit, cases of macilious destruction of property dropped from 244 the year before the Parental Responsibility Act to 192 the year afterward (a decrease of about 20 per cent). Adjacent Lincoln Park reports a decrease in vandalism of about 50 percent. 'In the year preceding the enactment of this law we had 69 juveniles in for vandalism; the year following the law only 30.' So reports Police Chief Daniel O'Leary of Port Huron. In Battle Creek vandalism cases fell 55 percent, and in Pontiac 41 percent."

What prompted me to introduce this bill? I think that if the parents were made responsible and more conscious of their children's actions, then less vandalism would occur. Even though the child is only eight or nine years old, if he knows that his father and mother are going to be responsible just to the extent of $250, he is going to think twice before he walks into a church and desecrates it; upsets the pews, breaks pictures or statues that are in that church. I am sure if that child knew that his parents were partly responsible or that they were going to hold him responsible to the extent of $250 out of his allowance or make him go out and—Pop-Pop says, "His allowance?" The kind of boy whom I am talking about does not get a $250 allowance a week. I am talking about it maybe, taking a couple of years. If he is deducted two or three dollars a week over that period of time, he is going to think twice before he destroys other people's property maliciously and willfully.

Certainly, Al Pechan was just as much a prankster as you were, Bill Lane or Johnny Dent. However, I do not believe that I ever, willfully and maliciously, destroyed people's property because my parents taught me to respect other people's property.

For that reason, Mr. President, I have introduced this bill. I think it is good legislation. I believe that this softhearted, mollycoddling of youth in our juvenile courts is all wrong. I think the reason we are having this crime wave today is because the juvenile courts tell the police officer, the child will tell the police officer, "You cannot touch me; I am a juvenile." The child is defiant.

I believe that this bill will not cure it, certainly not. There are many things that are wrong. There are a lot of things wrong in our schools, in our churches and in our local governments. These wrongs are influenced a great deal by adolescent thinking, by what our young people tell us. I think a lot of this came along with what they call the healing art, psychology. I think some of the psychology which has been pushed down our throats is all wrong. We can see what happened at Morganza where the psychologists come in there and they take these young boys and girls and bribe them with cigarettes to get some sort of story out of them.

Mr. President, for instance, if you will recall Bertrand Russell, in England, some years ago set up a new school of thought when he said, "Let this child do as he pleases and we will produce geniuses." Bertrand Russell, since then, has apologized for that action many, many times.

Again, Mr. President, I prevail and ask my colleagues on both sides of the aisle to support this bill.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. LANE. Doctor Pechan, did I understand you to state that you never in all your lifetime maliciously destroyed anyone's property?

Mr. PECHAN. Maliciously?

Mr. LANE. Yes.

Mr. PECHAN. I do not think I said that.

Mr. LANE. All right then, you never maliciously or willfully, around Halloween time, soaped anyone's windows?

Mr. PECHAN. That is not destroying property. That is a prank.

Mr. LANE. Oh, there is a difference there then. All right, you never willfully or maliciously greased any doorknobs or possibly upset any backhouses around Halloween?

Mr. PECHAN. Up in Armstrong County, practically everybody has an indoor outhouse.

Mr. LANE. I know, but when you were young, they did not.

Mr. PECHAN. How's that?

Mr. LANE. When you were young, they did not.

Mr. PECHAN. I still think I am young.

Mr. LANE. I wish to thank the gentleman.

Mr. President, the distinguished Senator from Armstrong talked about dogs riding in kiddie cars. As a matter of fact, I have never seen that happen in all my life. I reared two children, I have three beautiful grandchildren and I do not expect them to be perfect, but I do not consider them with dogs. On top of that, and even with that, Mr. President, under the dog law, a poor dog is entitled to one bite but here we are going to prosecute someone's parents just because a kid ran down the street and willfully and maliciously upset his kiddie car in somebody's flower garden. It is silly.

Mr. STIEFEL. Mr. President, I am very fond of Senator Pechan, despite the fact that he runs one of those crematoria where many of my bills are not only pulverized and buried, but they are cremated. However, this time I must take a side from a completely different angle. I believe this is one of the few instances when I do not follow in the footsteps of Colonel Dent. You see, I always consider myself as his disciple, but unfortunately I cannot share his views.

From one point of vantage, I do not think of the little boy or girl who caused the damage. I simply resent the hedonism, and hedonism is defined as the pursuit of pleasure, in which many of the parents indulge now days. If the parents would pay more attention to the home fires and keep them bright, there would be no need to pass legislation of this kind; but the tendency nowadays is to escape from duty, even if the duty is parental.

Now let this be a monitory finger to those arrant mothers who think more about bridge parties than they think about their children, or about fine clothes and window shopping. Let it be a reminder to them that there is a law; that if they are lax in their duties, they will have to pay for it.

Mr. WEINER. Mr. President and Members of the Senate, I do not know whether this bill will cure the evils that the Senator has outlined here. He has not introduced any evidence of that fact, but I think we had better bear in mind one important factor. The principal behind this bill is a bad one. The fact that you are going to make someone liable, other than the acting party, for what somebody else does is a bad principle, and I think it is an unconstitutional bill for that reason.

I also would like to point out to the Senator that some of the worst youngsters have grown up to be House Members and Senators, so that the purpose in this will sort of maybe deter some of the better members who might even come to this body at an early stage. I would like to point out further to the Senator that you cannot imply willfullness or intent to young children. As a matter of fact, the law will not let you imply that. They must be beyond a certain age before the law will even impugn that type of attitude on their part, so that by simply passing this act, you will not be able to do that.

We also have on the books today where a youngster shows vicious propensities their parents are automatically liable. There also are on the books today actions that you can take in trespass against parents whose children commit certain acts or actions. Therefore, I think we are just enacting into law bad legislation to try to cope with a problem which we do not know whether this will be the panacea or the nostrum to cure the ills that you have set out before us.

Mr. HAYS. Mr. President and Members of the Senate, I am going to vote "no" on this legislation and in so doing, I am voting a vote of confidence in the teen-agers of today. I happen to live in a town where 10,000 of them are away from home, and compared to the stories the old-timers tell when there were 300 and 400 students there, they had a cow in the belfry about every week, and if these 14,000 students would take them up at that rate, the cows would be going up and down the stairway all the time.

The teen-agers of today, it seems to me, are doing constructive things. In a week or so you will find, instead of a hell week in my town, a help week, where the young people are preparing and working at university projects, community playgrounds, churches, schools, hospitals and that sort of thing.

The second reason I am going to vote "no" on this is because I am voting, I think, a vote of confidence in our present courts, and to support this I want to read first a news item and then an editorial from two Altoona newspapers. The paragraph from the news story is from the Altoona Tribune, which indicates to me that courts already have this power.

"Presiding at a session of juvenile court," and I quote, "Judge Klepser admonished the parents of defendants present in court for their apparent lack of control over their children. Judge Klepser stated that parents face the possibility of having to pay the upkeep, which averages about $100 a month at the present time."

The editorial from the Altoona Mirror is as follows:

"The parents attracted the most attention in the court for they were all assigned chairs in the jury box, ordinarily reserved for the panel of jurors. They were addressed by Judge Klepser as he severely criticized fathers and mothers for their clearly demonstrated lack of control over their children."

This it seems to me would mean, at least according to these newspaper reports, that one judge in one county thinks he already has enough legislation to cope with this type of problem.

Mr. DENT. Mr. President, I would like to answer my revered friend, Senator Stiefel, because his approach to this is probably the underlying approach of many of the citizens who believe this is good legislation.

I would love to read just a few lines of the results of a study made by Jhan and June Robbins, who traveled the length and breadth of the United States, developing an answer to a question that was propounded and I read the question:

Michael Walpin, of New York City, asked this question: "'I've heard of laws which punish parents for crimes committed by their children. Do these laws help prevent juvenile delinquency?'" Do these laws help in the matter of behavior of children?

"We gave Mr. Walpin's query to Jhan and June Robbins and sent them on a "Nation-wide fact-finding tour. This is their report."

Let me read just a few excerpts, because I think this is a serious piece of legislation. It is much more serious than just taking the facts of some group or other or some newspaper that is interested in getting some legislation through because they have made it a crusade on their part. It is one that we have to answer for. We are the Legislators in this State, at least until the end of our terms of office.

"Throughout the country today more and more people are blaming parents for juvenile crime" and delinquency in action. "The sentiment seems to be: behind every delinquent youngster stands a delinquent parent!

"As a result large numbers of communities, frightened by rising juvenile" delinquency and "violence, have recently passed—or are seriously" contemplating—"new laws providing stiff fines or" in some cases "jail sentences for the mothers and fathers of our nation's children. Known generally as 'punish-the-parent' laws, the movement is described as a new 'get tough' tactic against delinquency.

"Its supporters argue: 'Give some of these parents a taste of jail or soak them with a fat fine and they will all buckle down and do a better job of bringing up their children!'"

That seems to be the premise that Senator Stiefel stands on. Now let us see what they find out, Senator. They say:

"Does it work? Are these laws a new and useful weapon against juvenile crime" and action "that all communities ought to copy?

"We believe that the answer is no!"

Listen to this:

"And in Michigan, a 10-year-old" lad "who was annoyed because his father punished him by docking his allowance smashed four glass panes in a nearby greenhouse.

"'I was sore at my father and wanted to get him in trouble,' he explained to police. He succeeded." His father was duly hailed before a squire. The record made it a fact that his father paid a fine of twenty-five dollars.

Let us go on a little further.

"Finally, and perhaps most important, is the undue amount of damage the new laws inflict upon the innocent. Most of the law officers "agree, and we have talked to many," that few families produce more than one really 'bad seed.' The other children in the family may be obedient, studious and hard-working—wholly good juvenile citizens. They are apparently being raised quite properly by the same set of parents who are fined or "in some instances," sent to jail because of the delinquency of a brother or sister."

Let us see what the advice is of these people who have made a study, and no person in this room can say he has made a complete study of this situation.

"No community should discuss this legislation without studying the 10-year-long experiment in Dayton, Ohio." I beg your pardon. I said Toledo; it is Dayton. "It is the only really sizable area in the United States where the new idea was given a lengthy, earnest, well-administered trial. It was abandoned as a "complete" failure."

Let us go further.

"Anyone who thinks the way to curb juvenile delinquency is to punish every parent of a delinquent youngster ought to read this thoughtful article. It's an eye-opener.

"The parent who contributes, through fault or neglect, to his child's delinquency may be, under existing law in most states, held liable for the child's delinquent acts. To impose a vicarious liability upon every parent whose child commits "any kind of a mischievous prank or" delinquent act, is not only repugnant to American concepts of justice and fair play; it is contrary to sound social policy.

"Punitive laws "maybe" seem the cheap and easy "to pass" way out. Actually in many cases they can do more harm than good."

I want to say to Senator Pechan—and I fully realize that he is really sincere in this matter—not in the form of criticism, but in the form of kindly and fatherly advice since he is so young, that never having had children, he cannot understand that children are peculiar little animals. They are human animals with the craziest little traits that you have ever seen. You would be surprised how stubborn a three year old can get, and you would be surprised how contrary a seven year old can be. Then as they grow a little older, you will learn that what your father told you was true: "Little children, little troubles; big children, big troubles."

Mr. SILVERT. Mr. President, I think we have grown too sentimental in this argument when we say that this bill will punish four year olds and five year olds, or that it will inflict fines and punishment upon parents.

We seem to lose sight of the fact that damage is done by children somewhere between the ages of twelve and seventeen, and then we hear the argument about making the poor, innocent parents liable for it. Now not all people are rich and not all people are poor. Some of these acts of delinquency are performed upon people of small means. If you are going to raise a question of innocence, who should pay of two innocent parties? Should the one pay whose child is at home and is behaving himself, or the one down the street who comes through and breaks the windows and causes damage? You have two innocent parties, two parents. Why call the parent of the delinquent child so innocent and make it appear as though the parent of the well behaved child is guilty? The parent of the well behaved child has suffered the damage. He is just as innocent as the other one. As between two innocent parties, I would rather have the parent of the delinquent child pay the damage.

May I say further that I believe this Act would have a psychological effect upon parents. It would make them feel that they have some responsibility to see that their children do not create damage to other people's property. That, in itself, is sufficient argument for passage of this bill.

Mr. YOSKO. Mr. President, as Senator Weiner said, I do not know how much good the passage of a bill such as this will do. However, as was just pointed out, if the psychological effect would cause some parents to exercise better control over their children, it will have done some good.

I just wonder how many youngsters are in Huntingdon Reformatory today because they started out by throwing stones through windows and causing damage otherwise, got away with it and did some more serious things, and finally wound up in the juvenile courts and to Huntingdon they went. I know of one case such as that right now. I have been trying to get the boy out. In the report which came back to me, it was stated that among the things he did was cause damage to property. He has been in there for ten years now. It does not seem like there is any chance of his getting out because the superintendent of Huntingdon Reformatory says that he has not sufficiently rehabilitated himself. One of these days I am going to put in a resolution to find out what sort of a program they have at Huntingdon to rehabilitate those youngsters. If they cannot do the job in ten years, then they will never do it and some of those kids will be there for the rest of their days.

However, Mr. President, this bill was considered by the city council of Bethlehem where I live. The mayor of the city is the chairman or the president of the League of Third Class Cities. They recommend and urged me to support this bill. I am not talking about two, three and four year old youngsters. Everybody knows the age group which this bill is driving at. I know of groups that run around and they think it is funny to pick up stones and throw them through windows and just run. There was a group of these youngsters who passed my window where I conduct my business, and it is a large window. They will run past it and just hammer on it. One of these days it is going to fall through. This sort of bill is aimed at children like that.

As I said before, if the psychological effect is going to cause parents to exercise more control over groups such as I mentioned and, as a result, deter that type from committing the acts which they do, we will be doing something for the younger people of this State. Since I can see no harm and can see some good in the passage of the bill, I am going to vote for it.

Mr. LANE. Mr. President, I dislike very much to take up the time of the Senate, but they speak about particular groups at which this bill is aimed. The legislation means no more or no less than what it says: "all children under the age of eighteen years."

The way I see this piece of legislation, I am afraid it is

going to discourage this great American pastime, baseball. I am afraid that when the Little Leaguers go out to play ball, they will be afraid to put the steam on and hit home runs because they might knock a window out. Then their parents will be liable and they will be hauled into a squire's court. What they will do is concentrate on singles and doubles.

I think it is silly, because it is aimed at all children under the age of eighteen. Like I said, if you vote for this, you might just as well repeal the Juvenile Court Law.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Berger,	Fleming,	Pechan,	Van Sant,
Blass,	Harney,	Propert,	Wade,
Camiel,	Kessler,	Ruth,	Wagner,
Chapman,	Kopriver, Jr.,	Scott,	Walker,
Derk,	Kromer,	Silvert,	Watkins,
DiSilvestro,	Madigan,	Stevenson,	Watson,
Ehrgood,	Mahany,	Stiefel,	Whalley,
Elliott,	Mallery,	Taylor,	Wolfe,
Flack,			Yosko,

NAYS—14

Barr,	Kalman,	McMenamin,	Sarraf,
Dent,	Lane,	Mullin,	Schmidt,
Donolow,	McGinnis,	Murray,	Seyler,
Hays,			Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 71, Printer's No. 39; and

Senate Bill No. 224 (Pink).

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 266, entitled:

An Act amending the act of May 21, 1956 (P. L. 1642) entitled "Commonwealth Mental Health Research Foundation Act" further defining the powers and jurisdiction of the Foundation

An said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I understand that Senator Dent has amendments to offer to this bill, which I have not had the opportunity of seeing. I would request that the bill go over in order so that we may check the amendments tomorrow morning.

Mr. DENT. Mr. President, I will be glad to have it go over in order, and I will present him with the amendments now.

The PRESIDENT. There being no objection, the bill will go over in its order.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 18, entitled:

An Act making an appropriation to the Department of Military Affairs for expenses of a civilian high-power rifle team to the annual High-Power National Rifle Matches presently held at Camp Perry, Ohio.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 18, the bill just read, be re-referred to the Committee on Appropriations.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 70, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," prohibiting payments for certain types of transportation from school district funds procured by the assessment levy or collection of taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 110, Printer's No. 41, on second reading, go over in its order.

The PRESIDENT. Is there objection. The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 115, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" abolishing the Special Administration Fund providing for disposition of moneys in the fund and discontinuing authorization to erect buildings.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend the bill, page 8 and 9, by striking out lines 8 to 19, inclusive on page 8, and lines 1 to 17, inclusive, on Page 9.

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Section 3, page 9, line 18, by striking out "3" and inserting: "2"; Amend Section 3 (Section 601), page 10, lines, 6, 8, 11, 16, 18 and 19, by striking out the bracket before "except" in line 6, after "one" in line 8, before "Interest" in line 11, after "Fund" in line 16, before 'and" in line 18, and after the parenthesis in line 19; Amend Section 3 (Section 601), page 11, lines 13 to 18, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Section 4, page 11, line 19, by striking out "4" and inserting: "3"; Amend Section 4 (Section 601.1), page 11, line 20, by striking out "repealed" and inserting: "amended to read

"Section 601.1. Special Administration Fund.—(a) There is hereby created a special fund, separate and apart from all public moneys or funds of this Commonwealth, to be known as the Special Administration Fund. Under rules and regulations adopted by the department, interest and penalties collected from employers under the provisions of this act may be paid into the Special Administration Fund. Such rules and regulations may provide for determining in any manner which payments of interest and penalties are to be paid into the Special Administration Fund and which payments of interest and penalties are to be paid into the Unemployment Compensation Fund. [There shall also be deposited in the Special Administration Fund moneys as provided in subsection (b) of section two hundred one of this act.] The moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against Federal grants or other funds received for or in the Administration Fund [and also for the purposes authorized in subsection (b) of section two hundred one of this act]. Said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for, or a corresponding reduction in, Federal funds which would be in the absence of said moneys be available to finance expenditures for the administration of this act. Nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which Federal funds have been duly requested but not yet received, subject to the charging of such expenditures against such funds when received. The State Treasurer shall make payment of obligations from the Special Administration Fund as herein provided, upon requisition of the secretary and certification by him that no other funds are available or can properly be used to finance such expenditures. The moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act, as amended, which, because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of, those necessary for the proper administration of this act and are available for such replacement, whether or not such moneys were expended or the obligations covering such expenditures were incurred prior or subsequent to the enactment of this amendment. The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section, and shall not lapse at any time or be transferred to any other fund except as herein provided and as provided under section three hundred eleven, wherein an amount equal to any refund or credit of interest or penalties shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund.

"(b) Any other provision of this act notwithstanding, no more than seventy-five thousand dollars ($75,000.00) shall be expended from the moneys in the Special Administration Fund in any fiscal year; and at the close of each fiscal year all moneys in the Fund in excess of seventy-five thousand dollars ($75,000.00) shall be transferred to the Unemployment Compensation Fund and credited to the Employers' Contribution Account as specified in section six hundred one.

"(c) All moneys in excess of seventy-five thousand dollars ($75,000.00) in the Special Administration Fund on the effective date of these amendments shall be paid into the Unemployment Compensation Fund and credited to the Employers' Contribution Account as specified in section six hundred one."

They were agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Section 5, page 12, line 1, by striking out "5" and inserting: "4"; Amend Section 5 (Section 602.1), page 12, lines 18 and 19, by striking out the bracket before "transferred" in line 18, and after "moneys" in line 19; Amend Section 5 (Section 603), page 13, line 8, by striking out "and"; Amend Section 5 (Section 603), page 13, line 9, by striking out the bracket before "and" and after "Fund."

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Section 6, page 14, line 5 by striking out "6" and inserting: "5."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BERGER offered the following amendment:

Amend the title, page 2, lines 6 and 7 of the title, by

striking out all of line 6, and "position of moneys in the fund and" in line 7, and inserting: "establishing a monetary limit to the amount of funds in the Special Administration Fund and."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 115, Printer's No. 38, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 138, entitled:

An Act providing for the publication of the names and records of Pennsylvania volunteers who served in the Spanish-American War and making appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 138, the bill just read, be re-referred to the Committee on Appropriations.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 140, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing representation on the board of directors of union and merged school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 147, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act," exempting from the tax the transfer of real property by certain holders in escrow.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. SILVERT and SCOTT offered the following amendments:

Amend Section 1 (Section 2), page 3, line 6, by inserting after "premises"; "or transfer to a trustee for the express purpose of holding title in trust as security for a debt contracted at the time of the transfer and the retransfer to the grantor-borrower upon the repayment of the debt"; Amend Section 1 (Section 2), page 3, line 10, by striking out the brackets before and after "and"; Amend Section 1 (Section 2), page 3, lines 10 to 15, by striking out "and in any instance where the parties to the" in line 10 and all of lines 11 to 15.

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 161, entitled:

An Act amending the act of May 2, 1949 (P .L. 873) entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections * * *" clarifying the provisions of the act as to its application in townships.

The first section was read.

On the quetion,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 1 (Sec. 2), page 2, line 18, by striking out "in so far as the term applies to townships shall include only each"; Amend Sec. 1 (Sec. 2), page 3, lines 1 and 2, by striking out both of said lines, and inserting: "shall not include constables and their deputies."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 203, entitled:

An Act amending the act of June 21, 1939 (P. L. 565) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled as amended "The Pennsylvania Workmen's Compensation Act' as reenacted and amended * * *" providing for withdrawal of election and acceptance to be covered by act

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Section 1 (Section 1), page 3, line 16, by inserting after "mail": "and further provided that employees of such employer at the time of his withdrawal shall be notified by written notice handed personally to them or by registered or certified mail."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 203 (Pink), on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 216 (Pink), on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 241, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," limiting reimbursement for depreciation to school districts which use their own vehicles in transporting pupils.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 76, entitled:

An Act reenacting and amending the act of July 7, 1955 (P. L. 256) entitled "An act creating a temporary advisory commission to examine report upon and recommend reorganizations of agencies and functions of the State government; . . ." reactivating and extending the life of the commission.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President, I had a statement to make but in view of the lateness of the hour, I will make my speech tomorrow.

Mr. DENT. Mr. President, due to the lateness of the hour, I have agreed not to give my report that I had in answer to the request made by Senator Mahany on some details concerning the purchase and resale of automobiles under the new car purchase plan of the Commonwealth, which I hope to give tomorrow.

At the same time tomorrow, I expect to go into the question of the conflicting reports being given to the people of Pennsylvania and to the residents of other States as to Pennsylvania's position in the firmament of States in regard to taxes and the question of whether or not this is a good place in which to live and to do business. Tomorrow, I expect to take that to the floor.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, March 5, 1957, at 1:00 o'clock p. m., Eastern Standard Time.

Mr. MURRAY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:20 o'clock, p. m., Eastern Standard, until Tuesday, March 5, 1957, at 1:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, March 4, 1957

The House met at 4:30 p m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Rev. Mark J. Hostetter, Pastor of the Lincoln Park Community Church, Reading, Pa., guest Chaplain and guest of the gentleman from Berks, Mr. Piper, offered the following prayer:

Almighty God, Creator of all things and sustainer of life, create within us, we pray, thankful hearts. Make us aware of Thy goodness that we shall be neither unmindful of Thy gifts nor unworthy of Thy wise plan for our lives.

We beseech Thee in behalf of this renowned body of legislators. Grant them wisdom of mind to see the right and courage of heart to perform it. May they chart a noble course for this historic commonwealth so that the spirit of the past may live on today and tomorrow. Grant them that humility that sees life clearly, and that sincerity that will make them go the second mile to find the greater good.

O God, our Guide, grant a godly outlook to everyone engaged in the government of our land from the most exalted offices to the lowliest ones. Enlighten the citizens throughout the land's length and breadth. Give us a citizenship that will support its leaders in the right and strive earnestly to help them out when they are wrong.

May these days be days of honor, days of right thinking, days of honest labor and humble service, days of loving our neighbors as ourselves. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, February 25 and Tuesday, February 26, 1957? If not, and without objection, the Journals are approved.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House two former Members of this House from Allegheny County, Mr. Olaf Olsen and Mr. Andrew Thomas.

BILLS INTRODUCED AND REFERRED

By Messrs. RAGOT and WILT. HOUSE BILL No. 593.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction; fixing the qualifications and compensation of members and imposing certain duties on the commission.

Referred to the Committee on State Government.

By Mr. MAXWELL. HOUSE BILL No. 594.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), relieving from penalties certain persons who have made application for operator's licenses or learner's permits and have not received them on the required date.

Referred to the Committee on Motor Vehicles.

By Mrs. KOOKER and Mr. KELLER. HOUSE BILL No. 595.

An Act amending the Act of May 1, 1929, (P. L. 905), known and cited as "The Vehicle Code." by regulating issuance of registration plates to physicians licensed to practice medicine and surgery in Pennsylvania.

Referred to the Committee on Motor Vehicles.

By Messrs. FARABAUGH and ASHTON. HOUSE BILL No. 596.

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), requiring testing of composite sample within five days after taken.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. WILLAREDT and FETTEROLF. HOUSE BILL No. 597.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing that permits for obstruction of township roads shall be issued by township supervisors.

Referred to the Committee on Townships.

By Messrs. HOCKER, PAUL G. MURRAY and ROYER. HOUSE BILL No. 598.

An Act amending the act of April 22, 1953 (P. L. 184), entitled "An act to continue the imposition of the tax on gross premiums, premium deposits and assessments received from business transacted within this Commonwealth by foreign insurance companies, associations and exchanges," requiring that policies issued by companies subject to the act show the location of insured property and the residence of insured persons; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Messrs. HOCKER and KELLER. HOUSE BILL No. 599.

An Act prohibiting the attaching of tablets or markers on public buildings in certain cases; imposing duties on district attorneys and courts of common pleas; and prescribing penalties.

Referred to the Committee on Judiciary Special.

By Mr. McCORMACK and Mrs. KOOKER. HOUSE BILL No. 600.

An Act amending the "Unemployment Compensation Law," approved Dec. 5, 1936 (1937 P. L. 2897) making persons discharged for failing to give testimony claiming immunity under the Fifth Amendment of the Constitution of the United States ineligible for compensation.

Referred to the Committee on Labor Relations.

By Messrs. AUSTIN M. LEE and TOLL. HOUSE BILL No. 601.

An Act amending the act of February 24, 1806 (P. L. 334, 4 Sm. L. 270) entitled "An act to alter the Judiciary System of this Commonwealth," requiring that certain confession of judgment proceedings be docketed in the Municipal Court of Philadelphia.

Referred to the Committee on Judiciary.

By Messrs. AUSTIN M. LEE and TOLL. HOUSE BILL No. 602.

An Act amending the act of March 21, 1806 (P. L. 558, 4 Sm. L. 326) entitled "An act to regulate Arbitrations and Proceedings in Courts of Justice," requiring certain judgments in amicable actions to be filed in the Municipal Court of Philadelphia.

Referred to the Committee on Judiciary.

By Messrs. TOLL and AUSTIN M. LEE.
HOUSE BILL No. 603.

An Act amending the "Municipal Claim and Tax Lien Law," approved May 16, 1923, (P. L. 207), requiring the filing of certain municipal claims in the Municipal Court of Philadelphia.

Referred to the Committee on Judiciary.

By Messrs. TOLL and AUSTIN M. LEE.
HOUSE BILL No. 604.

An Act amending the act of July 12, 1913, (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; * * * regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," further providing for the transfer of cases by and to the court of common pleas.

Referred to the Committee on Judiciary.

By Messrs. DALRYMPLE and POLASKI.
HOUSE BILL No. 605.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051) permitting holding of limited amount of personal property by recipients of public assistance.

Referred to the Committee on Welfare.

By Messrs. DALRYMPLE and POLASKI.
HOUSE BILL No. 606.

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051) defining "resident" and further regulating eligibility for assistance.

Referred to the Committee on Welfare.

By Mr. VERONA. HOUSE BILL No. 607.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting sale of liquor and malt and brewed beverages on Christmas day.

Referred to the Committee on Liquor Control.

By Messrs. DALRYMPLE and POLASKI.
HOUSE BILL No. 608.

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051) prescribing property qualifications for certain recipients of public assistance.

Referred to the Committee on Welfare.

By Messrs. WEIDNER, BREISCH and POLASKI. HOUSE BILL No. 609.

An Act amending the "Nonprofit Corporation Law," approved May 5, 1933, (P. L. 289), making further provisions relating to nonprofit medical, dental and osteopathic service corporations; extending the provisions of said act relating to the furnishing of medical, dental and osteopathic services by nonprofit medical, dental and osteopathic service corporations so as to include the furnishing of chiropractic services to subscribers and their dependents; * * *

Referred to the Committee on Public Health and Sanitation.

By Messrs. PURSLEY and BOWER.
HOUSE BILL No. 610.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing coroners and chief deputy coroners to attend State association meetings, the expenses therefor to be paid by the county.

Referred to the Committee on Counties.

By Messrs. THOMAS H. W. JONES and McCANN. HOUSE BILL No. 611.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) creating the State Board of Examiners for Water Well Drilling Contractors.

Referred to the Committee on State Government.

By Messrs. THOMAS H. W. JONES and McCANN. HOUSE BILL No. 612.

An Act relating to water well drillers, providing for the registration and licensing of water well drillers; conferring powers and imposing duties upon the State Board of Examiners for Water Well Drilling Contractors; providing for the revocation or suspension of licenses and prescribing unlawful acts and penalties.

Referred to the Committee on State Government.

By Mr. DUNN. HOUSE BILL No. 613.

An Act amending the "Public Assistance Law," approved June 24, 1937, (P. L. 2051), changing eligibility requirements for assistance.

Referred to the Committee on Welfare.

By Messrs. WALSH, McLAUGHLIN, FILO and HOCKER. HOUSE BILL No. 614.

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; * * *," changing conditions upon which county commissioners may contribute toward funeral expenses of deceased service personnel.

Referred to the Committee on Military Affairs.

By Messrs. WALSH, McLAUGHLIN, FILO and HOCKER. HOUSE BILL No. 615.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), regulating contributions made by county commissioners toward funeral expenses of deceased service persons.

Referred to the Committee on Military Affairs.

By Messrs. WALSH, McLAUGHLIN, FILO and HOCKER. HOUSE BILL No. 616.

An Act amending the "Second Class County Code," of July 28, 1953 (P. L. 723), regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows.

Referred to the Committee on Military Affairs.

By Mr. KELLER. HOUSE BILL No. 617.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) further regulating motor vehicles used for the transportation of school children.

Referred to the Committee on Motor Vehicles.

By Messrs. PAUL G. MURRAY, ROYER, ESHLEMAN and WOOD. HOUSE BILL No. 618.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land in the Borough of Millersville and in the Township of Manor, Lancaster County, for the use of the Millersville State Teachers College, and making an appropriation.

Referred to the Committee on State Government.

By Messrs. DAVIS and GIBSON. HOUSE BILL No. 619.

An Act amending the "Law Fixing Annual Charge on Forest Lands," approved May 17, 1929 (P. L. 1798), changing limitations on the responsibility of the Commonwealth to pay charges to counties on certain Federal forest reserves.

Referred to the Committee on State Government.

By Messrs. DIETTERICK, POST, PARRY and CURWOOD. HOUSE BILL No. 620.

An Act amending "The Borough Code," approved May 4, 1927, (P. L. 519), authorizing boroughs to appropriate funds for certain civic observances.

Referred to the Committee on Boroughs.

By Messrs. DIETTERICK, POST and CURWOOD. HOUSE BILL No. 621.

An Act amending "The Borough Code," approved May 4, 1927, (P. L. 519), authorizing boroughs to provide workmen's compensation insurance coverage to elected officers.

Referred to the Committee on Boroughs.

By Messrs. WEIDNER, BREISCH and POLASKI. HOUSE BILL No. 622.

An Act reenacting and amending the "Nonprofit Medical, Dental and Osteopathic Service Corporation Act," approved June 27, 1939 (P. L. 1125) including in the plan chiropractic services and defining "chiropractic services" for the purpose of this act only.

Referred to the Committee on Public Health and Sanitation.

By Messrs. RAGOT and WILT. HOUSE BILL No. 623.

An Act to define, license and regulate resident and nonresident auctioneers and apprentice auctioneers in certain political subdivisions, and revising, consolidating and making the law uniform, relative thereto; * * * providing for the keeping of records and the inspection thereof; repealing certain inconsistent laws and providing penalties.

Referred to the Committee on Professional Licensure.

By Messrs. PURSLEY, H. P. MURRAY and HORST. HOUSE BILL No. 624.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) reducing the amount of the fine for certain violations.

Referred to the Committee on Motor Vehicles.

By Messrs. PURSLEY, H. P. MURRAY and HORST. HOUSE BILL No. 625.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) reducing the amount of the fine for certain violations.

Referred to the Committee on Motor Vehicles.

By Mrs. DONAHUE and Mr. GEORGE. HOUSE BILL No. 626.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), providing for suspension and revocation of operator's licenses and learner's permits by the Secretary of Revenue on a point system * * *.

Referred to the Committee on Motor Vehicles.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 74.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" further regulating the issuance of registration plates to news photographers.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 108.

A Supplement to the act of June 2, 1915 (P .L. 736) entitled as amended "The Pennsylvania Workmen's Compensation Act" providing for the payment of compensation to auxiliary police or their dependents.

Referred to the Committee on Labor Relations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. LIPPINCOTT. (Concurrent) RESOLUTION No. 36.

In the House of Representatives, February 26, 1957.

The acts of May 29, 1931, P. L. 280 and July 7, 1947, P. L. 1368 together compose the major legislation governing the tax sales of real estate. As such, they are of vital importance to the residents of Pennsylvania.

The above cited acts provide for periods of redemption of lands sold for taxes, in particular the redemption of lands purchased by the county commissioners at the tax sales and later sold by them. The provisions of the act of May 29, 1931, P. L. 280 are unfair to purchasers at the tax sales under that act, in that they encourage speculators to refrain from competitive bidding in order to purchase the property at ridiculously low prices from the former owners and then claim the property under the redemption rights. In this way it is difficult to secure good competitive bidders and fair prices; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study, investigate and compare the provisions of the two above cited acts relating to real estate tax sales with a view to correcting the evils concerning the redemption of lands which discourage competitive bidding under the act of May 29, 1931, P. L. 280, and report to the next regular session of the General Assembly its recommendations, with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

By Messrs. SCHWARTZ, SHIELDS, FLOYD and FINEMAN. RESOLUTION No. 37.

In the House of Representatives, February 25, 1957.

Philadelphia, according to newspaper accounts, has been the victim of the attempted creation of a chapter of the "Seaboard White Citizens' Council," an anti-integration group. It is reported that a person connected with John F. Kasper has already solicited some citizens of the City of Philadelphmia to induce them to join this council. This individual, John F. Kasper, is supposed to have originally created the council which has as its purpose

he combating of the United States Supreme Court's rul-
ng against segregation in the Nation's public schools and
ehicles of public transportation. The reputation of John
. Kasper's diabolical scheme to combat integration in the
chools of the South has already attained the height of
nfamy in the way of riots and unrest. The lamentable
iots that occurred at the site of Clinton, Tennessee's pub-
ic high school were due in no small part to the tireless
fforts of Kasper in haranguing the citizens of an other-
vise peaceful community. Now, reputed henchmen of
Kasper are attempting to recruit members for this vile
rganization from among the citizenry of the City of Phila-
elphia. While there is doubt that the good people of
he City of Philadelphia will ever be duped into join-
ng this organization, it is of the gravest concern to the
General Assembly to assure itself and all the citizens of
he Commonwealth that no group with the avowed pur-
ose of undermining by violence and class hatred the
aw of the land, ever establishes itself in the Common-
vealth; therefore be it

Resolved, That the Speaker of the House of Represent-
tives of Pennsylvania name a committee of four mem-
ers to conduct an immediate investigation into all matters
ertaining to this attempt at creating a branch of the
Seaboard White Citibens' Council in Philadelphia or any
ther such unlawful organization; and be it further

Resolved, That the committee make a report of its
ndings together with recommendations for appropriate
egislation at the earliest possible date before the adjourn-
ment of this session of the General Assembly.

Referred to the Committee on Rules.

By Messrs. TOLL, GELFAND, FINEMAN and SCHWARTZ. (Concurrent) RESOLUTION No. 38.

In the House of Representatives, February 26, 1957.

Whereas, The President of the United States addressed
he nation on the problem surrounding Israel's refusal
o remove her forces from the Gaza strip and the Gulf
f Aqaba unless certain guarantees were provided for
srael's security; and

Whereas, The President suggested that sanctions might
e imposed upon Israel by the United Nations, although
he use of the word sanctions was carefully avoided in
he address; and

Whereas, the suggestion to punish Israel, the only true
nd consistent friend of the United States in the Middle
ast and the only Democracy in the dictator-dominated
rea, without also imposing sanctions and like pressure
gainst larger nations particularly Egypt which has re-
eatedly attacked Israel and violated United Nations
esolutions and directives, is unconscionable and not in
he best interests of the United States or of the United
ations; and

Whereas, it is contrary to fundamental American con-
epts of morality and fair play to have a double standard
f morality and justice applied; therefore be it

Resolved (the Senate concurring), that the United
tates Senators from Pennsylvania oppose and protect
ny effort by the United States or the United Nations to
rce Israel to withdraw from the Gaza strip or the Gulf
f Aqaba or to threaten or impose sanctions for its
ilure to do so, without giving Israel firm guarantees of
ecurity at the same time against continued aggression
nd acts of war on the part of Egypt; and be it further

Resolved, that a copy of this resolution be furnished
o the Honorable Edward Martin and the Honorable
oseph S. Clark, Jr.

Referred to the Committee on Rules.

By Mrs. VARALLO and Mrs. MILLER.

RESOLUTION No. 39.

In the House of Representatives, February 25, 1957.

As the slipping years of paucity of action round out a
ll decade of inadequacy and in some instances of abject
action, the rapid completion of both the Independence
all Park and the Independence Hall Mall should be a "must" of compelling urgency on the agenda of the current session of the United States Congress and the General Assembly of Pennsylvania.

Acquisition of land by purchase or condemnation, for the creation of the Park and the Mall, could have been accomplished at a minimum of cost in the late forties when prices then prevailing were low compared with the inevitable increases of the land and building values resulting from inflation and other causes that are swelling current prices.

Additional delays in the completion of the Independence Hall Park and Independence Hall Mall or paucity of appropriations would further retard the development of the entire area of Old Philadelphia that could become a Mecca of Tourism and then slow up the influx of visitors from all over the United States, whose annual number now exceeds 1,300,000 and is expected by the National Park Service to exceed 2,000,000 by 1960; therefore be it

Resolved, That the House of Representatives of Pennsylvania in the name of the people of Pennsylvania, memorialize the Congress of the United States to appropriate during its current session not less than the sum of seven and a quarter million dollars which is needed for the acquisition of the remaining land and buildings in the area designated for the Federal Independence Hall Park; and be it further

Resolved, That upon the passage of the instant Resolution, copies thereof be forwarded by the Chief Clerk of the House of Representatives to the Speaker of the House of Representatives, the President of the United States Senate and to each member of Pennsylvania's Congressional delegation, as well as the United States Senators from Pennsylvania, Edward Martin and Joseph S. Clark, Jr.

Referred to the Committee on Rules.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 4, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 11, 1957, at four o'clock p. m. EST and when the House of Representatives adjourns this week, it reconvene Monday, March 11, 1957, at four-thirty o'clock p. m. EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in

Ordered, That the Clerk inform the Senate accordingly.

CONSTRUCTION REPORT OF GENERAL STATE AUTHORITY

The SPEAKER laid before the House the Construction Report of the General State Authority for 1957.

Referred to the Committee on State Government.

JOINT STATE GOVERNMENT COMMISSION

REPORT OF THE SUBSIDENCE COMMITTEE

Mr. JUMP presented the following communication and report from the Joint State Government Commission.

The communication was read by the Clerk as follows:

March 4, 1957.

To the Honorable, the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

Pursuant to the provisions of the Act of 1956, May 31, P. L. (1955) 1931, there is presented herewith the Report of the Subsidence Committee established under the act.

Copies of this report for members of the House of Representatives have been delivered to the House post office.

Respectfully submitted,

BAKER ROYER, Chairman

(For Report see Appendix)

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 33.

An Act amending the act of May 21 1931 (P L 149) entitled as amended "The Liquid Fuels Tax Act" making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

USE OF HALL OF HOUSE GRANTED

Mr. JOHNSON. Mr. Speaker, I want to offer the following motion. I would say that it is a distinct honor to the House what we seek to have done by this motion and we certainly would like unanimous approval of it.

I move that the use of the Hall of the House of Representatives be granted to the State Treasurer-Elect, the Honorable Robert F. Kent, for Monday, May 6th, 1957, at 12:00 o'clock noon, for the purpose of conducting ceremonies incident to taking his oath of office. And,

That the use of the Hall of the House of Representatives be granted to the Auditor General-Elect, the Honorable Charles C. Smith, for Tuesday, May 7th, 1957, at 12:00 o'clock noon, for the purpose of conducting ceremonies incident to taking his oath of office.

The motion was unanimously agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 4, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session tomorrow March 5, 1957, at their convenience.

GEORGE M. LEADER.

GOVERNOR INVITED TO ADDRESS JOINT ASSEMBLY

MR. BREON. Mr. Speaker, I move that His Excellency the Governor of the Comomnwealth, the Honorable George M. Leader, be invited to the Hall of the House of Representatives to address the General Asembly in Joint Session at a time to be fixed by concurrent resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 4, 1957.

Resolved, (the House of Representatives concurring) That the Senate and House of Representatives meet in Joint Session Tuesday, March 5, 1957, at two o'clock p.m. EST in the Hall of the House of Representatives for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

COMMITTEE TO ESCORT GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 4, 1957.

Resolved, (the House of Representatives concurring) That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency the Governor to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee on the part of the House to escort the Governor to the Hall of the House, Messrs. T. H. W. Jones, George and Amarando.

COMMITTEE TO ESCORT SENATE

Mr. KELLER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, March 4, 1957.

Resolved, That the Speaker appoint a committee of two Members of the House to escort the officers and the Members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly, Tuesday, March 5, 1957, at 2:00 o'clock p.m.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee to escort the Senate to the Hall of the House Messrs. Keller and Kamyk.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. TOMPKINS asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No 29, entitled:

An Act authorizing counties cities boroughs incorporated towns townships school district poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law * * * and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 105, entitled:

An Act amending the "World War II Veterans' compensation Act" approved June 11, 1947 (P. L. 565) extending the time during which applications may be filed for veterans' compensation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 172, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) extending provisions relating to obscene literature and objects and increasing the penalty for violating the provisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 458, entitled:

An Act validating the assessment rolls of counties from the fourth to eighth class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 29 ,entitled:

An Act amending the act of May 9, 1949 (P. L. 908) entitled * * * authorizing county controllers to destroy or dispose of certain records and papers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended * * * providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 163, entitled:

An Act amending the act of May 16, 1945 (P. L. 594), entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings, * * *," imposing penalties for violation of the act, and in certain cases removing from office magistrates * * * failing to make monthly settlements with certain political subdivisions.

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendments:

Amend Sec. 1 (Sec. 1), page 3, line 1, by inserting after "peace" wilfully.

Amend Sec. 1 (Sec. 1) page 3, line 7, by inserting after "shall" wilfully.

They were agreed to as amended.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the Title?

Mr. READINGER offered the following amendment:

Amend Title, page 1, next to last line of Title, by inserting after "peace" wilfully.

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 201, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31 1949 (P. L. 372) permitting certain members of the Authority to designate other persons to act on their behalf

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 317, entitled:

An Act amending the act of May 1 1913 (P L 155) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" furher regulating the letting of such contracts

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. STRAUSSER. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 32, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An Act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 87, entitled:

An Act reenacting certain parts of the act of May 1 1929 (P. L. 905) entitled * * *" clarifying provisions relating to magistrates sending notices by registered or certified mail

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 100, Printer's No. 17

was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILL

Mr. DENNISON asked and obtained unanimous consent to extend the time five days on House Bill No. 144, Printer's No. 28, on page 3 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 4, entitled as follows:

An Act amending "The Administrative Code of 1929, approved April 9, 1929 (P. L. 177) requiring the Auditor General to publish a monthly report of persons employed by the Commonwealth

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 21, entitled as follows:

An Act amending the act of June 26 1895 (P. L. 333) entitled "An act to authorize occupants of real estate in cities and boroughs * * * to employ night watchmen * * *" authorizing the appointment of day and night watchmen in all political subdivisions

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Montgomery county, Mr. Thomas H. W. Jones.

The SPEAKER. Will the gentleman from Montgomery county, Mr. Thomas H. W. Jones, permit himself to be interrogated?

Mr. THOMAS H. W. JONES. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, will the gentleman explain to the House the reason for this bill, the need for it?

Mr. THOMAS H. W. JONES. Mr. Speaker, the present law is that any interested company or group of individuals or a municipality may have a night watchman appointed with the approval of the Court of Quarter Sessions, with the exception that in Philadelphia you may have the appointment made by, I believe, the Director of Public Safety.

Of late years, and particularly since World War II, in my county we have had a great suburban growth. Many super markets have been established. Many department stores have built suburban branches, and the need for watchmen has grown around those stores.

This bill results from the attorney for one of those big department stores saying to me what has happened is that to have watchmen appointed he has gone to the Court of Quarter Sessions and asked for the appointment of a watchman under the Night Watchman Act.

The only difficulty is that they need watchmen not only in the night time but also in the day time. Our Court has been using the Night Watchman Act to appoint these watchmen.

Since the gentleman is an attorney, he will realize that the question that arises is what are the powers of the night watchman in the daytime. Hence this bill.

Mr. READINGER. Mr. Speaker, I desire to further ask the gentleman whether it is not now possible for any individual or concern to employ a person to be designated as a watchman who can actually watch his property so long as he does not desire that person to have the powers of a constable or a police officer? Is it not now possible to have day watchmen without going into court?

Mr. THOMAS H. W. JONES. Mr. Speaker, in answer to that I might say that it is the desire of these companies and corporations not to have men who are employed as police officers but as peace officers. A police officer, of course, and the constable have power to serve warrants, and all that sort of thing, and the watchman

does not. He simply has the power to make arrests slightly broader than an individual.

When I say slightly broader, if I recall correctly, it is only in the case of a felony that the powers are any broader. I believe that is correct.

Mr. READINGER. May I ask the gentleman whether one of these day watchmen, if he were so appointed by a store, could arrest persons, who, for example, were picketing the store if he saw fit to do so?

Mr. THOMAS H. W. JONES. Mr. Speaker, I do not believe he would be within his rights at all if the picketing were proper.

Mr. READINGER. The gentleman is not sure, is that correct?

Mr. THOMAS H. W. JONES. No. I feel certain that is the case. He could not just go up and arrest somebody who was lawfully picketing a store.

Mr. READINGER. Would this individual who is appointed watchman with these police powers have the right to make that determination for himself in the first instance?

Mr. THOMAS H. W. JONES. I would say he would do so at his peril.

Mr. READINGER. But the watchman would have the power to make that arrest if in his opinion he should make it?

Mr. THOMAS H. W. JONES. I think he would have the same power as the constable.

Mr. READINGER. I thank the gentleman.

Mr. THOMAS H. W. JONES. Might I have a word—

Mr. READINGER. I thank the gentleman, but I have not yielded to him.

The SPEAKER. The gentleman from Berks, Mr. Readinger, has the floor.

Mr. READINGER. Mr. Speaker, when I first looked at this bill I thought that it was quite normal to have a day watchman as well as night watchman, but the more I study it the more doubtful I am as to whether this is a good move or bad move.

I think that persons should be arrested if they are defacing property or destroying property, and so forth. It seems to me we have an ample number of policemen, constables and so forth in all municipalities; and if something unlawful is being done which requires an arrest, publicly elected or appointed officials should be called in to make those arrests. We may be creating a bad situation here if we allow any number of day watchmen to be appointed by the courts who might make very bad mistakes in arresting people in labor disputes.

It seems to me we are treading on dangerous ground here when we do this, even though it looks very innocuous. Unless the gentleman can convince me that that is not the case, or could not be the case, I am inclined to vote against this bill.

Mr. THOMAS H. W. JONES. Mr. Speaker, I do not know how I can assure the gentleman, that a constable or peace officer of any sort, even of as minor a source will not abuse his power. I would like to assure the gentleman as a matter of fact that there has been no situation to my knowledge in my county whereby watchmen would be appointed to assist in labor disputes. There are plenty of other peace officers who take care of labor disputes and keep order, particularly the sheriffs.

The purpose of this bill is just what I said, to assist in these large stores. I might explain that these large stores which have come to our county are mostly located in second class townships where the police force, while it may be adequate to keep peace normally, nevertheless is insufficient for the owners of these stores to watch their proprety, at least in their opinion.

Lastly, I would like to say that the great safe-guard in this bill is that every watchman who is appointed must be appointed by the Court of Quarter Sessions and must receive the approval of a judge. I do not believe that our judges would be likely to abuse that power.

Mr. STROUP. Mr. Speaker, I would like to say just a word in support of this bill. The legislation has been attractive to me because in some of our rural counties we find that our political subdivisions are in need of watchmen during the day time who have some powers of arrest.

In our county, particularly with some of our new school biuldings, we have had difficulty with taking care of the depredations of some of our recalcitrant students. As a consequence under the Act of 1895 we have asked our court to appoint a watchman where the same situation exists that the watchman is using the powers given him under the act of the night time watchmen for watching during the day time to take care of these groups of students.

It is also true that we intend to take care of this problem by having the sheriff appoint a deputy, but that has not proven to be satisfactory.

I believe this has broader applications than it does just in the particular instance given by the gentleman from Montgomery.

Mr. WILLIAMS. I would like to interrogate the gentleman from Montgomery who sponsored the bill.

The SPEAKER. Will the gentleman from Montgomery, Mr. Jones, permit himself to be interrogated?

Mr. THOMAS H. W. JONES. I shall, Mr. Speaker.

Mr. WILLIAMS. Mr. Speaker, will the gentleman explain to the Members of this House the definition of occupying real estate?

Mr. THOMAS H. W. JONES. Mr. Speaker, I suppose there are many ways in which to occupy real estate. One is if you own it, I would think; another is it might be that you rent it or lease it in some way; or perhaps even if you merely have a license to use it you might be deemed to be an occupier of real estate.

Mr. WILLIAMS. Mr. Speaker, all I have heard said here on the floor is that you are interested in protecting schools in rural districts and chain stores built in the suburbs. I want to ask the gentleman this, would you consider as real estate a manufacturing plant or a coal mine?

Mr. THOMAS H. W. JONES. I would, Mr. Speaker.

Mr. WILLIAMS. Then I want to ask the gentleman one more question and that will be all. Would this open the door to bring back in the Commonwealth of Pennsylvania the old Coal and Iron Police system?

Mr. THOMAS H. W. Jones. I hope not, Mr. Speaker.

Mr. WILLIAMS. The gentleman hopes not, but will it?

Mr. THOMAS H. W. JONES. Mr. Speaker, I might say that the features of the night watchmen's act about which the gentleman is complaining are the law now. I have done nothing to change the Act of 1895.

Mr. WILLIAMS. Mr. Speaker, I am reading on page 3: "Political Subdivisions Provided however that such watch-

men shall not exercise the power of serving subpoenas or any civil or other process." But he has the power of a constable. Does he have the right to arrest on sight?

Mr. THOMAS H. W. JONES. As I recall the law, subject to correction from some of my brother attorneys, a private person and a police officer may arrest somebody for a misdemeanor committed in one's presence, they may arrest also for a felony committed in one's presence. I have not looked this up for a long time and my recollection is that only a police officer may arrest on suspicion and get away with it. If a private person arrests on suspicion and he is wrong, then he is guilty of false arrest. These people have the same powers of making arrests as a peace officer, which would include a constable.

Mr. WILLIAMS. Mr. Speaker, I am going to be compelled to vote against this bill for the simple reason that I am not satisfied with the explanation given here. I have seen things in any number of years whereby in different manners or procedures they have tried to bring back the old Coal and Iron Police system. I do not care whether you call them Coal and Iron Police or whether you call them watchmen, it is one and the same thing.

I am asking the Members of the House to vote "no" on this bill.

Mr. THOMAS H. W. JONES. Mr. Speaker, actually it seems to me that this bill is a very small matter. It was introduced without any intention whatsoever of affecting the rights of labor.

It also occurred to me after I got back to my seat that picketing is apt to go on at night as well as in the day time, and under the present law it is perfectly possible to appoint watchmen to do what they will at night.

Mr. McCORMACK. Mr. Speaker, I would like a ruling from the Chair, if I am in order, as to whether there is a fatal variance between the title and Section 1 of this bill. The title is, and I quote, "An Act to authorize occupants of real estate in political subdivisions," and Section 1 is, ". . . for any number of persons owning or occupying real estate." In the title, Mr. Speaker, there is no mention of "owners," there is just the word "occupant," and I wondering whether or not that might be a fatal variance?

The SPEAKER. The Chair will recognize the gentleman from Montgomery, Mr. Jones. Perhaps he can clarify the question.

Mr. THOMAS H. W. JONES. Mr. Speaker, all I can say is that this bill was amended in Committee to take care of townships specifically, and the title was checked, I believe, with the Legislative Reference Bureau by one of the Committee members.

The SPEAKER. Does that properly answer the gentleman's question?

Mr. McCORMACK. No, it does not, Mr. Speaker. As I said, the title does not mention owners of real estate, but Section 1 particularly applies to owners or occupants. Since "owners" is not mentioned in the title, I think the title is defective and it should be checked before we vote on it.

Mr. LOPRESTI. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Jones.

The SPEAKER. The gentleman from Philadelphia, Mr. McCormack, has the floor and has raised a question which has not been disposed of by the Chair.

Mr. LOPRESTI. I am sorry, Mr. Speaker.

The SPEAKER. For the information of the gentleman from Philadelphia, this question which has been raised is a question which must be decided by the Members of this House, whether in their opinion the title is correct and constitutional.

Does the gentleman desire the Chair to lay the question before the House?

Mr. McCORMACK. Mr. Speaker, I would like to have it put before the House after the debate, but if it is in order now I will so do, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. THOMAS H. W. JONES. Mr. Speaker, on the question of the constitutionality of the title, I would only like to say that I believe, if I understand the gentleman correctly, the questions he raises are equally as applicable to the Act in its original form as they are to this amendment. In other words, this Act has been on the books since 1895, with a title which the gentleman from Philadelphia claims is incorrect.

I am not prepared to argue the questions of constitutionality which might be raised other than that, but I think the mere fact of its longevity is sufficient reason to hold it is constitutional.

Mr. LOPRESTI. Mr. Speaker, I would like to interrogate the gentleman from Montgomery.

The SPEAKER. Will the gentleman from Montgomery, Mr. Jones, permit himself to be interrogated?

Mr. THOMAS H. W. JONES. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, I would like to know from the gentleman from Montgomery, if a person or a corporation was in occupancy of an area of land comprising maybe 20 acres, or 15 acers, on which were built homes owned by that same individual or corporation, whether by the expediency of posting "No Trespassing" signs they would place their watchmen in a position to arrest any individual who set foot on their land?

Mr. THOMAS H. W. JONES. Mr. Speaker, I think probably they would.

Mr. LOPRESTI. You think probably they would?

Mr. THOMAS H. W. JONES. Yes, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, that is the one feature I find particularly objectionable in this bill, having one time been the victim of such action.

I merely wanted to go into a certain town to see a friend, and I was met at the outskirts of the town and told it was private property, "Turn around and go back, or you will be arrested."

I do not think we should pass any laws which will permit that to happen in this Commonwealth.

The SPEAKER. Does the gentleman desire to discuss the constitutionality of the bill.

Mr. McCORMACK. Mr. Speaker, I do not want to raise a constitutional question at this time. I just wanted to point out to the House that there might be a fatal variance, and as long as I have pointed it out I am satisfied.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. WILLIAMS, ROVANSEK and LOPRESTI.

The roll was verified and was as follows:

YEAS—122

Adams,	Erb,	Lafore,	Ragot,
Agnew,	Eshleman,	Lee, A. M.,	Rigby,
Andrews,	Ewing,	Lee, K. B.,	Royer,
Ashton,	Fetterolf,	Light,	Seltzer,
Auker,	Foster,	Lippincott,	Snare,
Barton,	Fox,	Magee,	Spray,
Bell,	George,	Mahan,	Steckel,
Blair,	Gibb,	Markley,	Stimmel,
Bower,	Gibson,	Marsh,	Stoner,
Bowman,	Goodling,	McInroy,	Strausser,
Brand,	Goodrich,	Merry,	Stroup,
Breisch,	Gramlich,	Metz,	Stuart,
Brenninger,	Gross,	Mikula,	Thompson,
Breon,	Guthrie,	Miller, B. Z.,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Ujobai,
Brucker,	Heffner,	Moody,	Varner,
Buchanan,	Henzel,	Moscrip,	Wall,
Carson,	Hocker,	Moyer,	Weidner,
Cleveland,	Horst,	Murphy,	Wescott,
Cooper,	Ide,	Murray, H. P.,	Whittaker,
Dalrymple,	Isaacs,	Murray, P. G.,	Willard,
Davis,	Johnson,	Naugle,	Willaredt,
DeLong,	Johnston,	O'Dell,	Wilt,
Dengler,	Jones, T. H.,	Ogilvie,	Wood,
Dennison,	Jump,	Parry,	Worley,
Dietterick,	Kehler,	Phillips,	Wyatt,
Donahue,	Keller,	Piper,	Wynd,
Donaldson,	Kernaghan,	Pomeroy,	Zimmerman,
Down,	Knecht,	Post,	Helm,
Dunn,	Kooker,	Price,	Speaker
Edwards,	Korns,	Pursley,	

NAYS—80

Amarando,	Fineman,	Maxwell,	Scarcelli,
Anderson, M. S.,	Flynn,	McCann,	Sherman,
Anderson, S. A.,	Frascella,	McCormack,	Shields,
Boies,	Gailey,	McGee,	Silverman,
Boory,	Garlock,	McKeever,	Smith,
Brennan,	Gelfand,	Mihm,	Snider,
Breth,	Goldstein,	Mills,	Stevens,
Bucchin,	Hamilton,	Monroe,	Stone,
Capano,	Heavey,	Muldowney,	Taylor,
Cianfrani,	Holt,	Munley,	Toll,
Cioffi,	Jenkins,	Musto,	Trusio,
Comer,	Jim,	O'Brien,	Varallo,
Cummins,	Kamyk,	Pashley,	Vaughan,
Curwood,	Kornick,	Petrosky,	Verona,
Devlin,	Krakow,	Polaski,	Walsh,
Dougherty,	Leonard,	Readinger,	Wargo,
Duffy,	Limper,	Reidenbach,	Welsh,
Eilberg,	Lopresti,	Renwick,	Wheeler,
Farabaugh,	Lovett,	Rovansek,	Williams,
Filo,	Lutty,	Rudisill,	Yatron,

NOT VOTING—7

Floyd,	McLaughlin,	Mullen,	Schwartz,
Jones, G. E.	Miller, W. H.,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 32, entitled as follows:

An Act amending "The Game Law" approved June 3 1937 (P. L. 1225) authorizing unnaturalized foreign-born residents to own or possess dogs

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Ewing,	Light,	Rigby,
Agnew,	Farabaugh,	Limper,	Rovansek,
Amarando,	Fetterolf,	Lippincott,	Royer,
Anderson, M. S.,	Filo,	Lopresti,	Rudisill,
Anderson, S. A.,	Fineman,	Lovett,	Scarcelli,
Andrews,	Floyd,	Lutty,	Seltzer,
Ashton,	Flynn,	Magee,	Sherman,
Auker,	Foster,	Mahan,	Shields,
Barton,	Fox,	Markley,	Silverman,
Bell,	Frascella,	Marsh,	Smith,
Blair,	Gailey,	Maxwell,	Snare,
Boies,	Garlock,	McCann,	Snider,
Boory,	Gelfand,	McCormack,	Spray,
Bower,	George,	McGee,	Steckel,
Bowman,	Gibb,	McInroy,	Stevens,
Brand,	Gibson,	McKeever,	Stimmel,
Breisch,	Goldstein,	Merry,	Stone,
Brennan,	Goodling,	Metz,	Stoner,
Brenninger,	Goodrich,	Mihm,	Strausser,
Breon,	Gramlich,	Mikula,	Stroup,
Breth,	Gross,	Miller, B. Z.,	Stuart,
Brown,	Guthrie,	Miller, H. G.,	Taylor,
Brucker,	Hamilton,	Mills,	Thompson,
Bucchin,	Haudenshield,	Monroe,	Toll,
Buchanan,	Heavey,	Moody,	Tompkins,
Capano,	Heffner,	Moscrip,	Trusio,
Carson,	Henzel,	Moyer,	Ujobai,
Cianfrani,	Hocker,	Muldowney,	Varallo,
Cioffi,	Holt,	Munley,	Varner,
Cleveland,	Horst,	Murphy,	Vaughan,
Comer,	Ide,	Murray, H. P.,	Verona,
Cooper,	Isaacs,	Murray, P. G.,	Wall,
Cummins,	Jenkins,	Musto,	Walsh,
Curwood,	Jim,	Naugle,	Wargo,
Dalrymple,	Johnson,	O'Brien,	Weidner,
Davis,	Johnston,	O'Dell,	Welsh,
DeLong,	Jones, T. H.,	Ogilvie,	Wescott,
Dengler,	Jump,	Parry,	Wheeler,
Dennison,	Kamyk,	Pashley,	Whittaker,
Devlin,	Kehler,	Petrosky,	Willard,
Dietterick,	Keller,	Phillips,	Willaredt,
Donahue,	Kernaghan,	Piper,	Williams,
Donaldson,	Knecht,	Polaski,	Wilt,
Dougherty,	Kooker,	Pomeroy,	Wood,
Down,	Kornick,	Post,	Worley,
Duffy,	Korns,	Price,	Wyatt,
Dunn,	Krakow,	Pursley,	Wynd,
Edwards,	Lafore,	Ragot,	Yatron,
Eilberg,	Lee, A. M.,	Readinger,	Zimmerman,
Erb,	Lee, K. B.,	Reidenbach,	Helm,
Eshleman,	Leonard,	Renwick,	Speaker

NAYS—0

NOT VOTING—6

Jones, G. E.	Miller, W. H.,	Mullen,	Schuster,
McLaughlin,			Schwartz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 94, entitled as follows:

An Act amending "The Vehicle Code" approved May 1 1929 (P. L. 1005) providing for the classification of tractors used as portable saw mill rigs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Ewing,	Light,	Rigby,
Agnew,	Farabaugh,	Limper,	Rovansek,
Amarando,	Fetterolf,	Lippincott,	Royer,
Anderson, M. S.,	Filo,	Lopresti,	Rudisill,
Anderson, S. A.,	Fineman,	Lovett,	Scarcelli,
Andrews,	Floyd,	Lutty,	Seltzer,
Ashton,	Flynn,	Magee,	Sherman,
Auker,	Foster,	Mahan,	Shields,
Barton,	Fox,	Markley,	Silverman,
Bell,	Frascella,	Marsh,	Smith,
Blair,	Gailey,	Maxwell,	Snare,
Boies,	Garlock,	McCann,	Snider,
Boory,	Gelfand,	McCormack,	Spray,
Bower,	George,	McGee,	Steckel,
Bowman,	Gibb,	McInroy,	Stevens,
Brand,	Gibson,	McKeever,	Stimmel,
Breisch,	Goldstein,	Merry,	Stone,
Brennan,	Goodling,	Metz,	Stoner,
Brenninger,	Goodrich,	Mihm,	Strausser,
Breon,	Gramlich,	Mikula,	Stroup,
Breth,	Gross,	Miller, B. Z.,	Stuart,
Brown,	Guthrie,	Miller, H. G.,	Taylor,
Brucker,	Hamilton,	Mills,	Thompson,
Bucchin,	Haudenshield,	Monroe,	Toll,
Buchanan,	Heavey,	Moody,	Tompkins,
Capano,	Heffner,	Moscrip,	Trusio,
Carson,	Henzel,	Moyer,	Ujobai,
Cianfrani,	Hocker,	Muldowney,	Varallo,
Cioffi,	Holt,	Munley,	Varner,
Cleveland,	Horst,	Murphy,	Vaughan,
Comer,	Ide,	Murray, H. P.,	Verona,
Cooper,	Isaacs,	Murray, P. G.,	Wall,
Cummins,	Jenkins,	Musto,	Walsh,
Curwood,	Jim,	Naugle,	Wargo,
Dalrymple,	Johnson,	O'Brien,	Weidner,
Davis,	Johnston,	O'Dell,	Welsh,
DeLong,	Jones, T. H.,	Ogilvie,	Wescott,
Dengler,	Jump,	Parry,	Wheeler,
Dennison,	Kamyk,	Pashley,	Whittaker,
Devlin,	Kehler,	Petrosky,	Willard,
Dietterick,	Keller,	Phillips,	Willaredt,
Donahue,	Kernaghan,	Piper,	Williams,
Donaldson,	Knecht,	Polaski,	Wilt,
Dougherty,	Kooker,	Pomeroy,	Wood,
Down,	Kornick,	Post,	Worley,
Duffy,	Korns,	Price,	Wyatt,
Dunn,	Krakow,	Pursley,	Wynd,
Edwards,	Lafore,	Ragot,	Yatron,
Eilberg,	Lee, A. M.,	Readinger,	Zimmerman,
Erb,	Lee, K. B.,	Reidenbach,	Helm,
Eshleman,	Leonard,	Renwick,	Speaker

NAYS—0

NOT VOTING—6

Jones, G. E. McLaughlin,	Miller, W. H.,	Mullen,	Schuster, Schwartz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 122, entitled as follows:

An Act amending "The Tractor Code" approved May 1 1929 (P. L. 905) changing certain penalties for making illegal noises

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Ewing,	Light,	Rigby,
Agnew,	Farabaugh,	Limper,	Rovansek,
Amarando,	Fetterolf,	Lippincott,	Royer,
Anderson, M. S.,	Filo,	Lopresti,	Rudisill,
Anderson, S. A.,	Fineman,	Lovett,	Scarcelli,
Andrews,	Floyd,	Lutty,	Seltzer,
Ashton,	Flynn,	Magee,	Sherman,
Auker,	Foster,	Mahan,	Shields,
Barton,	Fox,	Markley,	Silverman,
Bell,	Frascella,	Marsh,	Smith,
Blair,	Gailey,	Maxwell,	Snare,
Boies,	Garlock,	McCann,	Snider,
Boory,	Gelfand,	McCormack,	Spray,
Bower,	George,	McGee,	Steckel,
Bowman,	Gibb,	McInroy,	Stevens,
Brand,	Gibson,	McKeever,	Stimmel,
Breisch,	Goldstein,	Merry,	Stone,
Brennan,	Goodling,	Metz,	Stoner,
Brenninger,	Goodrich,	Mihm,	Strausser,
Breon,	Gramlich,	Mikula,	Stroup,
Breth,	Gross,	Miller, B. Z.,	Stuart,
Brown,	Guthrie,	Miller, H. G.,	Taylor,
Brucker,	Hamilton,	Mills,	Thompson,
Bucchin,	Haudenshield,	Monroe,	Toll,
Buchanan,	Heavey,	Moody,	Tompkins,
Capano,	Heffner,	Moscrip,	Trusio,
Carson,	Henzel,	Moyer,	Ujobai,
Cianfrani,	Hocker,	Muldowney,	Varallo,
Cioffi,	Holt,	Munley,	Varner,
Cleveland,	Horst,	Murphy,	Vaughan,
Comer,	Ide,	Murray, H. P.,	Verona,
Cooper,	Isaacs,	Murray, P. G.,	Wall,
Cummins,	Jenkins,	Musto,	Walsh,
Curwood,	Jim,	Naugle,	Wargo,
Dalrymple,	Johnson,	O'Brien,	Weidner,
Davis,	Johnston,	O'Dell,	Welsh,
DeLong,	Jones, T. H.,	Ogilvie,	Wescott,
Dengler,	Jump,	Parry,	Wheeler,
Dennison,	Kamyk,	Pashley,	Whittaker,
Devlin,	Kehler,	Petrosky,	Willard,
Dietterick,	Keller,	Phillips,	Willaredt,
Donahue,	Kernaghan,	Piper,	Williams,
Donaldson,	Knecht,	Polaski,	Wilt,
Dougherty,	Kooker,	Pomeroy,	Wood,
Down,	Kornick,	Post,	Worley,
Duffy,	Korns,	Price,	Wyatt,
Dunn,	Krakow,	Pursley,	Wynd,
Edwards,	Lafore,	Ragot,	Yatron,
Eilberg,	Lee, A. M.,	Readinger,	Zimmerman,
Erb,	Lee, K. B.,	Reidenbach,	Helm,
Eshleman,	Leonard,	Renwick,	Speaker

NAYS—0

NOT VOTING—6

Jones, G. E. McLaughlin,	Miller, W. H.,	Mullen,	Schuster, Schwartz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 247, entitled as follows:

An Act amending "The Game Law" approved June 3 1937 (P. L. 1225) changing the definition of "unprotected birds" to exclude hawks

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—157

Agnew,	Eilberg,	Limper,	Royer,
Amarando,	Erb,	Lippincott,	Rudisill,
Anderson, M. S.,	Eshleman,	Magee,	Scarcelli,
Anderson, S. A.,	Fetterolf,	Mahan,	Seltzer,
Ashton,	Filo,	Markley,	Sherman,

Auker,	Fineman,	McGee,	Rovansek,
Bell,	Floyd,	McInroy,	Shields,
Blair,	Flynn,	McKeever,	Silverman,
Boles,	Foster,	McLaughlin,	Smith,
Bower,	Fox,	Merry,	Snare,
Bowman,	Frascella,	Metz,	Snider,
Brand,	Gailey,	Miller, B. Z.,	Steckel,
Breisch,	Gelfand,	Miller, H. G.,	Stimmel,
Brennan,	George,	Moody,	Stone,
Brenninger,	Gibb,	Moscrip,	Stoner,
Breon,	Gibson,	Moyer,	Strausser,
Breth,	Goldstein,	Muldowney,	Stroup,
Brown,	Goodling,	Munley,	Taylor,
Brucker,	Goodrich,	Murphy,	Thompson,
Bucchin,	Gramlich,	Murray, H. P.,	Toll,
Capano,	Hamilton,	Murray, P. G.,	Tompkins,
Carson,	Heavey,	Musto,	Ujobai,
Cianfrani,	Henzel,	Naugle,	Varallo,
Cioffi,	Hocker,	O'Brien,	Varner,
Cleveland,	Holt,	O'Dell,	Vaughan,
Comer,	Horst,	Ogilvie,	Wall,
Cooper,	Ide,	Parry,	Wargo,
Curwood,	Isaacs,	Pashley,	Weidner,
Dalrymple,	Jones, T. H.,	Phillips,	Welsh,
Davis,	Jump,	Piper,	Wescott,
DeLong,	Keller,	Polaski,	Wheeler,
Dengler,	Kernaghan,	Pomeroy,	Whittaker,
Dennison,	Kooker,	Post,	Willard,
Dietterick,	Kornick,	Price,	Willaredt,
Donahue,	Korns,	Pursley,	Worley,
Dougherty,	Krakow,	Ragot,	Wyatt,
Down,	Lafore,	Readinger,	Yatron,
Duffy,	Lee, A. M.,	Reidenbach,	Zimmerman,
Dunn,	Light,	Renwick,	Helm,
Edwards,			Speaker

NAYS—43

Adams,	Gross,	Lee, K. B.,	Petrosky,
Andrews,	Guthrie,	Leonard,	Rigby,
Barton,	Haudenshield,	Lopresti,	Spray,
Boory,	Heffner,	Lovett,	Stevens,
Buchanan,	Jenkins,	Lutty,	Stuart,
Cummins,	Jim,	Marsh,	Walsh,
Devlin,	Johnson,	Maxwell,	Williams,
Donaldson,	Johnston,	McCann,	Wilt,
Ewing,	Kamyk,	Mihm,	Wood,
Farabaugh,	Kehler,	Mikula,	Wynd,
Garlock,	Knecht,	Mills,	

NOT VOTING—9

Jones, G. E.	Monroe,	Schuster,	Trusio,
McCormack,	Mullen,	Schwartz,	Verona,
Miller, W. H.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 250, entitled as follows:

An Act amending "The Fish Law of 1925" approved May 2 1925 (P. L. 448) excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsman's shows

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Farabaugh,	Limper,	Rovansek,
Anew,	Fetterolf,	Lippincott,	Royer,
Amarando,	Filo,	Lopresti,	Rudisill,
Anderson, M. S.,	Fineman,	Lovett,	Scarcelli,
Anderson, S. A.,	Floyd,	Lutty,	Seltzer,
Andrews,	Flynn,	Magee,	Sherman,
Ashton,	Ewing,	Light,	Rigby,
Auker,	Foster,	Mahan,	Shields,
Barton,	Fox,	Markley,	Silverman,
Bell,	Frascella,	Marsh.	Smith,
Blair,	Gailey,	Maxwell,	Snare,
Boles,	Garlock,	McCann,	Snider,
Boory,	Gelfand,	McCormack,	Spray,
Bower,	George,	McGee,	Steckel,
Bowman,	Gibb,	McInroy,	Stevens,
Brand,	Gibson,	McKeever,	Stimmel,
Breisch,	Goldstein,	Merry,	Stone,
Brennan,	Goodling,	Metz,	Stoner,
Brenninger,	Goodrich,	Mihm,	Strausser,
Breon,	Gramlich,	Mikula,	Stroup,
Breth,	Gross,	Miller, B. Z.,	Stuart,
Brown,	Guthrie,	Miller, H. G.,	Taylor,
Brucker,	Hamilton,	Mills,	Thompson,
Bucchin,	Haudenshield,	Monroe,	Toll,
Buchanan,	Heavey,	Moody,	Tompkins,
Capano,	Heffner,	Moscrip,	Trusio,
Carson,	Henzel,	Moyer,	Ujobai,
Cianfrani,	Hocker,	Muldowney,	Varallo,
Cioffi,	Holt,	Munley,	Varner,
Cleveland,	Horst,	Murphy,	Vaughan,
Comer,	Ide,	Murray, H. P.,	Verona,
Cooper,	Isaacs,	Murray, P. G.,	Wall,
Cummins,	Jenkins,	Musto,	Walsh,
Curwood,	Jim,	Naugle,	Wargo,
Dalrymple,	Johnson,	O'Brien,	Weidner,
Davis,	Johnston,	O'Dell,	Welsh,
DeLong,	Jones, T. H.,	Ogilvie,	Wescott,
Dengler,	Jump,	Parry,	Wheeler,
Dennison,	Kamyk,	Pashley,	Whittaker,
Devlin,	Kehler,	Petrosky,	Willard,
Dietterick,	Keller,	Phillips,	Willaredt,
Donahue,	Kernaghan,	Piper,	Williams,
Donaldson,	Knecht,	Polaski,	Wilt,
Dougherty,	Kooker,	Pomeroy,	Wood,
Down,	Kornick,	Post,	Worley,
Duffy,	Korns,	Price,	Wyatt,
Dunn,	Krakow,	Pursley,	Wynd,
Edwards,	Lafore,	Ragot,	Yatron,
Eilberg,	Lee, A. M.,	Readinger,	Zimmerman,
Erb,	Lee, K. B.,	Reidenbach,	Helm,
Eshleman,	Leonard,	Renwick,	Speaker

NAYS—0

NOT VOTING—6

Jones, G. E.	Miller, W. H.,	Mullen,	Schuster,
McLaughlin,			Schwartz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

The SPEAKER. The Chair would like to ask if any of the following Members have entered the Hall of the House since the calling of the last roll:

Mr. Granville E. Jones,	Mr. Mullen,
Mr. McLaughlin,	Mr. Schuster,
Mr. W. H. Miller,	Mr. Schwartz.

Have any of those Members entered the Hall of the House since the calling of the roll?

(No response).

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 267, entitled as follows:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) permitting township commissioners to hold their organiaztion meeting the day after a holiday.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Ewing	Light,	Rigby,
Agnew,	Farabaugh,	Limper,	Rovansek,
Amarando,	Fetterolf,	Lippincott,	Royer,
Anderson, M. S.,	Filo,	Lopresti,	Rudisill,
Anderson, S. A.,	Fineman,	Lovett,	Scarcelli,
Andrews,	Floyd,	Lutty,	Seltzer,
Ashton,	Flynn,	Magee,	Sherman,
Auker,	Foster,	Mahan,	Shields,
Barton,	Fox,	Markley,	Silverman,
Bell,	Frascella,	Marsh,	Smith,
Blair,	Gailey,	Maxwell,	Snare,
Boies,	Garlock,	McCann,	Snider,
Boory,	Gelfand,	McCormack,	Spray,
Bower,	George,	McGee,	Steckel,
Bowman,	Gibb,	McInroy,	Stevens,
Brand,	Gibson,	McKeever,	Stimmel,
Breisch,	Goldstein,	Merry,	Stone,
Brennan,	Goodling,	Metz,	Stoner,
Brenninger,	Goodrich,	Mihm,	Strausser,
Breon,	Gramlich,	Mikula,	Stroup,
Breth,	Gross,	Miller, B. Z.,	Stuart,
Brown,	Guthrie,	Miller, H. G.,	Taylor,
Brucker,	Hamilton,	Mills,	Thompson,
Bucchin,	Haudenshield,	Monroe,	Toll,
Buchanan,	Heavey,	Moody,	Tompkins,
Capano,	Heffner,	Moscrip,	Trusio,
Carson,	Henzel,	Moyer,	Ujobai,
Cianfrani,	Hocker,	Muldowney,	Varallo,
Cioffi,	Holt,	Munley,	Varner,
Cleveland,	Horst,	Murphy,	Vaughan,
Comer,	Ide,	Murray, H. P.,	Verona,
Cooper,	Isaacs,	Murray, P. G.,	Wall,
Cummins,	Jenkins,	Musto,	Walsh,
Curwood,	Jim,	Naugle,	Wargo,
Dalrymple,	Johnson,	O'Brien,	Weidner,
Davis,	Johnston,	O'Dell,	Welsh,
DeLong,	Jones, T. H.,	Ogilvie,	Wescott,
Dengler,	Jump,	Parry,	Wheeler,
Dennison,	Kamyk,	Pashley,	Whittaker,
Devlin,	Kehler,	Petrosky,	Willard,
Dietterick,	Keller,	Phillips,	Willaredt,
Donahue,	Kernaghan,	Piper,	Williams,
Donaldson,	Knecht,	Polaski,	Wilt,
Dougherty,	Kooker,	Pomeroy,	Wood,
Down,	Kornick,	Post,	Worley,
Duffy,	Korns,	Price,	Wyatt,
Dunn,	Krakow,	Pursley,	Wynd,
Edwards,	Lafore,	Ragot,	Yatron,
Eilberg,	Lee, A. M.,	Readinger,	Zimmerman,
Erb,	Lee, K. B.,	Renwick,	Helm,
Eshleman,	Leonard,	Reidenbach,	Speaker

NAYS—0

NOT VOTING—6

Jones, G. E.	Miller, W. H.,	Mullen,	Schuster,
McLaughlin,			Schwartz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 268, Printer's No. 75

was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 295, entitled as follows:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2 1915 (P. L. 736) removing time limitation for filing petitions when disability increases or recurs

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

Adams,	Farabaugh,	Limper,	Ragot,
Amarando,	Filo,	Lippincott,	Readinger,
Anderson, S. A.,	Fineman,	Lopresti,	Reidenbach,
Andrews,	Floyd,	Lovett,	Rovansek,
Barton,	Flynn,	Lutty,	Royer,
Bell,	Foster,	Mahan,	Rudisill,
Blair,	Fox,	Markley,	Scarcelli,
Boies,	Frascella,	Marsh,	Seltzer,
Boory,	Gailey,	Maxwell,	Sherman,
Bower,	Garlock,	McCann,	Shields,
Brand,	Gelfand,	McCormack,	Silverman,
Breisch,	Gibson,	McGee,	Smith,
Brennan,	Goodling,	McInroy,	Snare,
Brenninger,	Goodrich,	McKeever,	Snider,
Breon,	Hamilton,	Mihm,	Steckel,
Breth,	Heavey,	Mikula,	Stevens,
Brown,	Heffner,	Miller, B. Z.,	Stimmel,
Brucker,	Henzel,	Miller, H. G.,	Stone,
Bucchin,	Hocker,	Mills,	Stroup,
Buchanan,	Holt,	Moody,	Taylor,
Capano,	Horst,	Moyer,	Toll,
Carson,	Ide,	Muldowney,	Tompkins,
Cianfrani,	Isaacs,	Munley,	Trusio,
Cioffi,	Jenkins,	Murphy,	Varallo,
Cleveland,	Jim,	Murray, H. P.,	Varner,
Comer,	Johnson,	Murray, P. G.,	Walsh,
Cummins,	Jones, T. H.,	Musto,	Wargo,
Curwood,	Jump,	Naugle,	Weidner,
Dalrymple,	Kamyk,	O'Brien,	Welsh,
DeLong,	Kehler,	Ogilvie,	Wescott,
Dengler,	Kernaghan,	Parry,	Wheeler,
Dennison,	Knecht,	Pashley,	Whittaker,
Devlin,	Kornick,	Petrosky,	Williams,
Dietterick,	Korns,	Phillips,	Wood,
Donahue,	Krakow,	Piper,	Worley,
Duffy,	Lee, A. M.,	Polaski,	Wyatt,
Dunn,	Lee, K. B.,	Pomeroy,	Wynd,
Edwards,	Leonard,	Post,	Yatron,
Eilberg,	Light,	Price,	Zimmerman,
Eshleman,		Pursley,	

NAYS—35

Agnew,	Fetterolf,	Kooker,	Stuart,
Ashton,	George,	Lafore,	Thompson,
Bowman,	Gibb,	Magee,	Ujobai,
Cooper,	Goldstein,	Moscrip,	Verona,
Davis,	Gramlich,	O'Dell,	Wall,
Donaldson,	Gross,	Rigby,	Willard,
Down,	Guthrie,	Spray,	Willaredt,
Erb,	Haudenshield,	Stoner,	Wilt,
Ewing,	Keller,	Strausser,	Helm,
			Speaker

NOT VOTING—16

Anderson, M. S.,	Jones, G. E.	Miller, W. H.,	Schuster,
Auker,	McLaughlin,	Monroe,	Schwartz,
Dougherty,	Merry,	Mullen,	Vaughan,
Johnston,	Metz,	Renwick,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 301, Printer's No. 76

was passed over at the request of Mr. READINGER.

There being no objection

House Bill No. 338, Printer's No. 78

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 341, entitled as follows:

An Act amending "The Private Detective Act of 1953," approved August 21, 1953 (P. L. 1273), permitting former members of the Pennsylvania State Police to apply for licenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Ewing,	Light,	Rigby,
Agnew,	Farabaugh,	Limper,	Rovansek,
Amarando,	Fetterolf,	Lippincott,	Royer,
Anderson, M. S.,	Filo,	Lopresti,	Rudisill,
Anderson, S. A.,	Fineman,	Lovett,	Scarcelli,
Andrews,	Floyd,	Lutty,	Seltzer,
Ashton,	Flynn,	Magee,	Sherman,
Auker,	Foster,	Mahan,	Shields,
Barton,	Fox,	Markley,	Silverman,
Bell,	Frascella,	Marsh,	Smith,
Blair,	Galley,	Maxwell,	Snare,
Boles,	Garlock,	McCann,	Snider,
Boory,	Gelfand,	McCormack,	Spray,
Bower,	George,	McGee,	Steckel,
Bowman,	Gibb,	McInroy,	Stevens,
Brand,	Gibson,	McKeever,	Stimmel,
Breisch,	Goldstein,	Merry,	Stone,
Brennan,	Goodling,	Metz,	Stoner,
Brenninger,	Goodrich,	Mihm,	Strausser,
Breon,	Gramlich,	Mikula,	Stroup,
Breth,	Gross,	Miller, B. Z.,	Stuart,
Brown,	Guthrie,	Miller, H. G.,	Taylor,
Brucker,	Hamilton,	Mills,	Thompson,
Bucchin,	Haudenshield,	Monroe,	Toll,
Buchanan,	Heavey,	Moody,	Tompkins,
Capano,	Heffner,	Moscrip,	Trusio,
Carson,	Henzel,	Moyer,	Ujobai,
Cianfrani,	Hocker,	Muldowney,	Varallo,
Cioffi,	Holt,	Munley,	Varner,
Cleveland,	Horst,	Murphy,	Vaughan,
Comer,	Ide,	Murray, H. P.,	Verona,
Cooper,	Isaacs,	Murray, P. G.,	Wall,
Cummins,	Jenkins,	Musto,	Walsh,
Curwood,	Jim,	Naugle,	Wargo,
Dalrymple,	Johnson,	O'Brien,	Weidner,
Davis,	Johnston,	O'Dell,	Welsh,
DeLong,	Jones, T. H.,	Ogilvie,	Wescott,
Dengler,	Jump,	Parry,	Wheeler,
Dennison,	Kamyk,	Pashley,	Whittaker,
Devlin,	Kehler,	Petrosky,	Willard,
Dietterick,	Keller,	Phillips,	Willaredt,
Donahue,	Kernaghan,	Piper,	Williams,
Donaldson,	Knecht,	Polaski,	Wilt,
Dougherty,	Kooker,	Pomeroy,	Wood,
Down,	Kornick,	Post,	Worley,
Duffy,	Korns,	Price,	Wyatt,
Dunn,	Krakow,	Pursley,	Wynd,
Edwards,	Lafore,	Ragot,	Yatron,
Eilberg,	Lee, A. M.,	Readinger,	Zimmerman,
Erb,	Lee, K. B.,	Reidenbach,	Helm,
Eshleman,	Leonard,	Renwick,	Speaker

NAYS—0

NOT VOTING—6

Jones, G. E.	Miller, W. H.,	Mullen,	Schuster,
McLaughlin,			Schwartz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 443, entitled as follows:

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adams,	Farabaugh,	Light,	Renwick,
Agnew,	Fetterolf,	Limper,	Rigby,
Amarando,	Filo,	Lippincott,	Rovansek,
Anderson, M. S.,	Fineman,	Lopresti,	Royer,
Anderson, S. A.,	Floyd,	Lovett,	Rudisill,
Andrews,	Flynn,	Lutty,	Scarcelli,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Galley,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith,
Boles,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	Merry,	Stimmel,
Brennan,	Goodrich,	Metz,	Stone,
Brenninger,	Gramlich,	Mihm,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Monroe,	Thompson,
Buchanan,	Heffner,	Moody,	Toll,
Carson,	Henzel,	Moscrip,	Tompkins,
Cianfrani,	Hocker,	Moyer,	Trusio,
Cioffi,	Holt,	Muldowney,	Ujobai,
Cleveland,	Horst,	Munley,	Varallo,
Comer,	Ide,	Murphy,	Varner,
Cooper,	Isaacs,	Murray, H. P.,	Vaughan,
Cummins,	Jenkins,	Murray, P. G.,	Verona,
Curwood,	Jim,	Musto,	Wall,
Dalrymple,	Johnson,	Naugle,	Walsh,
Davis,	Johnston,	O'Brien,	Wargo,
DeLong,	Jones, T. H.,	O'Dell,	Weidner,
Dengler,	Jump,	Ogilvie,	Welsh,
Dennison,	Kamyk,	Parry,	Wescott,
Devlin,	Kehler,	Pashley,	Wheeler,
Dietterick,	Keller,	Petrosky,	Whittaker,
Donahue,	Kernaghan,	Phillips,	Willard,
Donaldson,	Knecht,	Piper,	Willaredt,
Dougherty,	Kooker,	Polaski,	Williams,
Down,	Kornick,	Pomeroy,	Wilt,
Duffy,	Korns,	Post,	Wood,
Dunn,	Krakow,	Price,	Wyatt,
Edwards,	Lafore,	Pursley,	Wynd,
Eilberg,	Lee, A. M.,	Ragot,	Yatron,
Erb,	Lee, K. B.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
Ewing.			Speaker

NAYS—2

Capano,	Worley,

NOT VOTING—6

Jones, G. E.	Miller, W. H.,	Mullen,	Schuster,
McLaughlin,			Schwartz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 31, entitled as follows:

An Act amending the act of June 25 1941 (P. L. 159) entitled * * *" defining the records to be kept by the

department and authorizing the disposal of unneeded material relative to existing records

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Ewing,	Light,	Rigby,
Agnew,	Farabaugh,	Limper,	Rovansek,
Amarando,	Fetterolf,	Lippincott,	Royer,
Anderson, M. S.,	Filo,	Lopresti,	Rudisill,
Anderson, S. A.,	Fineman,	Lovett,	Scarcelli,
Andrews,	Floyd,	Lutty,	Seltzer,
Ashton,	Flynn,	Magee,	Sherman,
Auker,	Foster,	Mahan,	Shields,
Barton,	Fox,	Markley,	Silverman,
Bell,	Frascella,	Marsh,	Smith,
Blair,	Gailey,	Maxwell,	Snare,
Boies,	Garlock,	McCann,	Snider,
Boory,	Gelfand,	McCormack,	Spray,
Bower,	George,	McGee,	Steckel,
Bowman,	Gibb,	McInroy,	Stevens,
Brand,	Gibson,	McKeever,	Stimmel,
Breisch,	Goldstein,	Merry,	Stone,
Brennan,	Goodling,	Metz,	Stoner,
Brenninger,	Goodrich,	Mihm,	Strausser,
Breon,	Gramlich,	Mikula,	Stroup,
Breth,	Gross,	Miller, B. Z.,	Stuart,
Brown,	Guthrie,	Miller, H. G.,	Taylor,
Brucker,	Hamilton,	Mills,	Thompson,
Bucchin,	Haudenshield,	Monroe,	Toll,
Buchanan,	Heavey,	Moody,	Tompkins,
Capano,	Heffner,	Moscrip,	Trusio,
Carson,	Henzel,	Moyer,	Ujobai,
Cianfrani,	Hocker,	Muldowney,	Varallo,
Cioffi,	Holt,	Munley,	Varner,
Cleveland,	Horst,	Murphy,	Vaughan,
Comer,	Ide,	Murray, H. P.,	Verona,
Cooper,	Isaacs,	Murray, P. G.,	Wall,
Cummins,	Jenkins,	Musto,	Walsh,
Curwood,	Jim,	Naugle,	Wargo,
Dalrymple,	Johnson,	O'Brien,	Weidner,
Davis,	Johnston,	O'Dell,	Welsh,
DeLong,	Jones, T. H.,	Ogilvie,	Wescott,
Dengler,	Jump,	Parry,	Wheeler,
Dennison,	Kamyk,	Pashley,	Whittaker,
Devlin,	Kehler,	Petrosky,	Willard,
Dietterick,	Keller,	Phillips,	Willaredt,
Donahue,	Kernaghan,	Piper,	Williams,
Donaldson,	Knecht,	Polaski,	Wilt,
Dougherty,	Kooker,	Pomeroy,	Wood,
Down,	Kornick,	Post,	Worley,
Duffy,	Korns,	Price,	Wyatt,
Dunn,	Krakow,	Pursley,	Wynd,
Edwards,	Lafore,	Ragot,	Yatron,
Eilberg,	Lee, A. M.,	Readinger,	Zimmerman,
Erb,	Lee, K. B.,	Reidenbach,	Helm,
Eshleman,	Leonard,	Renwick,	Speaker

NAYS—0

NOT VOTING—6

Jones, G. E.	Miller, W. H.,	Mullen,	Schuster,
McLaughlin,			Schwartz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 77, entitled as follows:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities"

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1, page 2, line 1, by striking out "quarter" and inserting "year"

Amend the Bill, page 2, by inserting after line 3

"Section 2. This act shall take effect immediately."

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for prniting.

BILL PASSED OVER

There being no objection

Senate Bill No. 124, printer's No. 26

was passed over at the request of the SPEAKER.

RECONSIDERATION OF VOTE

The SPEAKER. At the time House Bill No. 163 was considered on second reading, the gentleman from Lancaster, Mr. Wood, was absent from the floor holding a Committee meeting. The Chair has since been informed that the gentleman intended to offer amendments when the bill was called up.

Mr. ESHLEMAN. Mr. Speaker, I move that the votes by which House Bill No. 163, Printer's No. 38 entitled:

An Act amending the act of May 16 1945 (P. L. 594) entitled "An act providing for the disposition of fines penalties and forfeitures collected in summary proceedings * * *" imposing penalties for violations of the act and in certain cases removing from office magistrates * * * failing to make monthly settlements with certain political subdivisions

was ordered to be transcribed for third reading and agreed to on second reading as amended, be reconsidered.

The motion was agreed to.

Mr. ESHLEMAN. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

The motion was agreed to.

Mr. ESHLEMAN. Mr. Speaker, I move that the vote by which Section 1 was agreed to as amended be reconsidered.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section as amended?

Mr. WOOD offered the following amendments:

Amend Sec. 1 (Sec. 1), page 3, line 7, by striking out "or"

Amend Sec. 1 (Sec. 1), page 3, line 7, by inserting after "peace" "or burgess of a borough acting as a justice of the peace"

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read and agreed to as amended,

Ordered, To be transcribed for third reading.

RESOLUTIONS

The SPEAKER. If there is no objection, the Chair will pass over the order of business of resolutions. The Chair hears none.

REPORTS FROM COMMITTEES

Mr. HEFFNER from the Committee on Judiciary, reported as committed, House Bill No. 165, entitled:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743) establishing a Traffic Court of Philadelphia and prescribing its powers and duties and jurisdiction and the magistrates assigned thereto: * * *

Mr. WEIDNER from the Committee on Appropriations, reported as committed, House Bill No. 453, entitled:

An Act transferring money from the Banking Department Fund to the General Fund

Mr. BLAIR from the Committee on Appropriations, reported as amended, House Bill No. 479, entitled:

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

Mr. HAUDENSHIELD from the Committee on Appropriations, reported as committed, House Bill No. 589, entitled:

An Act amending the act of September 3 1955 (Appropriation Act No. 17-A) entitled "An act making an appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August, one thousand nine hundred fifty-five," making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before the completion of projects.

Mr. GUTHRIE from the Committee on Appropriations, reported as committed, Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

Mr. HOCKER from the Committee on Appropriations, reported as committed, House Bill No. 478, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-five, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-five.

BILLS ON FIRST READING

Mr. HOCKER asked and obtained unanimous consent for House Bill No. 478 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 478 entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first ,one thousand nine hundred fifty-five, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-five.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair notes the presence of, and welcomes to the Hall of the House Congressman Byrne of Philadelphia, a former Member of this House from Philadelphia.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, you have just heard reported from the Committee on Appropriations a deficiency appropriation bill, House Bill 478, which was read for the first time. The reason for it being read the first time is the urgency of getting this appropriation passed and placed on the Governor's desk.

Last week I wrote to John H. Ferguson, the Secretary of Administration, and asked for a statement of the lapses so far as this biennium is concerned, because in reading the various rulings in connection with passing deficiency appropriations, we were convinced that we would have to have new revenue in order to pass a deficiency appropriation or there must be some lapsing.

Mr. Fergusan has written to me so far as lapses are concerned, and states:

> "We do not intend to release specific identification of lapses until the allotment request for the last quarter of this biennium has been approved."

He further says,

> "The allotments are now in process of development. The last figures used in the Governor's budget message and also in the budget were necessarily estimates."

For the information of the House, there have been prepared lapsing bills. We have had to do it on our own. We have had to take the bull by the horns, as it were. In order to save time and to get the ball rolling, those bills today have been sent to the Senate. So that in the House we have released the deficiency bills and in the Senate are the lapsing bills. It is a job that had to be done, and constitutionally done. That is the only way we can see to move these bills.

I have another matter in connection with the Highway Department. You all heard the Governor has requested leave to come before us in a Joint Session tomorrow. I believe he is going to give us his budget message from the Highway Department.

One thing that we have noticed since the session started is that we have not received the biennial report of the Highway Department. Generally, we get it long before now. The Administrative Code requires that the Secretary of Highways deliver to the Governor on or before September 1 in an even-numbered year a report of his Department.

We understand that the Highway Department report was made and 2500 copies were printed. They were delivered to the Secretary of Highways, and the Governor and the Secretary of Highways have a copy of that report.

I do not know why it has not been given to us to date. I am not saying that administration expense has gone up or maintenance expense has gone up, but I would

say that tomorrow in connection with the Governor's message on his Highway budget, it would be a tremendous help to the Members of this House if each and every one of us had on our desks a copy of the Highway Department report which was issued as of May 31, 1956, for the two-year period ending on that date.

I am publicly calling on the Secretary of Highways and the Governor's Office to put on our desks tomorrow a copy of this report which up to this time, I believe, is marked Classified.

That is all I have to say. Let us all be on hand tomorrow for this important Joint Session of great interest to us all.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from McKean, Mr. Johnson.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I believe the gentleman stated that he wrote to Mr. Ferguson asking for a statement of the expected lapses. Is that what I understood the gentleman to say?

Mr. JOHNSON. That is correct.

Mr. READINGER. I believe the Governor's Budget Message spoke about estimated lapses of $29 million for the present biennium. Is that correct?

Mr. JOHNSON. That is correct, Mr. Speaker.

Mr. READINGER. May I ask what the total amount is of the two appropriation bills which were reported out today?

Mr. JOHNSON. The two bills that have come out today total—the Occupational Disease Deficiency Bill is $1.1 million, and the deficiency for the Department of Public Assistance is approximately $8 million.

Mr. READINGER. A total of approximately $9 million?

Mr. JOHNSON. I believe that is correct.

Mr. READINGER. May I ask the gentleman whether it has not been customary over the years to pass various deficiency appropriation bills during the regular session where such deficiencies were anticipated?

Mr. JOHNSON. I understand, Mr. Speaker, that deficiency appropriation bills were always passed on the assurance that there were sufficient lapses in order to take care of the deficiencies.

Mr. READINGER. On whose assurance?

Mr. JOHNSON. I believe when we were in power we had the assurances from the Governor's office, as I recall.

Mr. READINGER. But does not the gentleman consider the Budget Message of the Governor indicating possible lapses of $29 million as assurance that there would be at least $9 million in lapsed funds?

Mr. JOHNSON. No, we do not. In view of the hazy nature of the letter I have received from the Secretary of Administration, we have felt that we must go ahead and lapse appropriations in order to justify releasing these deficiency appropriation bills to the floor.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether it would be too much trouble for him in the future when requesting such information from the Budget office, or any other office, to send me a copy of the request in order that I might see that he receives the information he has a right to expect?

Mr. JOHNSON. I would not say that request would be unreasonable. I would say it is probably a reasonable request.

Mr. READINGER. I do now request the gentleman to send me copies of such letters, and perhaps I can assist him in obtaining this information so that he need not bring the matter to the floor of the House in this manner. But I repeat, I believe the gentlemtn from McKean can well assume that the administration knows the law also and that if the law—as it probably does—requires a certain amount of lapsed funds in order to make legal the signing of an appropriation bill for a deficiency, I assume that the Governor's office would follow the law and would not sign appropriation bills without a reasonable expectancy of lapsed funds to the extent necessary to recover the deficiencies. So that whether the gentleman has these facts now or whether he does not have them now, I see no reason for hesitating to pass these deficiency appropriation bills to place the departments in a position where they can continue to function for the rest of the biennium without having any specific data at the moment on the amount of lapsed funds.

If the Budget office or the Governor's office has not estimated these lapses in the amount of approximately $29 million, I would then agree with the gentleman that we should hesitate before we pass bills which perhaps might be illegal; but in view of the facts as they exist at the moment, I think we have before us a critical appraisal of the administration for doing exactly the same thing that prior administrations have been doing for many, many years.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader, Mr. Johnson.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker

Mr. ANDREWS. Mr. Speaker, did I understand the Majority Leader to say that the Office of Administration had refused to comply with a request for information which he has reason to believe it has in its possession?

Mr. JOHNSON. I would say that I have a letter in my possession, and I read the last paragraph of it, in connection with lapses. My letter did request specific information as to specific lapses which would aid the Appropriations Committee in releasing these deficiency appropriation bills to the floor. I would say that the letter that I have here is in the nature of a general denial of the information.

Here is another thing. The custom is apparently that in the last quarter of the biennium they determine what the lapses are.

Would you say the last quarter is the last three months or a quarter of the biennium would be the last six months? Of course, it is a question of interpretation as to what would be the last quarter of a two-year period. Even if it is the last three-months period, I would say that on February 26, 1957, when I received this letter that information certainly should have been available.

Mr. ANDREWS. Mr. Speaker, another question. The Majority Leader very well understands, does he not, that he has Committees which enjoy the power of subpoena in the event that any administrative officer declines to give either that Committee or the Majority Leader information which there is reason to believe he has?

What I am saying is, if there is information, the

Majority Leader does not have to write for it. He can subpoena it through his proper committees.

Mr. JOHNSON. Mr. Speaker, my answer to that is, one always does the courteous thing of writing a letter and requesting information, which with the expensive accounting system that has been installed, should be readily, easily and quickly available.

Mr. ANDREWS. Mr. Speaker, might I very briefly reply to the Majority Leader and say that the kindly and courteous way, if he wants to be so kindly and courteous, would be to have taken the matter up with the Minority Leader, who I have no doubt, could furnish him with the information. Then it would not have been necessary to bring this matter out on the floor, which is a very good thing, I presume, from a political point of view, but I do not believe he did it out of the kindness of his heart.

Mr. JOHNSON. Mr. Speaker, I will not say that I have been around here a long time, but it has been quite long, and I do not ever recall when I was Floor Leader, nor do I recall when I have been pretty closely connected with other Floor Leaders, that any copies of any letter to the Chief Executive or from any Committee Chairman were ever delivered to the Majority Leader's office.

I said in reply to the Minority Leader if both sides had been doing that in the past, it probably would be the courteous thing to do, but I say it has not been the custom.

I, therefore, do not like the innuendo that I have taken any advantage of the Minority Leader for he is the last person in the world of whom I would ever take advantage. I consider him one of my very best friends.

Mr. ANDREWS. Mr. Speaker, the Majority Leader wholly misunderstands my kindly intent in this matter.

I simply want to remind him again that he has Committees endowed with the power of subpoena and he has it within this range of his power to bring into his possession, and into the possession of this House, any financial facts which the agents of this administration have in their keeping.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence No. 5.

COMMITTEE MEETINGS

CITIES—COUNTIES FIRST, SECOND AND SECOND CLASS A, Mr. Wilt, Chairman, Room 521, Tuesday, March 5, at 10:30 a. m.

CITIES—THIRD CLASS, Mr. Mikula, Chairman, Room 521, Tuesday, March 5, at 10:00 a. m.

ELECTIONS AND APPORTIONMENT, Mr. Royer, Chairman, Room 329, Tuesday, March 5, at 11:03 a. m.

JUDICIARY, Mr. Tompkins, Chairman, Room 145, Tuesday, March 5, at 11:30 a. m.

MILITARY AFFAIRS, Mr. Davis, Chairman, Room 323, Tuesday, March 5, at 11:15 a. m.

STATE GOVERNMENT, Mr. Keller, Chairman, Room 324, Tuesday, March 5, at 11:30 a. m.

TOWNSHIPS, Mr. Wescott, Chairman, Room 522, Tuesday, March 5, at 11:00 a. m.

ADJOURNMENT

Miss DUFFY. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 5, 1957 at 1:00 p. m.

The motion was agreed to, and (at 6:39 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, MARCH 5, 1957. No. 20.

SENATE

TUESDAY, March 5, 1957.

The Senate met at 1:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. ALBERT N. ROBERTS, Rector of St. Mark's Episcopal Church, Erie, offered the following prayer:

Let us pray.

O God, from Whom all holy desires, all good counsels and all just works do proceed, visit, we pray Thee, this body with Thy gracious favor. Enlighten our minds for the legislative tasks that confront us. Free us from all perversity and intolerance, and grant that our work may proceed in mutual trust and respect.

We render thanks for our heritage of freedom and responsibility, for the rich fruits of earnest examination and laborious study, and for the experience of age and for the vision of youth. Each generation, its solemn task, can claim but once. Make each one nobler, stronger than the last.

We ask it in Christ's name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. SARRAF, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 31

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 31, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled * * *" defining the records to be kept by the Department and authorizing the disposal of unneeded material relative to existing records.

With the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 21, entitled:

An Act amending the act of June 26, 1895 (P. L. 333) entitled "An act to authorize occupants of real estate in cities and boroughs of the Commonwealth to employ night watchmen, with the approval of the court of quarter sessions of the proper county or of the Director of the Department of Public Safety in any city having such a department and conferring upon the night watchmen thus employed, all rights, privileges and powers of constables and policemen duly elected or appointed in such cities or boroughs," authorizing the appointment of day watchmen.

Which was committed to the Committee on Judiciary General.

House Bill No. 32, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," authorizing unnaturalized foreign-born residents to own or possess dogs.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 94, entitled:

An Act amending the act of May 1, 1929 (P. L. 1005), entitled, as amended. "Tractor Code," providing for the classification of tractors used as portable saw mill rigs.

Which was committed to the Committee on Highways.

House Bill No. 122, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), changing certain penalties for making illegal noises.

Which was committed to the Committee on Highways.

House Bill No. 247, entitled:

An Act amending "The Game Law," approved June 3, 1937, (P. L. 1225), changing the definition of "unprotected birds" to exclude hawks.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 250, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448) excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsman's shows.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 267, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), permitting township commissioners to hold their organization meeting the day after a holiday.

Which was committed to the Committee on Local Government.

House Bill No. 295, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), removing time limitation for filing petitions when disability increases or recurs.

Which was committed to the Committee on Labor and Industry.

House Bill No. 341, entitled:

An Act amending "The Private Detective Act of 1953," approved August 21, 1953 (P. L. 1273), permitting former members of the Pennsylvania State Police to apply for licenses.

Which was committed to the Committee on State Government.

House Bill No. 443, entitled:

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

Which was committed to the Committee on Appropriations.

BILL SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 31-, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled * * *" defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records.

Whereupon,
The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. WOLFE, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 17, entitled:

An Act amending the act of July 12, 1935 (P. L. 677) entitled "An act to fix the status of officers and employes of the Commonwealth and political subdivisions thereof . . .," including members of the United States Coast Guard Reserve.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 234, entitled:

An Act to further amend section six of the act, approved the third day of June, one thousand eight hundred eighty-five (P. L. 62) entitled "An act to provide for the establishment and maintenance of a home for disabled and indigent soldiers and sailors of Pennsylvania," by extending its provisions to veterans of armed conflicts.

Mr. FLEMING, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 86, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," authorizing unnaturalized foreign-born residents to own or possess dogs.

He also, from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 116, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," providing for an open season for the hunting of male and female deer each year with bows and arrows.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 121, entitled:

An Act making an appropriation to the Pennsylvania Fish Commission for replacing destroyed fish.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 183, entitled:

An Act making an appropriation to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of Independence Mall in Philadelphia.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 260, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," authorizing game to be hunted, caught, taken, wounded or killed with auto-pistols.

Mr. WALKER, from the Committee on Local Government, reported as committed, House Bill No. 11, entitled:

An Act authorizing incorporated towns to regulate junk yards.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 84, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the county commissioners to pay the expenses for certain courses of studies for public prosecutors.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 98, entitled:

An Act amending the act of April 25, 1929 (P. L. 694) entitled An Act providing for the payment monthly by the counties to the Department of Revenue of the expenses of keeping convicts in State penitentiaries," changing the counties which are responsible for the upkeep of convicts in State penitentiaries.

He also, from the Committee on Local Government reported as committed, House Bill No. 130, entitled:

An Act providing for the reassessment of properties for tax purposes where new improvements have been made and the addition thereof to existing tax duplicates of political subdivisions.

He also from the Committee on Local Government, reported as committed, House Bill No. 143, entitled:

An Act amending the act of May 2, 1945, (P. L. 382), entitled "Municipality Authorities Act of 1945," requiring "Authorities" to submit annual reports to municipalities creating the "authorities" and to the Department of Internal Affairs.

He also from the Committee on Local Government, reported as committed, Senate Bill No. 167, entitled:

An Act creating in Philadelphia a Court of Administrative Appeals and defining its powers and jurisdiction.

He also from the Committee on Local Government, reported as committed, Senate Bill No. 168, entitled:

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

He also from the Committee on Local Government, reported as committed, Senate Bill No. 222, entitled:

An Act amending the act of March 7, 1901, (P. L. 20), entitled "Second Class City Law," authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office

He also from the Committee on Local Government, reported as committed, Senate Bill No. 291, entitled:

An Act designating the counties responsible for the upkeep of certain convicts in penal or correctional institutions.

He also from the Committee on Local Government, reported as amended, Senate Bill No. 293, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," providing that each person elected to the office of councilman shall be elected as the director of a specified department of the city.

He also from the Committee on Local Government, reported as committed, Senate Bill No. 305, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," regulating contract procedures and advertising for bids.

He also from the Committee on Local Government, reported as committed, Senate Bill No. 306, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945," regulating contract procedures and advertising for bids.

He also from the Committee on Local Government, reported as committed, Senate Bill No. 307, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," regulating contract procedure and advertising for bids.

Mr. KESSLER, from the Committee on Finance, reported as committed, Senate Bill No. 280, entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund.

Mr. WHALLEY, from the Committee on Highways, reported as committed, Senate Bill No. 15, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," clarifying provisions relating to certain limitations of prosecutions.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 17, entitled:

An Act authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles; authorizing the suspension of operators' licenses or permits of persons refusing to submit to a chemical test and making the results of the chemical tests admissible in evidence.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 60, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for the issuance of special registration plates to operators of amateur radio stations holding technician licenses.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 142, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172), entitled "Borough Rural State Highway Law," adding a new route in Delaware County.

He also, from the Committee on Highways, reported as amended, Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," authorizing courts to revoke or suspend operating privileges in certain cases.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 159, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," prohibiting the use of electric shavers while operating a motor vehicle.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 172, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for the erection of stop signs bearing the legend "Four Way Stop."

He also, from the Committee on Highways, reported as committed, Senate Bill No. 199, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike between the Donegal and Bedford interchanges.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 200, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," requiring that flashing emergency lamps on snow plows and cinder trucks be of a color other than red.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 202, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto, connecting the State highway system in Armstrong County with the State highway system in Clarion County.

He also from the Committee on Highways, reported as committed, Senate Bill No. 207, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," exempting blind veterans from the payment of certain fees.

He also from the Committee on Highways, reported as committed, Senate Bill No. 286, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172), entitled "Borough Rural State Highway Law," adding a new route in Penndel Borough, Bucks County.

He also from the Committee on Highways, reported as committed, Senate Bill No. 287, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Middletown and Bristol Townships, Bucks County.

He also from the Committee on Highways, reported as committed, House Bill No. 287, entitled:

An Act abolishing the Pennsylvania Tunnel Commission assuming its obligations and appropriating money from the Motor License Fund.

He also from the Committee on Highways, reported as committed, House Bill No. 322, entitled:

An Act making certain bridges in the Commonwealth toll free providing for the payment of certain bond issue requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof.

Mr. RUTH, from the Committee on Rules, reported as committed, Senate Bill No. 277, entitled:

An Act authorizing and empowering the Delaware River Port Authority, a body corporate and politic, functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey, and the express consent of the Congress of the United States, to appoint policemen; make rules and regulations for the prevention of disorder, the preservation of safety, and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate; to prevent the evasion of the payment of tolls; and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls.

BILLS INTRODUCED AND REFERRED

Messrs. KOPRIVER, JR., and BARR read in place and presented to the Chair, Senate Bill No. 308, entitled:

An Act amending the act of July 12, 1919 (P. L. 933), entitled "Architects Registration Law," providing for the registration of certain architects without examination.

Which was committed to the Committee on Education.

Mr. KESSLER read in his place and presented to the Chair, Senate Bill No. 309, entitled:

An Act relating to and regulating the practice of the profession of landscape architecture; providing for the licensing and registration of persons practicing the profession and the suspension and revocation of licenses and registrations; prescribing the powers and duties of the Department of Public Instruction and the courts, and prescribing penalties.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair, Senate Bill No. 310, entitled:

A Joint Resolution proposing an amendment to section twelve, article three of the Constitution of the Commonwealth of Pennsylvania, providing for the purchasing of stated commodities in such manner as may be prescribed by law, and authorizing use of an escalation clause.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. MAHANY and BERGER read in place and presented to the Chair, Senate Bill No. 311, entitled:

An Act regulating the expenditures by departments, boards, commissions and agencies of the Commonwealth with respect to appropriations and allocations for specific purposes and prescribing penalties.

Which was committed to the Committee on State Government.

Mr. MAHANY read in his place and presented to the Chair, Senate Bill No. 312, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational and park purposes," designating the lake area on which motor boats may be operated, limiting the horsepower of the motor boats operated thereon, and fixing penalties.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, I am speaking today on Senate Bill No. 11, which creates an Atomic Energy Co-ordinator for the Commonwealth of Pennsylvania. This bill was co-sponsored by Senator Dent, Senator Ruth, Senator Yosko, Senator Seyler, Senator Weiner, Senator Donolow, Senator Stiefel, Senator Mallery, Senator Wade, Senator Pechan, Senator Stevenson, Senator Camiel and myself, on January 7 of this year.

This bill was reported, as committed, on January 22, passed first reading and was recommitted to the Committee on State Government on February 4, on a motion by Senator Fleming, of Allegheny County.

Mr. President, I have here today several news items which I believe will be of interest to the Membership of the Senate, both of which appeared in the Pit'sburgh Press as of last Thursday. The first one reads as follows:

There was an announcement that Pennsylvania State University received an atomic fund grant amounting to $205,000 for the purpose of expanding the school's atomic research reactor. The grant will be used to provide auxiliaries, including a laboratory capable of handling uranium and a second set of fuel elements for the use of the reactor. The reactor itself is what they call a swimming pool type and originally was built and paid for by the University at a cost of over $1,000,000.

The Atomic Energy Commission grant is the first Federal money to go into The Pennsylvania State University. For your further information, the Pennsylvania State University and the University of North Carolina are the only universities in the Nation with atomic research reactors already in operation.

There is also another news item which appeared in the Pittsburgh Press, as of last Friday, whereby a certain Pittsburgher hits industry itself upon atomic energy lag, and I quote:

"American industry is dragging its feet on atomic energy development, a Pittsburgh scientist testified yesterday before a Joint Congressional Committee.

"This lag is due, said R. A. Brightsen, president of Nuclear Science and Engineering Corp., to two chief factors:

"1. Lack of understanding as to what uses can be made of the atom in private industry.

"2. Excessive development costs, which as of now cannot be justified from a single corporation's point of view.

"'We should like to suggest that the Atomic Energy Commission consider an industrial applications program' Mr. Brightsen said.

"He suggested the AEC should bear part of the cost of the development programs suggested by industries until they could be put on a paying basis.

"Among possible industrial uses of the atom not now being made, he suggested:

"1. Sterilization of foods and medicines.

"2. Quality control.

"3. Improvement of automatic machines.

"He also urged salvage of valuable materials from radio-active wastes, new studies on what parts of such wastes are dangerous and what antidotes can be found."

Those of you who might have read the Evening News as of yesterday will note that on page 6 there is a complete analysis of the legislation which was sponsored by the Senators that I named; an analysis going into detail as to the potential possibilities of atomic energy for civilian use, especially the advantages which Pennsylvania agriculture, itself, could receive from this particular source.

Mr. President, I might also add that in my opinion very few people fully realize and appreciate the magnitude and the possibilities of civilian use of atomic energy. In my opinion, I believe that this is the one virgin field that could provide full employment for the citizenry of our Commonwealth.

I hope the Membership realizes, too, that even if this bill were reported out today, it would be at least two years before the co-ordinator would be in a position to make definite recommendations to the Legislature. We should have this bill reported out or hold a public hearing and secure the sentiments of those who might be interested.

I know for a fact that industry in general and the people as a whole in the State of Pennsylvania are in favor of the utilization of atomic energy for peacetime purposes. I feel that we should act promptly, that we should pass legislation, have a co-ordinator appointed and provide the co-ordinator with sufficient appropriations to fulfill completely the duties and responsibilities of this position.

I might also add, Mr. President and Members of the Senate, that I talked to Senator Fleming, the Chairman of the Committee on State Government, and he advised me that he plans, within the next several weeks, to hold a hearing on this particular bill in order to have the sentiment of those who might be interested. I hope that will be possible and I hope that we do something, because if we let this lag and we do pass the bill without an appropriation, we are not going to accomplish too much.

I wish to repeat and I want to emphasize that I believe if we pass the bill at this Session, it will be at least two years before we can have full knowledge as to just what can be done. I believe it will entail the amendment of our labor laws, our health laws and probably our highway laws.

I feel this is good legislation; we must not lag behind. There are seven or eight other States which have this legislation on their statute books. Pennsylvania is a great industrial State, and we should do everything we can to keep us in the forefront.

BILLS INTRODUCED AND REFERRED

Mr. MAHANY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. MAHANY and Dent read in place and presented to the Chair Senate Bill No. 313, entitled:

An Act amending the act of March 31, 1949 (P. L. 372) entitled "The General State Authority Act of 1949," increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor and allocating the proceeds of the increased borrowing.

Which was committed to the Committee on State Government.

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 314, entitled:

An Act authorizing the secretary and the chief counsel of the board of public education in school districts of the first class to settle and compromise penalties and interest on delinquent taxes.

Which was committed to the Committee on Education.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 70, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," prohibiting payments for certain types of transportation from school district funds procured by the assessment levy or collection of taxes.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I would ask that Senate Bill No. 70 go over in order, if there is no objection from the other side.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from York, Senator Seyler.

The PRESIDENT. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. I will, Mr. President.

Mr. MAHANY. I would ask the Senator if there is any particular reason why he wants this bill to go over?

Mr. SEYLER. Mr. President, the reason is that there are several points in the bill which have been somewhat controversial on this side, and inquiries are being made to clarify some of these objections, and I think it would be to the advantage of all concerned if we would wait until we have had time to settle those objections.

Mr. MAHANY. Mr. President, if the Senator would request the bill to go over, I would not object to his request.

Mr. SEYLER. I will so request, Mr. President.

The PRESIDENT. There being no objection, Senate Bill No. 70, Printer's No. 43, will go over in its order on final passage.

RECONSIDERATION OF SENATE BILL NO. 70

Mr. SEYLER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 70 passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. SEYLER. Mr. President, I voted with the prevailing side.

Mr. SCHMIDT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SCHMIDT. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILLS OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 70, Printer's No. 43; and
Senate Bill No. 71, Printer's No. 39.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE NOTIFIES SENATE IT IS READY TO CONVENE IN JOINT SESSION

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presentaing a committee on behalf of the House of Representatives.

The PRESIDENT. The Sergeant-at-Arms will escort the committee to the Bar of the Senate.

Mr. KELLER. Mr. President, we are a committee appointed by the House of Representatives to inform the Senate that the House is ready to receive the Officers and Members of the Senate in Joint Session, and to escort them to the Hall of the House.

The PRESIDENT. The Chair thanks the committee on the part of the House of Representatives.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for a period of one hour so that the Members of the Senate may attend the Joint Session.

Mr. EHRGOOD. Mr. President, I second the motion.

The motion was agreed to.

SENATE PROCEEDS TO THE HOUSE TO HEAR GOVERNOR'S MESSAGE

The hour of two o'clock, p.m., having arrived, Messrs. KELLER and KAMYK, a committee on the part of the House of Representatives, being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate for the purpose of listening to an address by His Excellency, the Governor, and the submission of the Eighteenth Biennial Budget of the Commonwealth of Pennsylvania for the Fiscal Biennium, June 1, 1957 to May 31, 1959, Special Funds.

The President and Members of the Senate proceeded to the Hall of the House of Representatives.

SENATE RETURNS FROM THE HOUSE

The President and Members of the Senate then returned to the Senate Chamber.

REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 281, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts, page 120, Act No. 150-A), entitled "The General Appropriation Act of 1955," decreasing appropriations to the Department of Revenue.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

EIGHTEENTH BIENNIAL BUDGET OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE FISCAL BIENNIUM, JUNE 1, 1957 TO MAY 31, 1959, SPECIAL FUND

The PRESIDENT. Copies of this Budget are now being placed on the desks of each Member of the Senate.

REPORT OF COMMITTEE TO ESCORT THE GOVERNOR

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presenting a committee on behalf of the Senate.

The PRESIDENT. The Chair recognizes the Senator from Bucks, Mr. Watson, the Chairman of the Committee.

Mr. WATSON. Mr. President, the committee has performed its duty assigned them in escorting the Governor.

The PRESIDENT. The Chair wishes to thank the Chairman, particularly, and the other Members of the Committee for a job very well done.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 140, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing representation on the board of directors of union and merged school districts.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 147, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act," exempting from the tax the transfer of real property by certain holders in escrow.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 161, entitled:

An Act amending the act of May 2, 1949 (P. L. 873) entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections * * *" clarifying the provisions of the act as to its application in townships.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I wish to be recorded as voting "no" on this particular bill.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, due to the amendments previously placed in the bill, I withdraw my objections and ask to be recorded as voting "aye."

The PRESIDENT. The gentleman from Washington will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 224, entitled:

An Act requiring that all meetings of legislative bodies of all political subdivisions including school districts and of all meetings of boards commissions and authorities created by or operating as agencies of political subdivisions including authorities created by or operating as agencies of the Commonwealth shall be open to the public.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2, page 3, line 4, by striking out "forty-eight" and inserting in lieu thereof: "twenty-four"; Amend Sec. 3, page 3, lines 16 and 17, by striking out "is guilty of a misdemeanor and"; Amend Sec. 3, page 3, line 17, by inserting after "upon": "summary"; Amend Sec. 3, page 3, line 18, by striking out "one hundred dollars ($100)" and inserting in lieu thereof: "ten dollars ($10)"; Amend Sec. 3, page 3, lines 18 and 19, by striking out "five hundred dollars ($500)" and inserting in lieu thereof: "twenty-five dollars ($25) and costs of prosecution."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 224 (Pink), on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 241, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," limiting reimbursement for depreciation to school districts which use their own vehicles in transporting pupils.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 266 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 76, entitled:

An Act reenacting and amending the act of July 7, 1955 (P. L. 256) entitled "An act creating a temporary advisory commission to examine report upon and recommend reorganizations of agencies and functions of the State government . . ." reactivating and extending the life of the commission

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 1 (Sec. 8), page 5, line 1, by striking out "March" and inserting: "May."

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 110, entitled:

A Supplement to the act of June 12, 1931 (P. L. 588) entitled "An act authorizing the Department of Property and Supplies to acquire lands in Harris Township, Centre County, for the use of the Department of Military Affairs; and making an appropriation," transferring the control, supervision and management of the lands to the Pennsylvania Historical and Museum Commission; requiring the commission to complete, and thereafter maintain, the "Twenty-eighth Division Shrine" thereon, dedicating the same to the officers and men of the Twenty-eighth Division; creating the Twenty-eighth Division Memorial Shrine Commission, and prescribing its powers and duties; and making an appropriation.

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. HAYS offered the following amendments:

Amend Section 3, page 3, line 1, by striking out "commission" and inserting: "Advisory Board"; Amend Section 3, page 3, line 2, by striking out "Commission" and inserting: "Advisory Board"; Amend Section 3, page 3, line 10, by striking out "commission" and inserting:

"board"; Amend Section 3, page 3, line 12 by striking out "Commission" and inserting: "Advisory Board".

They were agreed to.

The section was agreed to as amended.

The fourth section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HAYS offered the following amendment:

Amend the title, page 2, line 1 of the title, by striking out 'Commission" and inserting: "Advisory Board".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 115, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" establishing a monetary limit to the amount of funds in the Special Administration Fund and discontinuing authorization to erect buildings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 203, entitled:

An Act amending the act of June 21, 1939 (P. L. 565) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred thirty-six) entitled as amended "The Pennsylvania Workmen's Compensation Act' as reenacted and amended * * *" providing for withdrawal of election and acceptance to be covered by act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole bing in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 216, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" empowering the chairman of the Board of Finance and Revenue to appoint a secretary and making certain rules and regulations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEE

Mr .WHALLEY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Highways, reported as amended, Senate Bill No. 198, entitled:

An Act requiring all tunnels on the Pennsylvania Turnpike to be painted white or lined with a light colored material and be equipped with continuous lighting.

He also, from the Committee on Highways, reported as amended, Senate Bill No. 288, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," regulating issuance of special registration plates, and fixing fees therefor in certain cases.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. ELLIOTT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 11, entitled:

An Act authorizing incorporated towns to regulate junk yards.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 15, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," clarifying provisions relating to certain limitations of prosecutions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 17, entitled:

An Act authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles; authorizing the suspension of operators' licenses or permits of persons refusing to submit to a chemical test and making the results of the chemical tests admissible in evidence.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 17, entitled:

An Act amending the act of July 12, 1935, (P. L. 677), entitled "An act to fix the status of officers and employes of the Commonwealth and political subdivisions thereof . . . ," including members of the United States Coast Guard Reserve.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 60, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for the issuance of special registration plates to operators of amateur radio stations holding technician licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 84, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the county commissioners to pay the expenses for certain courses of studies for public prosecutors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 86, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," authorizing unnaturalized foreign-born residents to own or possess dogs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 98, entitled:

An Act amending the act of April 25, 1929 (P. L. 694), entitled An Act providing for the payment monthly by the counties to the Department of Revenue of the expenses of keeping convicts in State penitentiaries," changing the counties which are responsibe for the upkeep of convicts in State penitentiaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 116, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," providing for an open season for the hunting of male and female deer each year with bows and arrows.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 121, entitled:

An act making an appropriation to the Pennsylvania Fish Commission for replacing destroyed fish.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideraation of House Bill No. 130, entitled:

An Act providing for the reassessment of properties for tax purposes where new improvements have been made and the addition thereof to existing tax duplicates of political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 142, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route in Delaware County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 143, entitled :

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945," requiring "Authorities" to submit annual reports to municipalities creating the "authorities" and to the Department of Internal Affairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," authorizing courts to revoke or suspend operating privileges in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 159, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," prohibiting the use of electric shavers while operating a motor vehicle.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 167, entitled:

An Act creating in Philadelphia a Court of Administrative Appeals and defining its powers and jurisdiction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 168, entitled:

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 172, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," providing for the erection of stop signs bearing the legend "Four Way Stop."

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 183, entitled:

An Act making an appropriation to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of Independence Mall in Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 198, entitled:

An Act requiring all tunnels on the Pennsylvania Turnpike to be painted white or lined with a light colored material and be equipped with continuous lighting.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 199, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike between the Donegal and Bedford interchanges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 200, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," requiring that flashing emergency lamps on snow plows and cinder trucks be of a color other than red.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 202, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto, connecting the State highway system in Armstrong County with the State highway system in Clarion County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 207, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," exempting blind veterans from the payment of certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 222, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "Second Class City Law," authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 234, entitled:

An Act to further amend section six of the act, approved the third day of June, one thousand eight hundred eighty-five (P. L. 62- entitled "An act to provide for the establishment and maintenance of a home for disabled and indigent soldiers and sailors of Pennsylvania," by extending its provisions to veterans of armed conflicts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 260, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," authorizing game to be hunted, caught, taken, wounded or killed with auto-pistols.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 277, entitled:

An Act authorizing and empowering the Delaware River Port Authority, a body corporate and politic, functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey, and the express consent of the Congress of the United States, to appoint policemen; make rules and regulations for the prevention of disorder, the preservation of safety, and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate; to prevent the evasion of the payment of tolls; and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 280, entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 281, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts, page 120, Act No. 150-A), entitled "The General Appropriation Act of 1955," decreasing appropriations to the Department of Revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 286, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172), entitled "Borough Rural State Highway Law," adding a new route in Penndel Borough, Bucks County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 287, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Middletown and Bristol Townships, Bucks County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 287, entitled:

An Act abolishing the Pennsylvania Tunnel Commission assuming its obligations and appropriating money from the Motor License Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 288, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," regulating issuance of special registration plates, and fixing fees therefor in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 291, entitled:

An Act designating the counties responsible for the upkeep of certain convicts in penal or correctional institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 293, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," providing that each person elected to the office of councilman shall be elected as the diretcor of a specified department of the city.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 305, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," regulating contract procedures and advertising for bids.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 306, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945," regulating contract procedures and advertising for bids.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 307, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," regulating contract procedure and advertising for bids.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 322, entitled:

An Act making certain bridges in the Commonwealth toll free providing for the payment of certain bond issues requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL INTRODUCED AND REFERRED

Mr. SEYLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SEYLER read in place and presented to the Chair Senate Bill No. 315, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," changing or deleting a certain route and adding a certain new route.

Which was committed to the Committee on Highways.

SENATE BILL No. 216 CALLED UP

Mr. LANE. Mr. President, I call up, from Page 3 of today's Second Reading Calendar, Senate Bill No. 216 (Pink).

The PRESIDENT. Is there objection? The Chair hears none.

MOTION FOR RECONSIDERATION OF SENATE BILL No. 216

Mr. LANE. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 216, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" empowering the chairman of the Board of Finance and Revenue to appoint a secretary and making certain rules and regulations.

passed second reading today.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

Mr. SARRAF. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SARRAF. Mr. President, I voted with the prevailing side.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, I object to reconsidering the vote by which this bill passed second reading and ask my colleagues to vote "no."

Mr. LANE. Mr. President, it so happened that we had amendments which we proposed to offer on this bill. We have always been extended that courtesy and we have extended that courtesy to the Majority side. We have never objected to the reconsideration of a vote, not to my knowledge. I think it is very unfair. I think it is arbitrary and it does not show any spirit of cooperation whatsoever.

Mr. MAHANY. Mr. President, Senator Lane is arguing in his usual style. He knows that if we do not reconsider the vote it will be on tomorrow's third reading calendar. If he has amendments to present to it at that time, I will have no objection. I have never objected to anyone's right to offer amendments to a bill when it appears on third reading.

Therefore, Mr. President, if Senator Lane has some amendments which he thinks are important to this bill, he will be given an opportunity to present them tomorrow when the bill appears on the third reading calendar.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. LANE. I would like for you to advise us as to your reasoning in putting off until tomorrow what we can do today. Why can we not offer amendments today? We have the time and we may as well fight it out here and now. Tomorrow, everyone will want to go home and we will not have a full house. There is nothing wrong with offering amendments. It is only five minutes of three.

Mr. MAHANY. I understood that Senator Dent has a speech to make which will take a couple of hours. I was anticipating that, and I figured that we had completed the work on the calendar today and I did not want to go over and rehash that portion of our work.

Mr. LANE. We want to do it now anyway, and get it over with. You have the votes over there, so I cannot understand what you are worrying about.

Mr. MAHANY. Besides that, Senator Lane, I am informed by the desk that the calendar has been marked up officially now and it would be very difficult, if not impossible, to go over the target again as far as the desk is concerned.

Mr. LANE. Mr. President, may I suggest to the desk that it start its erasers going. Unless you erase and correct it, we cannot go ahead with this. There is nothing wrong with offering these amendments today. That is the reason I am asking for a reconsideration of the vote.

Mr. MAHANY. Mr. President, I suggest that you put the motion and record me as voting "no."

Mr. LANE. Mr. President, I am happy to be informed of the arbitrary manner of the Majority Leader. I want him to remember that it is a poor rule that does not work both ways.

Mr. DENT. Mr. President, speaking apropos to the motion, the reason for making the motion is very important. It is a question of basic principles. It is one which should be aired before the people and it ought to be aired before the entire Membership of this Senate. If we allow this to go until tomorrow, it means that a great number of the Senators will either be home or on their way home. They, therefore, will not understand just exactly what is happening in Senate Bill No. 216. I think all of us should recognize something which, by its very action, brands each and everyone of us for what we are and not what we appear to be.

This action today, in voting for this legislation without giving us an opportunity to present—and I must apologize to the Senate. Because of the many activities over around this desk, I was unable to get to my feet before the gavel rang down on the passage of this bill on second reading. However, Mr. President, let me just give you the reason for this motion and the seriousness of voting this down.

We sometimes wonder why people have a contempt and, in many instances, an utter disregard for the welfare or the reputations of men who assume the position of leadership in politics or even who participate in it. This is another illustration of the kind of politics that led, in my opinion, to the defeat of the Republican Party in 1954. There were the same people living in Pennsylvania in 1954 as there were in 1950 and all through the years. Something happened, however, to the Republican Party which made the people discouraged with Republican leadership.

I say to you Republican Members that this is not a criticism of Republicans as such, because the only thing I have against them is that there are too darn many of them. I respect them for their opinions, their beliefs and their principles. Nevertheless there is nothing in the Republican Party's history that is as low as the attempt which is being made in this particular bill under a flimsy excuse of expediting the returns to the farmers of their claims for gasoline refunds.

You are passing in this Senate the type of legislation that every man on the Republican side stood up and argued against and condemned to the high heavens during the last two years of the Earle Administration. I want to tell you that when we, the Democrats, stood here as a solid group and voted for the legislation that you rightfully condemned at that time, we were writing the death knell of the Democratic Party in the next election.

I say to you that insignificant as this bill appears to be, there is a principle involved that goes beyond the mere content of the act itself.

What does this bill do, Mr. President? Some of you say it is a simple, little, innocent piece of legislation. Let us see what it is.

For about twelve years, the Democratic Party had the fiscal officers in this Commonwealth and the Republican Party had the administrative offices, the Chief Executive. By this combination of events, the State Board of Finance and Revenue was made up of a majority of Republicans and a minority of Democrats; two Democratic fiscal officers and three administrative officers under the Governor. Now during all these years that the Democrats were in the fiscal offices, no murmur was made; no protest was made on the Republican side that we had to shift the makeup of the Board in order to gain control. We worked along in the minority; we cooperated where we could and we

functioned in the spirit of American political fair play.

We were elected in the minority position and, therefore, had no right to any other position on the Board. Lo and behold, what happened? For the first time in approximately twenty years the Democrats elected a Governor. Now the makeup of this Board is two Republican fiscal officers and three appointments from the executive staff of the Governor. So, for the first time in twenty years, the Board has become Democratic controlled.

Let us see what is behind this simple little piece of legislation. What are they doing? They are now taking away from the Board the right to promulgate rules and to name the employees. They are going to give to the chairman, who automatically is the State Treasurer, the sole right to name a secretary and any and all employees, and to promulgate and institute rules and regulations which must be in effect and can only be taken out by a majority of the Board after going into effect.

What does this do? I will show you what it does. There are seventeen employees of this department and the Democrats, working in their usual manner, have kept eleven Republicans on out of the seventeen. Probably, if we were so partisan in our politics, Mr. President, we would co-sponsor the bill because there is a possible chance that you fellows might fire some Republicans.

However, here is the key to the whole situation and I make this charge publicly and for the record. It is not the position of six jobs which is effective in this thing. Let us see what it is.

A man from Bethlehem, Pennsylvania is the counsel and a man from Wilkes-Barre is the counsel. These two men are Democrats. What does this board do? What is so important that they are changing the rules of the game in the middle of the inning to get control of a board. Now why? Because this board sets the amount of money in taxation which corporations pay when they appeal before the board on an assessment. Who is so interested in the money that is paid into the Commonwealth by certain corporations that they will drive through this Senate this ripper legislation, completely denying the processes of democratic government? Under democratic government, you do not change the rules in the middle of the game. The only reason they are doing it is so that they can again have the setup where they control the amounts paid by corporate net taxes in this Commonwealth by certain corporations. I make that charge because I know it to be true, because you have eleven of the seventeen employees.

The flimsy excuse which they are giving to the public is this. They are going to say that it is because there is such a backlog of claims by the farmers for refunds that turning the complete management over to the State Treasurer is going to cure this thing.

Mr. President, let me tell you the fallacy of that argument. The Federal Government gives one hundred per cent refunds; the State gives one hundred per cent refunds. Let us see what happens. You, as a farmer, make a claim for a refund to the Federal Government. They immediately process it and send you your check. Then they post audit your claim. What has happened in Pennsylvania? The two fiscal officers of the board, particularly Senator Heyburn, refuse to allow the claims to be paid unless there is a preaudit of the claim. Under a preaudit system, the log jam is created before payment to the farmer, whereas under a post audit system, the log jam is created after payment to the farmer.

All you need to do to answer the criticism of nonpayment to the farmers is to have your own member of this board change his position and allow the board to pay under a post audit system.

We know that we are not going to get anywhere. I am going to tell all of you men on the other side why you are acting in a foolish manner. I do not care about these employees, Mr. President. There is not one of these employees from Westmoreland County. Therefore, political patronage cannot be my motive for being on my feet. I do not know whether anybody from Westmoreland could qualify under these conditions. However, I do know this. This system was good enough while you were in control of the Board of Finance and Revenue, but it is no longer any good because for the first time in twenty years the Democrats have control. We tried that on the floor in 1937 and we ripped out more people than you could count by staying up late at night and in 1938, the people just gave us the same kind of treatment. They ripped us out lock, stock and barrel. I will say to you that if you pursue this kind of policy, this kind of legislation, you will get the same dose two years from now as we got twenty years ago.

I want to also say this to you. I do not hesitate to tell you that you can pass it; I know you have the votes. I know that your Caucus does not care about it being right or wrong; they are going to vote for it. I am going to march over to the Governor and I am going to lay before him a copy of my remarks today. Knowing him to be a fair-minded person, I am sure that he will see behind the skulduggery and chicanery that is being practiced in this bill, Senate Bill No. 216. I expect that the Governor, after all of your fuss and after all of your motions to rip these people out, will veto the bill.

Therefore, in order to save both the Commonwealth money and yourselves some political embarrassment and prestige, why not let us amend the bill at this time and then we will let the Governor sign it? There is a reform which should be made in the legislation.

Mr. MAHANY. Mr. President, I would suggest to Senator Dent that when he goes over there with a copy of his remarks to the Governor's Office, he also tell the Governor that he was out of order about ninety-nine and forty-four one hundredths per cent of the time.

Mr. President, I know that Senator Dent has been around here long enough and is smart enough to know when he is talking out of order, and I feel that when he was making all those remarks he knew that he was out of order and I refused to get up here and call a point of order on him.

Mr. DENT. I will do the same for you right now.

Mr. MAHANY. There is only one question before us, and that is on the motion as to whether we are to reconsider this bill that we passed on second reading.

I will say this to Senator Dent; that if tomorrow he finds a number of Senators absent whom he would like to have vote on these amendments, I will be happy to pass the bill over in order and we will have it before us next Monday when we come back to act on the third reading calendar. At that time, if he has some amend-

ments which he feels would make a good bill out of this, I will have no objection whatsoever to his offering them at that time.

Therefore, I am not going to debate the bill with him now. If I do so, I would be out of order. I only hope that the newspapers will hold their fire on all this until we have an equal opportunity to answer the Senator and then we will be glad to go into the merits of the bill with him, and also, if there is anything wrong or erroneous contained in his remarks, I will be prepared to answer.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

RECESS

Mr. MAHANY. Mr. President, I request a ten-minute recess of the Senate for the purpose of holding a Republican Caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten-minute recess.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

PETITIONS AND REMONSTRANCES

Mr. STIEFEL. Mr. President and gentlemen of the Senate, it is about time that we consider the fact that when Senator Mahany gets up each time at the beginning of the Session and moves that the minutes be approved, we should bear in mind that the Legislative Journal which reflects those minutes is brimfull of mistakes simply because of the negligence of the printer.

I think it is the duty of the printer, who collects millions upon millions from the Commonwealth for printing, to make a careful examination of all the printed matter before it is released. If you read the Legislative Journal, you would be shocked by the type of mistakes, transpositions and whatnot. So, the time has arrived when I think we should take care of it.

I personally, as I pointed out last week, became a victim of the printer's devil. He took my speech on Lincoln's Birthday and he simply killed it by intermingling lines. I remember years ago I perused a speech delivered by Senator McCreesh, and it was simply a thing that baffled my imagination. I could never see how people can distort—and I am referring to the printer—a speech delivered by a Member of the Senate.

Therefore, Mr. President, I feel that I am fully justified, to preserve my self-respect, to ask that my speech be reprinted again even if the printer should not be paid for it because after a person spends time, burns his midnight oil, edits and re-edits his speech, it is ridiculous to see it killed by the printer's devil. Therefore, I ask your leave, Mr. President, to have my speech on Abraham Lincoln, delivered on February 12, reprinted, as the lawyers say, nuc pro tunc.

ADDRESS BY SENATOR ISRAEL STIEFEL TO BE REPRINTED IN LEGISLATIVE JOURNAL

Mr. STIEFEL. Mr. President, I move that my speech on Abraham Lincoln be reprinted without any mistakes this time. I have it ready now.

The PRESIDENT. Did the Chair understand the gentleman to say that he wanted it printed in the Journal?

Mr. STIEFEL. That is right, Mr. President.

Mr. SILVERT. I second the motion, Mr. President.

The motion was agreed to.

"LINCOLN, PENNSYLVANIA AND GETTYSBURG"

Address Delivered by Honorable Israel Stiefel, Fifth Senatorial District, In the Senate of the General Assembly, February 12, 1957.

Mr. STIEFEL. As the Centennial of the Civil War is almost around the corner, elaborate preparations are now being made by the National Government for the adequate celebration of the Preservation of the Union. I hope that Pennsylvania will take its proper place in the very vanguard of the Centennial Celebration as it was in Pennsylvania that the Union victory was finally forged. I envision a Commission created during the current Session of our General Assembly which will be entrusted with the sacred task of making elaborate preparations for the Centennial Celebration of the Union Victory as well as the Centennial of the Battle of Gettysburg. I am hopefully dreaming of a multi-volume bookshelf of imposing works covering all phases of Pennsylvania's participation in the Civil War and the role of the Keystone State played as the perennial Arsenal of America and Democracy.

Let us beware of thinking that it is too early to start now on the blue print of the Celebration as well as the marshaling of the massive historical materials covering the multi-faceted contributions of Pennsylvania to the victory of the Union.

It is now becoming more and more clear that the great Gray Fox of the Confederacy, General Robert E. Lee, undertook the invasion of Pennsylvania for the sole purpose of destroying the arsenal of the Union and thus cutting the jugular vein of the North. Lee fully realized that by occupying Pennsylvania he may turn the looming defeat of the Confederacy into a victory for the South. At the time the Battle of Gettysburg was fought the doom of Vicksburg was a matter of hours and with the Father of Waters, to use Lincoln's expression, "rolling unvexed to the sea," the Confederacy now disjointed and pulverized, had to venture on a gamble and thus Pennsylvania became the arena of the Titanic combat.

The fact that the decisive battle of the war was fought at Gettysburg where the terrain eventually contributed to the defeat of the Confederate Army, was an accident solely preciptated by a unit of Confederate soldiers who attempted to reconnoiter Gettysburg and take possession of a shoe store, thereby becoming emmeshed in a preliminary skirmish with an advanced-post of the Union Army. If the Confederate Commanders had by-passed Gettysburg, another locality of Pennsylvania would have become the scene of the clash. Thus, the choice of Gettysburg as a battlefield was an accident which eventually brought about the fall of the Confederacy.

During the trying years of the war to preserve the American Union, President Abraham Lincoln found in the people of Pennsylvania a source of support and encouragement. Pennsylvania, where the Declaration of Indepenence and the Constitution were written, did not

fail the Nation in the fateful years when it was being tested in the fires of the Civil War. Lincoln took pride in saying that his ancestors had come from Pennsylvania, and his friendly feeling toward our State was reciprocated by the admiration and trust of Pennsylvanians.

To tell the story of Pennsylvania's support of Abraham Lincoln in his efforts to preserve the Union would require virtually a complete history of the Civil War. Every man who went out from Pennsylvania firesides to fight and die for the Union cause, every cannon, rifle, and implement of war manufactured in the great industrial plants of Pennsylvania, every dollar subscribed by Pennsylvania citizens toward the war effort, would be part of that story. Greatest of all, perhaps, was the fact that Lincoln felt he could depend on Pennsylvania.

On the eve of the conflict, the General Assembly of Pennsylvania passed the resolutions of January 24, 1861, calling upon the Federal government to maintain its authority and pledging "the faith and power of Pennsylvania . . . to the support of such measures, in any manner and to any extent that may be required of her by the constituted authorities of the United States." On April 18, after the attack on Fort Sumter had begun the war, the General Assembly by an unanimous vote pledged "the faith, credit, and resources of the State, in both men and money," in defense of the Union.

President Lincoln called for 75,000 volunteers on April 15. Pennsylvania's quota was fourteen regiments, but the popular response in the Commonwealth was so enthusiastic that there were enough men to fill twenty-five regiments. Local militia companies immediately offered to aid the Federal Government, and five of these reached Washington on April 18, to defend the capital. These companies, from Reading, Pottsville, Lewistown, and Allentown, are known as the "First Defenders."

During the War, Pennsylvania contributed 362,284 men for the Union Army and more than 14,000 men to the Navy, in addition to marines and to militia serving when the State was invaded. To train the Pennsylvania recruits, Camp Curtin was established on the outskirts of Harrisburg, and after the training of the original volunteers, the Federal Government took it over for the rest of the war. Three hundred thousand Union soldiers passed through Camp Curtin while the war continued, and it was also a supply depot, a hospital, and a prisoner detention camp. There were other camps at Easton, West Chester, Philadelphia, Chambersburg, and Pittsburgh.

Pennsylvania supplied not only men, but leaders. Some of the outstanding officers of the Civil War were Pennsylvanians, including McClellan, Meade, Reynolds, Hancock, and McClure—in all, two commanders-in-chief, twelve major-generals, and forty-eight brigadier-generals. To naval leadership, the State gave Admiral David Porter, who opened the Mississippi, and three Rear-Admirals, Stewart, Dahlgren, and Godon.

Winning the war, however, was not merely a matter of military and naval engagements; it involved the problems of production, transportation, and civilian morale and leadership. Pennsylvania's contributions in these fields were of great significance. Her industrial development, engineering enterprise, and natural resources largely helped to increase the relative strength and importance of the North before the war, and to provide better transportation facilities. Now the full industrial power of the State was devoted to the Union cause, and its recently developed railroad system, its great iron and steel industry, and its agricultural wealth were major factors in the national war effort. The famous Cramp shipyards of Philadelphia, and other shipbuilders, contributed to naval strength and the marine supply system. At Pittsburgh the Fort Pitt foundry turned out a vast supply of cannon, siege mortars, and other ordnance; while in Philadelphia two firms manufactured cannon, rifles, pistols, swords, and other army supplies. Six large ironworks were established in Pittsburgh in one year, and production increased similarly throughout the State.

Civilian leadership was also provided by Pennsylvania. Governor Andrew Gregg Curtin from the state level made a marked impression on the national scene with his energetic direction of Pennsylvania's contribution of its men and resources to the national draft measures. In September, 1862, he was host at the Altoona conference of governors of the northern states, which he had helped to arrange. This conference strengthened the President's hands at a critical time by pledging support to his policies and administration of the war effort.

Throughout the war, Lincoln's War Department was managed by Pennsylvanians, first by Simon Cameron and then by Edwin A. Stanton as Secretary of War. Thomas A. Scott as Assistant Secretary of War was in charge of telegraph and railway communication services, and Frank Thomson handled troop transport. In Congress, Galusha A. Grow served as Speaker from 1861 to 1863, and Thaddeus Stevens was a prominent figure. Jay Cooke, the Philadelphia financier, placed most of the Federal Government's loans, and has been termed the "Financier of the Civil War" for his part in financing the struggle.

Shortly before he took office, Lincoln had made a tour of the loyal states, to reassure the people, and to study their feeling and reactions to the mounting crisis. He spoke in Pittsburgh on February 15, 1861, where he pointed out the artificial nature of this crisis, since there was nothing in his intentions which would justify the Southern states in seceding. From Pittsburgh, Lincoln went to Cleveland, thence through New York and New Jersey, reentering Pennsylvania on February 21, at Philadelphia. On Washington's Birthday, he sopke in Independence Hall, and gave new meaning to the Declaration of Independence by saying that it "gave promise that in due time the weights would be lifted from the shoulders of all men," and that it "gave liberty not alone to the people of this country, but to all the world, for all future time."

The same day he went on to Harrisburg, where Governor Curtin pledged the support of Pennsylvania to the defense of the Union. In his reply, Lincoln stressed his faith in the people, "I feel that, under God, in the strength of the arms and the wisdoms of the heads of these masses, after all, must be my support."

Twice during the war, Abraham Lincoln came back to Pennsylvania to speak and to draw upon the rich store of faith and confidence in the hearts of her citizens, first on the memorable occasion at Gettysburg on November 19, 1863, and again on June 14, 1864, at Philadelphia, where he spoke at a Sanitary Fair, held by the prototype of the modern Red Cross. On the later occasion he called

attention to the importance of voluntary organiaztions in the care of the sick and wounded, and said that they proved "The national spirit of patriotism is even firmer and stronger than at the commencement of the war."

The end of the war was not far off; Appomattox was only ten months away. But the national celebration of victory changed to mourning when Lincoln fell victim to an assassin's bullet. Abraham Lincoln in death passed through Pennsylvania for the last time. Later in April, 1865, the funeral train carrying his body went through Philadelphia, Harrisburg, and way stations on the last journey home to Springfield, Illinois. On April 22, Lincoln's body lay in state at Independence Hall, while more than 85,000 people filed past to pay their last respects. The people of Pennsylvania mourned him then as sincerely as they had welcomed him on other occasions.

Mementos of Lincoln are numerous in Pennsylvania, from the Lincoln country of Berks County whence his ancestors came, to Gettysburg where he delivered his immortal address. Even Independence Hall, Pennsylvania's first State House and the birthplace of the Declaration of Independence and the Federal Constitution, takes on added significance from the fact that Abraham Lincoln spoke there on the eve of assuming the Presidency, and that he lay there in state as a martyr to the Union which had been created within those walls.

No figure among the dramatis personae of our history has such a cosmopolitan appeal as the Martyr Saint of America, Abraham Lincoln, whom Count Leo Tolstoy called "Christ in Miniature." From the frozen tundras of the Polar Regions to the tropical jungles all over the world one can find pictures of Lincoln in rich palaces and humble huts. This irresistible appeal can be to a certain degree attributable to Lincoln's homespun phraseology that is an inexhaustible mint of philosophical values that have a universal appeal. Lincoln's aphorisms and metaphors are classics since they can withstand the test of time. And even today in our Era of the Perplexed Man one can find solace in Lincoln's phrase-coinage. To illustrate, here is a Lincoln-gem that is verdent-fresh like in the day it came from the lips of the Emancipator:

> "My countrymen, if you have been taught doctrines conflicting with the great landmarks of the Declaration of Independence; if you have listened to suggestions which would take away from its grandeur and mutilate the fair symmetry of its proportions; if you have been inclined to believe that all men are not created equal in those inalienable rights enumerated by our charter of liberty, let me entreat you to come back."

Each year the literature dealing with Lincoln is enriched by hundreds of volumes covering in extenso each facet of his rich personality. Among these books a sizeable portion deals with Lincoln's Gettysburg Address and the background of the Dedication of the Cemetery on November 19, 1863.

The immediate reaction to Lincoln's Gettysburg Address was that of depreciation far outweighing praise.

When Lincoln concluded there was applause but it was perfunctory. (Carl Sandburg, II, 469). For two hours the crowd had listened to Edward Everett, standing on its feet. This was not a demonstrative or even an appreciative audience. Moreover, the theme of the day did not invite applause. A cemetery was not the place for it. And Lincoln did not pause to receive it.

Those on the platform were decidedly unimpressed. When Lincoln had concluded, Seward asked Everett what he thought of the address. Everett: "It is not what I expected of him. I am disappointed." He then asked for Seward's opinion. Seward: "He has made a failure and I am sorry for it. His speech was not equal to him." Seward then queried Ward Hill Lamon. Lamon: "I am sorry to say that it does not impress me as one of his great speeches." (Barton, Life of Abraham Lincoln, II, 216.)

Lincoln, himself, shared this believe. Upon concluding, he said: "Lamon, that speech won't scour. It is a flat failure and the people are disappointed." (The reference to the speech not "scouring" was to his farming days. When a field was plowed, and the earth was so wet that it clung to the blade, it was said that it "didn't scour.) (Barton, II, 216). On returning to Washington, Lincoln said to Lamon: "I tell you, Hill, that speech fell on the audience like a wet blanket. I am distressed about it. I ought to have prepared it with more care." (Barton, II, 217).

The Gettysburg Address was Lincoln's first public, formal, open-air speech since his initial Inaugural Address two and a half years before. The fact has some bearing on its reception. (Barton, II, 219; Diary of George Templeton Strong, III, 204-205).

As for the public, the first reaction was to the contrast between Lincoln's great height—six feet four inches—and his thin, high-pitched voice. (Barton, II, 219; Diary of George Templeton Strong, III, 204-205).

For another thing Lincoln was addressing a Northern audience—one which had forgotten that he was a Southerner, born in Kentucky. Hence it was surprising to hear his Southern intonations and oddities of expression. For instance, he pronounced "to" as "Toe"; (Barton, II, 219; Diary of George Templeton Strong, III, 204-205), four score as "fo sco"; Mr. Chairman, as "Mr. Cheerman."

The final impression was one of astonishment at the sudden conclusion of the address. He seemed to have stopped as soon as he had begun. No one expected him to end when he did. All were prepared for much more then they hears. (Barton, II, 219; Diary of George Templeton Strong, III, 204-205).

The next day, Everett wrote Lincoln the following: "I should be glad if I could flatter myself that I came as near to the central idea of the occasion in two hours, as you did in two minutes."

Sandburg says this was a sincere opinion. But Barton says it only proves that Everett knew how to pay a gracious compliment, and does not prove that he believed Lincoln had really made a great speech. (Barton, II, 220; Sandburg, II, 475).

The London Times: "The ceremony was rendered ludicrous by some of the sallies of that Poor President Lincoln. * * * Anything more dull and commonplace, it would not be easy to produce." (Sandburg, II, 474)

The Patriot & Union, of Harrisburg, Pa.: "The President succeeded on this occasion because he acted without sense and without constraint, in a panorama that was gotten up more for the benefit of his party than for the glory of the nation and the honor of the dead. * * * We pass over the silly remarks of the President; for the credit of the nation we are willing that the veil of oblivion shall be dropped over them and that they shall

no more be repeated or thought of." (Sandburg, II, 472).

The Chicago Times: "The cheek of every American must tingle with shame as he reads the silly, flat and dish-watery utterance of the man who has to be pointed out to intelligent foreigners as the President of the United States." (Sandburg, II, 472).

The New York Tribune: "The dedicatory remarks were then delivered by the President." (Sandburg, II, 472).

How modern these reactions of a partisan press seem! But through the murk of abuse that every President from Washington on has had to endure in the name of democracy, there shone some rays of light.

The first to appreciate the Gettysburg Address, was the Springfield Republican, of Massachusetts. The day after the dedication it said: "Surpassingly fine as Mr. Everett's oration was in the Gettysburg consecration, the rhetorical honors of the occasion were won by President Lincoln. His little speech is a perfect gem; deep in feeling, compact in thought and expression, and tasteful and elegant in every word and comma. Then it has the merit of unexpectedness in its verbal perfection and beauty. * * * Turn back and read it over, it will repay study as a model speech." (Sandburg, II, 474; Barton, II, 222).

Then came the Cincinnati Gazette: "That this was the right thing in the right place, and a perfect thing in every respect, was the universal encomium. (Sandburg, II, 474; Barton II, 222).

And the Philadelphia Evening Bulletin: "Thousands who would not read the elaborate oration of Mr. Everett, will read the President's few words and not many will do it without moistening of the eye and a swelling of the heart." (Sandburg, II, 474; Barton, II, 222).

The Providence Journal: "We know not where to look for a more admirable speech than the brief one which the president made at the close of Mr. Everett's oration. * * * But, could the most elaborate and splendid oration be more beautiful, more touching, more inspiring, than those thrilling words of the President? They had in our humble judgment the charm and power of the very highest eloquence." (Sandburg, II, 474; Barton, II, 222).

The Detroit Advertiser & Tribune: "Mr. Everett nobly told the story of the battle, but he who wants to take in the very spirit of the day, catch the unstudied pathos that animates a sincere but simple-minded man, will turn from the stately periods of the professed orator to the brief speech of the President." (Sandburg, II, 474; Barton, II, 222).

The laudatory notices in the press were far outnumbered by those which were openly hostile and critical, and those which, like the N. Y. Tribune, gave but cursory and casual mention of the fact that Lincoln had made yet another speech.

The only newspaper in the entire country to mak Lincoln's address the feature of its Gettysburg report was the Ohio State Journal. (Ohio State Journal, Nov. 23, 1863).

In many papers, Lincoln's address was used as a "shirt-tail" to Everett's oration. (Harper, Lincoln and the Press, 287). After taking up so much space to print the latter, they barely had room for the former. Everett's was the speech that was featured in the press, as a whole. Yet, by a strange quirk of fate, Lincoln's address got far more circulation than Everett's.

Thus in the daily newspapers Everett's oration was given the main prominence. But in the country weeklies Lincoln's address was featured. Primarily, this was due to the fact that these periodicals could neither afford to print such a lengthy speech as Everett's, nor did they have the necessary space available. Since the weeklies, in the aggregate, had far more circulation than the dailies, the result was that Lincoln's address reached and was read by vastly more people than Everett's. (Harper, Lincoln and the Press, 287).

There have been a number of adverse comments made upon the language of the Gettysburg Address by critics. For example:

The phrase "dedicated to the proposition that" is not only poor English, but it has no place in oratory.

The word "that" is used twelve times—six times in the final sentence.

The last sentence is too long, too involved. When one has reached its end, one has forgotten what it started with. (Barton, II, 223-224).

These are the words of the captious. The English-speaking world has rejected their conclusion.

A striking feature of the address is the number of short words it contains. Analysis reveals that of its 266 words there are 190 of one syllable. 56 are of two syllables. Only the remaining 20 have more than two syllables. (Sandburg, IV, 191). This is no minor accomplishment. Those who think otherwise, ought to try their own hands at the task. It will be found extremely difficult. In Lincoln's case the words that came from his mind were short and simple, for that was the nature of the man and the manner of his thought.

Regarded as literature the Gettysburg Address has received high praise as a gem of the English language. It is easy to call as witnesses to this effect American authorities of distinction. However, retributive justice demands that we turn elsewhere—to the land where the London Times in 1863 proclaimed its verdict on the Address in these words: "Anything more dull and commonplace, it would not be easy to produce."

It was Earl Curzon, the Chancellor of the University of Oxford, who on November 6th, 1913, said that there are three supreme masterpieces of the English language. One is William Pitt's toast to the victory at Trafalgar; the second, the Gettysburg Address; and the third, Lincoln's second Inaugural Address. Of these last two speeches, Earl Curzon had this to declare:

> "They were uttered by a man who had been a country farmer and a district lawyer before he became a statesman. But they are among the glories and treasures of mankind. I escape the task of deciding which is the masterpiece of modern English eloquence, by awarding the prize to an American." (Barton, II, 224-225).

Such also, is the verdict of humanity.

Abraham Lincoln still remains and will remain forever the incarnation of the spirit of Americanism and for this reason, as long as the American people will adhere to the spirit of the Declaration of Independence, that title-deed of the human race, to the high principles underlying our Constitution and to the spirit permeating our great institutions, Lincoln will remain the theme-center of American's appeal to mankind.

For this reason I respectfully submit to the members of this august body, that it is our sacred duty to con-

stitute during this session of the General Assembly of Pennsylvania, a well-balanced Commission, with ample power and appropriations to proceed at once with the preparation for Pennsylvania's Centennial Commemoration of the Civil War and the evaluation of Pennsylvania's manifold contributions to the Victory of the Union. Of special interest to said Commission should be the presentation of Lincoln and his philosophies to the People of America generally and to the eitizens of our Commonwealth in particular in all their splendor. The impact of their majestic sweep will culturally and spiritually enrich our citizenry, thus adding strength to their determination to have our Country remain as the imperishable Land of the Free and Home of the Brave.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 32

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 32, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eight classes amending revising consolidating and changing the laws relating thereto" fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 87

He also returned to the Senate, Senate Bill No. 87, entitled:

An Act reenacting certain parts of the act of May 1, 1929 (P. L. 905) entitled * * *" clarifying provisions relating to magistrates sending notices by registered or certified mail.

with the information that the House has passed the same without amendments.

SENATE BILL No. 77 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 163, entitled:

An Act amending the act of May 16, 1945 (P. L. 594), entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings, * * *," imposing penalties for violations of the act, and in certain cases removing from office magistrates * * * wilfully failing to make monthly settlements with certain political subdivisions.

Which was committed to the Committee on Judiciary General.

House Bill No. 201, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372) permitting certain members of the Authority to designate other persons to act on their behalf.

Which was committed to the Committee on State Government.

BILLS INTRODUCED AND REFERRED

Mr. PROPERT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection, The Chair hears none.

Messrs. PROPERT and DiSILVESTRO read in place and presented to the Chair Senate Bill No. 316, entitled:

An Act relating to the practice of ophthalmic dispensing; providing for the registration and licensure of dispensing opticians and the registration of apprentices; conferring powers and imposing duties upon the State Board of Examiners for Dispensing Opticians; providing for the revocation or suspension of licenses in certain cases and prescribing certain unlawful acts and penalties.

Which was committed to the Committee on Public Health and Welfare.

They also read in place and presented to the Chair Senate Bill No. 317, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929", creating the State Board of Examiners for Dispensing Opticians, and defining its powers and duties.

Which was committed to the Committee on Public Health and Welfare.

Messrs. PROPERT and WATKINS read in place and presented to the Chair Senate Bill No. 318, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code", requiring entrance of bonds in appeals from board of adjustment rulings affecting zoning regulations.

Which was committed to the Committee on Local Government.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

SECRETARY OF LABOR AND INDUSTRY

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate

William L. Batt, Jr., Harrisburg, Dauphin County, for appointment as Secretary of Labor and Industry, to compute from March 4, 1957, to serve until the third Tuesday of January 1959, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF INDIANA STATE TEACHERS' COLLEGE

January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Indiana State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

R. Dudley Tonkin, Cherry Tree, Indiana County.
C. S. Weyandt, R. D. 1, Indiana, Indiana County.
James Hughes, 313 Forster Street, Greensburg, Westmoreland County.

GEORGE M. LEADER.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

Mr. DENT. Mr. President, I ask for a separation of the nominations.

The PRESIDENT. The Senator from Westmoreland, Dr. Dent, asks for a separation of the nominations. Is there any objection? The Chair hears none.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. MADIGAN.

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. MADIGAN.

That the Senate do advise and consent to the nomination of William L. Batt, Jr. for appointment as Secretary of Labor and Industry.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be intrrogated?

Mr. DENT. I will, Mr. President.

Mr. MAHANY. Senator Dent, Senator Watson has, in reading the communication from the Governor appointing Mr. Batt as Secretary of Labor and Industry, stated that communication carried Mr. Batt's address as Harrisburg, Pennsylvania. Can you tell me his exact street address, Senator?

Mr. DENT. I do not know what it is today, but tomorrow it will be the Labor and Industry Building on Kelker Street.

Mr. MAHANY. Will that be his residence?

Mr. DENT. Well, for part of the time. He will probably be a part time employee and work during the day and sleep at night somewhere else.

I do not know, very frankly. I do not want to be facetious.

Mr. MAHANY. Do you not think that was misleading, putting that in the communication that the man was a resident of Harrisburg, Pennsylvania, when he is not a resident of Harrisburg?

Mr. DENT. I would imagine that if it is in the communique, he is a resident of Harrisburg, Pennsylvania. He must have established residency in this city somewhere. We can find out probably, after you are through voting.

Mr. President, I now desire to interrogate the gentleman from Crawford, Mr. Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DENT. Would it make any difference to you where he is from in your voting?

Mr. MAHANY. Senator, I would like to have him be from Pennsylvania, but it seems impossible to get the Governor to send anybody over here to be confirmed that is from Pennsylvania, so we have to take what we get.

Mr. DENT. I do not think that is quite true. I think the Governor would be glad to send somebody over. You have a prerogative as a Senator, and if you feel that there is anything in this particular situation that demands you practice being a Senator for a few minutes, and you decide not to vote for this appointment and it is defeated, why I am sure that the Governor then would send another name and eventually you would get what you wanted.

Mr. TAYLOR. For the information of both Floor Leaders, I checked and the gentleman is not registered in Harrisburg.

Mr. DENT. Well, I think that is true because you have a residency law here in Pennsylvania for registration, and I do not think that anybody is fooled about any situation that may be construed out of this questioning going back and forth.

Mr. William Batt, as I understand it, was born and reared in the eastern part of Pennsylvania, and seven years ago, from the best knowledge I can get of him, he took a job in the Federal Government in the Department of Labor, and then later he moved to Toledo, Ohio, where he was in charge of the redevelopment program in that city, and he necessarily had to register in Ohio at that time.

I think all of you know that in all probability I personally may not vote for Mr. Batt, but I want it clearly understood that it is not because of his residency, but for matters that I think are more serious. However, Mr. Batt, or any other citizen of the United States, can cross State lines for employment under our Constitution and if the Governor feels that this man, regardless of his place of residence, is the right man for the job, I agree with Mr. Mahany that he has a right to name him. I also agree with Mr. Mahany that I would rather he would have found somebody in Pennsylvania. However, that is not the reason for my voting in the manner in which I will vote.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Harney,	Miller,	Stevenson,
Berger,	Hays,	Mullin,	Stiefel,
Blass,	Kalman,	Murray,	Taylor,
Camiel,	Kessler,	Pechan,	Van Sant,
Chapman,	Kopriver, Jr.,	Propert,	Wade,
Derk,	Kromer,	Ruth,	Wagner,
DiSilvestro,	Lane,	Sarraf,	Walker,
Donolow,	Madigan,	Schmidt,	Watkins,
Ehrgood,	Mahany,	Scott,	Watson,
Elliott,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Silvert,	Whalley,
Fleming,	McGinnis,		Wolfe,

NAYS—2

Dent,	Yosko,

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Whereupon,

A motion was made by Mr. WATSON and Mr. MADIGAN.

That the Senate do advise and consent to the nominations of R. Dudley Tonkin, C. S. Weyandt, and James Hughes for reappointment as members of the Board of Trustees of Indiana State Teachers' College.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. MADIGAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 32, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

Senate Bill No. 87, entitled:

An Act reenacting certain parts of the act of May 1, 1929 (P. L. 905) entitled * * *" clarifying provisions relating to magistrates sending notices by registered or certified mail

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

Mr. DENT. Mr. President, I rise to make a short statement relative to a subject of grave importance to the people of Pennsylvania.

The PRESIDENT. We are presently under the order of business of Petitions and Remonstrances.

Mr. DENT. Mr. President and Members of the Senate, yesterday I promised you that I would make a few remarks today relative to a subject that I think is very important. I am happy that you all stayed to hear me.

It starts out somewhere of late date. It is a continuation of a series of speeches and incidents which have occurred since George Leader was elected Governor.

The date line is Philadelphia; the date, February 26, the day of the Pennsylvania Manufacturers' dinner. I would like to read just the headlines and then carry on from there: "Economic Blight of State Deplored as Tax-Induced." This statement is credited to one, Willard F. Rockwell, Board Chairman of the Rockwell Manufacturing Company and other enterprises. I would like to quote from one of his statements in which he said this:

"Rockwell said that the slackening of industrial progress in this State in recent years has caused Pennsylvania's rate of population growth to fall off 'so sharply' since 1950 that the Commonwealth may lose two U. S. House seats after the 1960 census.

"At the same time, he said, more and more factories are standing idle and 'unnecessary unemployment' deepens—in sharp contrast to the picture elsewhere in the nation.

" 'The two most significant Pennsylvania taxes causing this economic blight,' he said, 'are the capital stock tax and the corporate net income tax. Together they make Pennsylvania's combined corporate taxes among the highest in the nation.' "

Mr. President and Members of the Senate, I took a copy of the February 23 Business Week, the same week in which this statement was made in Philadelphia, and I opened it up to page 153. It shows a beautiful new plant near Pittston and a statement right beneath the picture, signed by the Celotex Corporation. Let me read the statement to you:

" 'This new plant, now nearing completion in Pittston, Pennsylvania, is the result of an intensive search along the entire eastern seaboard for a really advantageous plant site.' " This is signed by the Celotex Corporation.

Mr. President, there must be a reason why the Celotex Corporation is building 60,000 square feet of plant space in this private area of Pennsylvania.

The Pennsylvania Department of Commerce, at my request, gave me a very quick run-down of what I think is apropos to the subject. In 1956, the industrial growth in this Commonwealth involved 448 projects and the creation of an estimated 27,817 new jobs, according to

the specific records carried in the Department of Commerce. Of the 448 new projects, 140 were new manufacturing industries mostly from outside the Commonwealth. In addition, 223 represent expansions announced by established Pennsylvania manufacturers; estimated employment in these expanded facilities to be 8,615 factory jobs. Finally, of the 448 new projects, 85 represent new or expanded industrial facilities other than manufacturing facilities, such as research laboratories, engineering offices, warehouse and storage facilities, public utility and railroad expansions and they will create 3,125 new jobs for Pennsylvanians. It is estimated that new industrial construction contracts during the year 1956 came to $380,000,000, or $110,000,000 more than the $270,000,000 figure for the year 1955.

During 1955, according to the records of the Pennsylvania Electric Association, fifteen Pennsylvania manufacturing plants were lost to Pennsylvania by virtue of their having left the State. For the first six months of 1956, the figure was six plants. The Association has not, as yet, published its latest figures for 1956.

This accomplishment represents a joint effort,—these are my own statements—a combination of the activities of utility corporations, the railroads, the chamber of commerce, industrial redevelopment projects and the Department of Commerce of Pennsylvania.

Now I want to say this to you. The Department of Commerce is spending hundreds of thousands of dollars to advertise the good things in Pennsylvania. However, when they do, they have to pay anywhere from $6,000 to $15,000 for a publication. When people read it, they know that it is a paid advertisement and, therefore, carries only a certain amount of weight but when Mr. Rockwell announces to the world that this is the worst State in the Union in which to do business, he gets into every newspaper in the United States of any significance. He gets front page coverage in the Wall Street Journal; he becomes the subject of great acclamation by the chambers of commerce of our competitive neighboring States. He is doing this State a great disservice, because behind all of this smoke and fury there is only one aim which Mr. Rockwell has. He wants to force into the capital stock tax the amendment, made last year in an effort to get through the necessary revenues for the State, after seventeen months of fighting, which will exempt from capital stock tax in Pennsylvania, Pennsylvania manufacturing concerns. He does not have to hurt Pennsylvania in order to do this. The Legislature has been appealed to through the years to have this exemption in the law.

However, Mr. President and Members of the Senate, for sixteen years the Republicans carried in their platform the removal of the capital stock tax from manufacturing concerns in Pennsylvania and, although they controlled both branches of the Legislature and the Governor's office, they never saw fit to remove this capital stock tax exemption from the shoulders of a few corporations in Pennsylvania. Now under a Democratic Administration, all of a sudden we hear the old cry that Pennsylvania industry is running out, that taxes are driving industry out of the Commonwealth. It reminded me of when I first came to this Senate as a young man. There were great editorials written about the goose that lays the golden egg. We were forced to pass a resolution, which I sponsored, to investigate the flight of industry in Pennsylvania. That was under another Democratic Governor, twenty years ago. I was chairman of that committee and we went all over the State of Pennsylvania and we held hearings. We made a report which, I might say, was reprinted three times. On behalf of the committee members and our counsel, the late John Fertig, an outstanding attorney and tax expert, I want to say that we are grateful for the reception that this tax report has received throughout the long twenty years. It is contained in every library, I believe, in which I have ever been and I know that I had hundreds of requests, as chairman, for copies of it.

In 1938, the Democrats lost control of the government and we were out of it for sixteen years. The same taxes were kept on the books for the sixteen years, but no one protested publicly that industry was being driven out of the State, although the taxes were the same. Now, after twenty years when the Democrats received a majority in the State, which they do every generation, all of a sudden the hue and cry is the same as it was twenty years ago. I am not wrong when I say to you that behind all of this, aside from removing the capital stock tax exemption, is the political skulduggery of a few who are trying to have the people of Pennsylvania believe that it is the Democratic Administration that is driving industry out of this State.

Now if you want to help industry, we will join hands with you. There is not a man on this side of the floor who will not help you. However, do not do it by passing a fake piece of legislation, a piece of legislation that will not help industry in so far as the over-all picture is concerned ten per cent. Why do I say that? I will tell you why I say it. We are attempting through our advertisements, through our Department of Commerce, through many outstanding chamber of commerce groups, through many redevelopment groups, through the aid of the railroads and the utilities to bring industries into Pennsylvania, particularly in those areas which have become blighted because of the fact that coal is no longer a job producing industry. You do not do that by passing the capital stock tax exemption on manufacturers in Pennsylvania. Let me give you a few facts.

The capital stock tax and foreign franchise tax, combined, bring into Pennsylvania $135,000,000 a biennium. When we relieve only the manufacturers in Pennsylvania, we relieve approximately $62,500,000 to $63,000,000 worth of these taxes. When we go to an industry out of Pennsylvania and ask them to put their branches into Pennsylvania, such as the one I read you, what do we say to them that we have done to help them to come into Pennsylvania? Do we say to them, "We are not helping you when we passed this legislation. We only help the Pennsylvania industries which are established in Pennsylvania."

Let us see who will be the beneficiaries of this legislation. About twenty top companies in this State, basic, heavy-duty industries will receive somewhere near seventy per cent of the refund. The non-manufacturing industries in this State will not receive one cent of a refund. Let us look at some facts that might be interesting to you gentlemen. I want to read you something.

Eighty-five non-manufacturing industrial facilities, such as research laboratories, garages, storage facilities,

public utilities and railroad expansions and so forth, came into Pennsylvania or expanded their facilities in this State last year to employ 3,125 people. However, 223 manufacturing concerns will only employ 8,615 people. Does your legislation, which exempts Pennsylvania manufacturers, give any inducement to the non-manufacturing job-creating industries and businesses? It does not. Does this legislation give any inducement to a corporation out of this State that wants to expand in Pennsylvania? It does not.

The basic, heavy-duty industries which will be receiving the relief under this legislation are industries that are situated here for reasons other than taxation. They are situated here because of the coal, the waters, transportation facilities and the skill of our workers. Yes, a large number of companies are expanding in other States, but two reasons can be blamed for that; one, the Federal Government's attitude to give tax write-offs and special considerations to industries moving into blighted areas; and, two, the death of "King Coal." A new steel mill would not start tomorrow out on the Allegheny when it has to haul in both ore and coal.

We need, in Pennsylvania, the kind of job-giving opportunities represented in the main by light processing industries, service industries, which, in turn, create greater demand for services of utilities that, in turn, expand and also create job opportunities in the field of transportation and the service industries that always surround any payroll plant.

It has been said that if you take a thousand workers out into the middle of the desert and you create a one thousand payroll for these workers, within a very short time 7,000 people will be living in that community. It does not mater much where the jobs come from, Mr. President.

I beg of you to analyze the picture for the good of Pennsylvania. I beg of you to take the foreign franchise tax bill and the capital stock tax bill and treat them as one. First, I would suggest to you that we remove the variable base so that an industry or corporation knows exactly what the basis of taxation will be because it will be based on a stable formula, one which takes it out of the hands of a small group which could, by manipulation, cause a great deal of injustice toward some industries and give certain considerations to a privileged few.

Mr. President, I say that if we do that and by so doing, from the formula that I worked out, we will lose approximately $14,000,000 in revenue. However, we can then say to every corporation, every production facility, to those that employ one or more persons, one or two persons, and to those that employ thousands of employees, that we have done something in Pennsylvania even in the face of the great need for revenue.

I, as a person, will not, cannot, and you should not vote to give a $65,000,000 biennium cut in taxes to a small group, while at the same time you are doing nothing for that great number of facilities in Pennsylvania which are also a part of this Commonwealth's job-producing family. At the same time, I do not believe that it is fair to ask, as the Tax Commission asked, that we relieve industry of $51,000,000 worth of taxes in Pennsylvania and, at the same time, add $240,000,000 more to the consuming individual and to the public in general.

Years ago, industry paid in Pennsylvania a disproportionate share of taxes. They paid approximately eighty-two per cent of the total tax burden. However, if the Tax Commission Report were followed to the letter, industry would drop down to paying twenty-six per cent of the tax load in the Commonwealth. I say to industry's representatives in Pennsylvania, do not come to us with stories about what California does, or Ohio does or New Jersey does, because time is catching up with them. We are far ahead of them in the facilities that we have created for the mentally ill and for public institutions, in our great school building program, in our great road building program. When these neighboring States which have had such an advantage, according to Mr. Rockwell, finally reach the stage where they, too, have to—and they will have to—meet the demands for the same facilities which we in Pennsylvania can proudly say we now possess, their tax burden on industry will go away out of line to what it is in Pennsylvania.

I am a Pennsylvanian. I was born in Pennsylvania, and if God gives me my ambition, I will die in Pennsylvania. I abhor any person or any group of persons who will testify to the world that this is not the best State in the Union from every way that you look at it.

We have made many studies on taxes in this Commonwealth and I have been fortunate enough to serve on many committees that have studied them. We are not a bad place in which to do business. The Vice-President of the Pennsylvania Railroad made a speech in Philadelphia in which he condemned Pennsylvania's taxes. We called him up before a committee of the Senate and House. He had compared us unfavorably with New Jersey. I asked him a series of questions. I said, "Do you believe that New Jersey has a more equitable tax system?" He said, "I do." I asked, "Will you tell this committee how much your company pays in taxes in New Jersey per mile of railroad?" Then, he told me. Then, I told him how much they paid in Pennsylvania. I told him that since he thought New Jersey had such a great tax program, I would be happy to sponsor legislation applying the same rate of taxation against the Pennsylvania Railroad in Pennsylvania as they pay in New Jersey. Do you know what he told me? He said, "We would be broke the day that it went into effect. In New Jersey, our tax is higher than our gross revenue." The application of the New Jersey formula to Pennsylvania, on the Pennsylvania Railroad, would give us $62,000,000 more of taxes in this Commonwealth. I said, "Never fear that we are going to do it. We try to balance things the best that we can."

I know we are condemned by many; in fact, by all. However, over the years there has been a pretty fair sense of balance created in this Commonwealth. Remember that taxes should be paid according to the services rendered, and you pay a proportionate amount in taxation for your proportionate share of government. Out in the jungles, where they live in a semi-poverished state, they do not pay any taxes. They do not have anything either. If we demand millions of dollars to be spent for a mental health program, just remember that that demand comes from the very people who stand in this Senate and condemn every action we take to raise the necessary moneys to pay for these services demanded by these selfsame people.

The Legislature never institutes any great tax-eating project. The Legislature is only the servant of the people. Senator Mahany and Senator Dent are only spokesmen on this floor for their respective groups. When we vote for tax legislation and our groups follow us, it is not because we have created the demand. Let me tell you who creates the demand.

I have received hundreds upon hundreds of letters and petitions from the P.T.A.'s, ladies' auxiliaries, federations of women's clubs, chambers of commerce groups, demanding that we increase schoolteacher's salaries, and that has gone on for twenty years of my own knowledge. The minute we try to increase the taxes to take care of the teachers' salaries that they demanded from us, I have received petitions and letters from the very same people against the taxes.

Yes, all of us want to do something in mental health. I think it is one of the bright stars of this generation in recognizing this blight upon human dignity, but we, too, must recognize the future liability. The one hope that seems to be in the offing is that perhaps a more enlightened program may eventually reduce the need. I, at this moment, am not sold on that particular theory, but I am willing to be as I believe most legislators are. So, we vote for $175,000,000 for mental health; $175,000,000 for mental health. Are we to say that Pennsylvania manufacturers do not benefit from mental health? Are we to say that Pennsylvania manufacturers do not benefit from this appropriation? Are we to say that we, the people, are the only ones who benefit from this legislation?

By 1960, we will be paying $1,000,000,000 a biennium out of the State treasury for educational purposes. Are we to say that the Pennsylvania manufacturers do not benefit from this program; that they ought not to be taxed and that the additional $300,000,000 which will be required in the near future must come out of the pockets of the people only?

You cannot put a disproportionate balance on the books. The Governor of Indiana, who incidentally is a Republican, in refusing to support or assign a sales tax made this significant statement. He said, "I am going to ask the Legislature of Indiana to increase corporate taxes in Indiana particularly upon those industries situated within this State. I am doing so because they must carry their proportionate share of the cost of government somewhere near the proportionate benefits they get from government."

Now for twenty years I have watched this shift in the tax burden. This is not a maiden speech on this subject. If you go back through the records, you will find that at least once during every biennium I have talked to this Senate about the shift in the tax burden, and how this nation-wide scheme was born in a small room in Washington, and how it started out from that room to all of the agencies of communication and prestige and pressure, and a drive was made to put upon the statute books of every State, personal taxes to remove industrial taxes.

Part of the program was good. However, I warn industry now, do not overstep the bounds of decency, and balance because if you continue what has been going on for twenty years beyond a certain point, the people will rebel and the Boston Tea Party will be an afternoon luncheon compared to what will happen. When you get to a budget of $2,000,000,000 for this Commonwealth and you lock the door and relieve industry of any more taxes in this Commonwealth, you will be taking from the people eighty-five per cent of the tax burden in this Commonwealth. When you do that, you will have a disproportionate balance and the ones that will suffer will be the very ones that think they are benefiting now.

I say this in all seriouness. I beg of you to consider the future of Pennsylvania in the light of our actions during this biennium. Let us revise the capital stock tax and foreign franchise tax so that it gives us an inducement to offer to other industries that may come in.

I know who sold this whole thing. This may interest you Senators. When the Governor named his Tax Commission, I wrote myself a letter and in this letter I predicted what the recommendations would be, and I missed it by only one item. I did not think that they would come in with a recommendation to add another three per cent to the liquor and beer industry in Pennsylvania because, as you all know, a thirty-six dollar barrel of whisky now sells for $2,054, two thousand and some odd dollars being taxes. Therefore, you get a diminishing return on any objective taxation. I did not think they would do that, but I predicted exactly what they would say on capital stock taxes. I predicted what they would say on corporation stock taxes, on corporation liens and excises, and I predicted what they would say about the sales tax. I predicted that they would ask for a tax on clothing and for a tax on the trade-in value of automobiles.

Now let us analyze all of these pictures. To you utility men, allow me to say something to you. Last week the newspapers said that the Cyclops Corporation was going to go to Ohio and that the two reasons that they had advanced for moving, as it were,—that is what the paper said—was because of taxes and high utility rates. I made an investigation. You will have to trust my memory. found that the power available to this company at its Pennsylvania site was costing eleven mills a kilowatt, but that the power across the river in Ohio was costing seven mills a kilowatt. I also discovered that this company had no particular gripe against the Commonwealth of Pennsylvania; that it had expanded in Bridgeville to its fullest extent; that it had gone up into Titusville and expanded to its fullest extent; and, with the complete knowledge of the citizens of that community, was expanding also in the State of Ohio.

When you search down into all of these half-truths that are being bandied about and ballooned by people who have less love for the tate of Pennsylvania than they have for the almighty dollar, you will find that in almost every instance the same story is true. We are a good State to do business in. If the utilities of this State feel that we are a bad State, then allow us to amend the sales tax and the utility tax law in this State and put it exactly where it is in Ohio. If we do, if we just change that and change the railroad rate of tax, we will catch a couple hundred million dollars a biennium.

Mr. President, you cannot relieve all of these income producing facilities from all taxation. You know the old story; people cannot carry the whole burden. My father always told the story, which I think is apropos, of the old man in Italy who had a lean mule and that was

his only worldly possession, but the mule was necessary to his daily livelihood. It plowed his field, it hauled his family around and it took his produce to market. He got to thinking about it one day and he said, "You know," he said to himself, "if I could have this mule work without eating, I would have that much more for myself," and so he cut down on the mule's fodder to one straw a day. He later told an old friend that he had him down to one straw. He would have had him down to nothing, but the mule died.

Now you cannot do that in taxes. It is just as wrong for us to stand here and place the entire or the great proportion of the tax burden against industry as it is to stand here and place a disproportionate amount of the taxes against the people. The people have not the facilities to make their fight. They do not have an Economy League to work up a series of figures for them. The Economy League is a wonderful institution, but it is a self-serving institution. Let us not be clouded in our thinking. The people who pay for the expense of the Economy League expect services rendered, and if you allow the capital stock tax exemption to go into effect, you have rendered the services.

If you feel that you can cut the tax burden in this State $60,000,000 without injuring the economy and without placing any unnecessary burdens upon the shoulders of the people more than they are now carrying, do it, but do it in such a way that all employers will benefit. Do it in such a way that every employer in the State will gain some benefit, so that when we go out into the other States and ask them to come into our Commonwealth, we have something to sell them, something to give them, an inducement.

To the utility companies, I say another word and I say this as a bit of advice. Check your rates; do not drive industry out of Pennsylvania with high utility rates while we are doing everything we can to induce them to come into this State.

To Mr. Rockwell I say this. Either you quit unselling Pennsylvania or have the legislature cut out the appropriation for the Department of Commerce which is spending thousands of dollars to sell Pennsylvania. You cannot have two lines of propaganda going out. Let us get together on one line of endeavor.

I think that between the Chambers of Commerce and the utilities that have worked at it, regional groups and the Department of Commerce of the State, the fact that we have brought into Pennsylvania 27,817 new income producing jobs is an achievement that ought not to be belittled by a man who, because he enjoys a great reputation as an industrialist and a long time leader in Chamber of Commerce activities, will go out and do us more damage in one statement than we can undo with a million dollars worth of paid propaganda.

We are a good State; we are a good people; we have good roads; we have good schools; and we have a healthy religious atmosphere. We have the finest water that is obtainable in any State in the Union and greater abundance. We have men and women easy to teach the skills of modern production. We were called the Keystone State in the beginnings of this Nation. We are still the Keystone State of this democracy in every field.

I ask you to join me in trying to write some kind of tax inducement legislation that will give equal benefits to all of the job producers in Pennsylvania and not to a favored few.

The PRESIDING OFFICER (George N. Wade) in the Chair.

Mr. MAHANY. Mr. President and Members of the Senate, last Sunday afternoon I was privileged to go down to Gettysburg with my good friend, the Senate Librarian, Charles Lathero and his wife, and we visited the cemetery down there across from the museum. We noted that there was a monument down there which was erected to a speech, and they told us it was the only monument in the world that was erected to a speech. I thought if we could ever get Senator Dent to make a speech as short as the Gettysburg Address which Abraham Lincoln made down there, I would take up a fund to have the second monument erected to the speech of Senator Dent's that would be about the same length as the Gettysburg Address.

Now, he is champing at the bit. He can hardly wait for me to get through here, so he can get into the act again.

Senator, while you are shaking your fist at me over here or your finger at me and shouting so, I feel sometimes as though I were the culprit that was guilty of many things. While you were talking, I had occasion to glance back in the House Journal of February 5, 1957, and noted that the Governor of the Commonwealth of Pennsylvania—and I understand that you have a speaking acquaintance with him, George Leader—stated to us on that occasion that he would urge us further that we repeal the corporation loans tax as well, and permit the manufacturer's exemption from the capital stock tax to take effect on its due date, January 1, 1958. Therefore, that is not our idea especially, although perhaps we might go along with the Governor if he urges us enough. However, it was your Governor that urged us to do now what you state we should not do.

I also understand that the Governor gave you Democrats a little preview of his speech so that you would not have to go over to the Joint Session and listen to it. He had you over in the office and went over this speech with you before he made it, and evidently you were there at that time and heard that statement, and you should have talked to the Governor the way you did to me just a little while ago and told him that he should not urge that this manufacturer's exemption go into effect, if that is the way you felt.

Now I have also listened to the Senator make speeches in which he has, I think he gave a term to these service industries or the industries which are associated in a city with the servicing of the people, such as stores and utilities and so forth in connection with the location of a manufacturing plant in the city, and I believe he termed them as parasitic industries at one time and apologized for the term because he could not find a better one. Usually these companies that now he is bleeding for go into a city because of the fact they they have a manufacturer's corporation there or a corporation engaged in manufacturing.

For instance, in the city of Titusville, we have about three manufacturing plants and we have stores there, one of which I have pride in having a certain amount of ownership, and I will state to the Senator that I, as

an owner of that store, would be very pleased to pay our share of the corporate capital stock tax if we continue to have a healthy manufacturing industry in the city. If we have healthy manufacturing in the city of Titusville, then our store is going to do a pretty good business and I can afford to take part of the profit and pay it to the State of Pennsylvania in the form of a capital stock tax.

I want to say to him that I agree with him relative to his idea that we should make the basis of the assessment on which this capital stock tax is based a little bit more certain, and if he can find some State which has a more certain way of assessing the tax and get a copy of their law, and have the Legislative Reference Bureau draw it up, I will be happy to co-sponsor such a bill with him, because I agree with him that it is wrong to have these companies have to come into Harrisburg on so many occasions and try to barter with the governmental representatives as to how much their company is worth. I feel if we can make that more certain, I will be happy to join with him in such a bill.

However, Senator, until you get the Governor to change his mind a bit and get me to change my mind a bit about the advisability of giving this manufacturer's exemption, I want to tell you that I want to go along with the Governor in allowing this manufacturer's exemption to go into effect on its due date, January 1, 1958, as he asked us to do in that Budget Message.

Perhaps Mr. Rockwell is wrong in getting into the papers so much and calling this matter of tax inequities to our attention, but possibly he feels that he cannot do it in any other way.

I talked with a Mr. Stewart today, who is head of the Universal Cyclops Steel Corporation, and had quite a long talk with him, because he has a plant in Titusville, Pennsylvania. They are expanding in Titusville, Pennsylvania, Senator. They are spending a lot of money there and I am glad they are. We are helping them to expand their facilities there. Mr. Stewart tells me that they also had to go into Ohio because of some of the features which you stated; that it was a matter of power rates to some extent, and also the fact that they could find a large area there which he explained at the present time is just a corn field. They expect to build a plant on it. I pointed out to him, Senator, that when he got his plant built there and they put in the streets and the sewer lines and the schools and all of the other things that they will have to do in order to take care of the number of employees they are going to have there, no doubt the taxes will go up on his plant and maybe will exceed those that are in Pennsylvania.

I also would like to call to the attention of the editors of the Pittsburgh Post-Gazette that when they write those editorials, they should get together with the fellow who also writes the editorials asking us to go all out and give Mr. Shapiro millions of dollars more for a mental health program and so forth; that those fellows who also write the editorials relative to our tax structure and the amount of taxes we are placing on corporations should get together and decide which one they want us to do. We cannot very well keep adding millions of dollars onto this budget for a mental health program, and all the other things that they would like to have us do, without getting the taxes up some. As long as they keep beseeching us to carry out their wishes in regard to adding more services we will have to continue to up the amount of the State budget.

Senator, I hope that you will get that bill ready and that Mr. Rockwell will find occasion to come down here perhaps, and maybe we can straighten him out because I know the newspapers will not carry all that you stated about Mr. Rockwell. Maybe you and I can get him down here.

We asked Mr. Stewart to come down here and tell us more about the reasons why he wanted to go to Ohio to locate this extra plant, and he told us that he would have liked to come down but, unfortunately the secretary-treasurer of the company had a heart attack yesterday or the day before and he could not come. However, he asked us to send him a list of any questions that we might have relative to their going over into Ohio to locate a part of their plant facilities and he would be happy to answer our questions in as much detail as he could. I feel as a result of his answering those questions, we are going to find out a little bit more information about it and then I hope the Pittsburgh papers will carry the true story instead of the distorted one which they have found to be a convenient way of selling newspapers by glaring headlines.

Mr. DENT. Mr. President, I was going to say to the Senator that the speech made by Abraham Lincoln was very short, but he was talking about dead people. I am talking about some that are still alive and it takes longer.

In so far as the Governor's recommendation is concerned, I do not think it is a secret because I see sitting with me, Senator Frank Ruth. Although you may doubt some of the things I say, you certainly would not doubt the Reverend. When the Governor read that section of his message, I told him, as I am telling you, that I would not support that feature of the program. I try all of the time to keep my word where I can. I know that consistency is the hobgoblin of small minds and sometimes I go beyond being a small minded person. However, in this instance it is not a question of going along with the Governor or being against the Governor. I think that my seventeen months leadership on this floor for his program two years ago is testimony as to where I stand on matters pertaining to this Administration and its policies. For twenty-two years I have been on this floor fighting what I think are the battles based upon my principles; that someone has to speak for those who have no organized spokesmen, the little peoples in the communities who carry the load for the school and who carry the load for all the government, and that is why my position is as it is.

I am willing to go along, and I will certainly get the legislation ready. However, I hope that you can see your way clear to give the same benefits to non-manufacturing industries as you do to the manufacturing industries, because if you are hoping to sell Pennsylvania, you are going to have to sell it to many, many, many concerns that will prove to be job makers for us and still will not be in-State manufacturers.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, March 6, 1957, at 10:00 o'clock, a. m., Eastern Standard Time.

Mr. VAN SANT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:50 o'clock, p. m., Eastern Standard Time, until Wednesday, March 6, 1957, at 10:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, March 5, 1957.

The House met at 1:00 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Mark J. Hostetter, Pastor of the Lincoln Park Community Church, Reading, Pa., guest Chaplain, offered the following prayer:

O God, our Father, as we stand within these majestic walls, may we hear Thee talking to us through history's continuing witness. Teach us the art of meditation. Set our souls in tune to the eternal wisdom.

We rise up to bless Thee for the faith of our fathers. May we see again the struggle of our forefathers to be free, the struggle to be true in freedom, and the struggle to be brothers in the building of a new nation. Make us see today that we have a charge to keep. In our responsibility to find a right course for the future let the past stir us to new consecration.

Take these elected representatives of the people and lead them in Thy way. May they know the truth and let that truth live in clear, unmistakable marks on the law books and at the council tables. In democracy's daring venture make us all men of a terrible fearful honesty.

O God, give us a great faith for the challenge of these times. In all things may Thy name be exalted. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, March 4, 1957? If not, and without objection, the Journal is approved.

BILLS INTRODUCED AND REFERRED

By Messrs. ROVANSEK and WILLIAMS.

HOUSE BILL No. 627

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania by exempting certain aged persons from income and occupational taxes.

Referred to the Committee on Ways and Means.

By Messrs. KORNICK, McCANN and WILLIAMS.

HOUSE BILL No. 628

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911 (P. L. 756) authorizing fire bosses to carry electric lamps.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. ROVANSEK and WILLIAMS.

HOUSE BILL No. 629

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911, (P. L. 756), changing mine inspection provisions and requirements of mine foremen in small mines; prescribing their duties and imposing penalties.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WILLIAMS, CUMMINS, McCANN, and ROVANSEK. HOUSE BILL No. 630

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911 (P. L. 756), requiring motormen and operators of portable mining machines to have an attendant and an assistant, * * *.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WILLIAMS and McCANN.

HOUSE BILL No. 631

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), prohibiting purchase of coal not mined in Pennsylvania.

Referred to the Committee on State Government.

By Messrs. KELLER and BREON. HOUSE BILL No. 632

An Act amending the act of May 12, 1943 (P. L. 259), entitled as amended, "An act providing for the payment by the State Treasurer, of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns, townships, and certain counties, and for the payment thereof into police pension funds, * * * for certain purposes," changing the formula for distribution of funds according to population.

Referred to the Committee on State Government.

By Messrs. DALRYMPLE and HAMILTON.

HOUSE BILL No. 633

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the payment of minimum salaries and increments of certain professional employes.

Referred to the Committee on Education.

By Messrs. AUSTIN M. LEE, BRUCKER, Mrs. BEATRICE Z. MILLER and Mr. CARSON.

HOUSE BILL No. 634

An Act amending the "First Class City Home Rule Act," approved April 21, 1949 (P. L. 665), imposing limitations on the salary of members of city council or other legislative body.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. MILLS and MAXWELL.

HOUSE BILL No. 635

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), requiring that liquor be sold in containers of not less than one quart.

Referred to the Committee on Liquor Control.

By Mr. ANDREWS. HOUSE BILL No. 636

An Act amending "The Third Class City Code," approved

June 23, 1931 (P. L. 932), further regulating the filling of vacancies in the office of controller and treasurer.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. LIGHT, STRAUSSER and DAVIS.
HOUSE BILL No. 637

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), changing the definition of the term "trailer."

Referred to the Committee on Motor Vehicles.

By Messrs. MULDOWNEY and HEAVEY.
HOUSE BILL No. 638.

An Act amending the act of April 15, 1851 (P. L. 648), entitled "An act to provide for the election of judges of the several courts of this Commonwealth, and to regulate certain judicial districts," fixing resident requirements for judges.

Referred to the Committee on Judiciary.

By Messrs. BELL, KAMYK and HORST.
HOUSE BILL No. 639.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) regulating contributions made by county commissioners toward funeral expenses of deceased service persons and widows of deceased service persons.

Referred to the Committee on Military Affairs.

By Messrs. BELL and HORST. HOUSE BILL No. 640.

An Act requiring commercial motor vehicles rented by the Department of Highways to be so identified.

Referred to the Committee on State Government.

By Messrs. POLASKI and DALRYMPLE.
HOUSE BILL No. 641.

An Act requiring the Department of Public Assistance to increase maximum amounts in allowance schedules used in making assistance grants to needy persons.

Referred to the Committee on Welfare.

By Messrs. TAYLOR and VAUGHAN.
HOUSE BILL No. 642.

An Act authorizing persons entitled to pensions or retirement allowances or payments from the Commonwealth or from any political subdivision to waive acceptance of such payments.

Referred to the Committee on State Government.

By Messrs. JOHNSTON, JENKINS and VAUGHAN.
HOUSE BILL No. 643.

An Act amending the "Second Class County Code," amended July 28, 1953 (P. L. 723), providing that the retirement allowance of police shall not be affected by certain other employment or receipt of a pension from the Federal government.

Referred to he Committee on Cities—Counties First—Second and Second Class A.

By Messrs. LIGHT, STRAUSSER and DAVIS.
HOUSE BILL No. 644.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), restricting the provisions relating to the limitations on size of certain vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. GOLDSTEIN. HOUSE BILL No. 645.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), increasing the penalty for violations of provisions of article IV by non-licensees.

Referred to the Committee on Liquor Control.

By Messrs. MAXWELL and MILLS.
HOUSE BILL No. 646.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), providing for the erection of signs indicating one way traffic on highway entrances and exits, and prescribing penalties for disobeying such signs.

Referred to the Committee on Motor Vehicles.

By Messrs. GRAMLICH, DAVIS and METZ.
HOUSE BILL No. 647.

An Act amending "The Game Law" of June 3, 1937 (P. L. 1225). authoriizng county treasurers to issue special archery licenses and special archery preserve permits.

Referred to the Committee on Game and Conservation.

By Mr. BRENNINGER and Mrs. HOOKER.
HOUSE BILL No. 648.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), prohibiting the lease or sale of borough owned electric light plants without a majority vote of the electorate.

Referred to the Committee on Boroughs.

By Mrs. BEATRICE Z. MILLER and Mr. POMEROY. HOUSE BILL No. 649.

An Act amending the "Oleomargarine or Butterine Law," approved June 30, 1947 (P. L. 1154), redefining the terms, "hotel, restaurant, dining-room and boardinghouse" to exclude institutions supported by private charity.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. BUCHANAN. HOUSE BILL No. 650.

An Act amending the act of June 25, 1947 (P. L. 928), entiled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," changing salaries of jury commissioners in counties of the sixth class.

Referred to the Committee on Counties.

By Mr. BUCHANAN. HOUSE BILL No. 651.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) authorizing boroughs to prohibit or regulate the keeping of livestock or fowl within borough limits.

Referred to the Committee on Boroughs.

By Mr. VAUGHAN. HOUSE BILL No. 652.

An Act requiring political subdivisions to compensate any owner or lessee of a building, structure or land for damage incurred by the owner or lessee for loss of rights to existing usage to a zoning ordinance.

Referred to the Committee on Municipal Corporations.

By Messrs. VAUGHAN and RIGBY.
HOUSE BILL No. 653.

An Act amending the Act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," by adding a new clause (g) to prohibit the furnishing to students engaged in school foot ball activities any shoes equipped with metal cleats or spikes.

Referred to the Committee on Education.

By Mr. FRASCELLA. HOUSE BILL No. 654.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), excluding from the tax certain school and church building contracts.

Referred to the Committee on Ways and Means.

By Mr. GOLDSTEIN. HOUSE BILL No. 655.

A Joint Resolution proposing an amendment to article 5, section 11 of the Constitution of the Commonwealth of Pennsylvania, providing for aldermanic districts and the election of aldermen and constables in Allegheny County.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. VAUGHAN, CIOFFI and PRICE. HOUSE BILL No. 656.

An Act regulating and prescribing the working hours and vacation periods of police officers employed by any county, city, borough, town or township having a regular police force consisting of five or more full time police officers.

Referred to the Committee on Municipal Corporations.

By Messrs. WESCOTT, WHEELER, McCANN and WOOD. HOUSE BILL No. 657.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) regulating contract procedures and advertising for bids.

Referred to the Committee on Townships.

By Messrs. WESCOTT, WHEELER, McCANN and WOOD. HOUSE BILL No. 658.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), regulating contract procedures and advertising for bids.

Referred to the Committee on Townships.

By Messrs. WOOD, WESCOTT, WHEELER and McCANN. HOUSE BILL No. 659.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), regulating contract procedures and advertising for bids.

Referred to the Committee on Cities—Third Class.

By Messrs. JUMP, MUSTO and REIDENBACH. HOUSE BILL No. 660.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the Coal Mining Subsidence Commission as an independent administrative commission; defining its powers and duties, and making an appropriation.

Referred to the Committee on Mineral Industries.

By Messrs. JUMP, MUSTO and REIDENBACH. HOUSE BILL No. 661.

An Act imposing a State tax on anthracite and bituminous coal; providing for its assessment and collection; making all such moneys available to finance programs relating to mine subsidence and mine flushing and providing penalties.

Referred to the Committee on Mineral Industries.

By Messrs. JUMP, MUSTO and REIDENBACH. HOUSE BILL No. 662.

An Act making an appropriation to the Coal Mine Subsidence Commission for the Assistance of municipalities in carrying out programs to prevent mine subsidence.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. JUMP, MUSTO and REIDENBACH. HOUSE BILL No. 663.

An Act amending the act of April 1, 1909 (P. L. 91) entitled "An act relating to deeds for conveying or releasing lands, * * *," requiring that all deeds and instruments * * * set forth * * * mineral rights or support rights * * *.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. DONALDSON and FILO. HOUSE BILL No. 664.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for salaries for school directors of school districts coterminous with boroughs.

Referred to the Committee on Education.

By Messrs. WELSH and FRASCELLA. HOUSE BILL No. 665.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the licensure requirements of residence and citizenship of malt and brewed beverage manufacturers, distributors and importing distributors.

Referred to the Committee on Liquor Control.

By Mr. STIMMEL. HOUSE BILL No. 666.

An Act amending the "Motor Vehicle Safety Responsibility Act" of June 1, 1945 (P. L. 1340), increasing the required amount of financial responsibility.

Referred to the Committee on Motor Vehicles.

By Mr. BRAND. HOUSE BILL No. 667.

An Act amending "The Game Law," approved June 3, 1937, (P. L. 1225) permitting the use of semi-automatic .22 caliber pistols for the hunting and killing of small game, predators and unprotected birds.

Referred to the Committee on Game and Conservation.

By Messrs. HARVEY P. MURRARY, HORST, GOODRICH and KORNS. HOUSE BILL No. 668.

An Act amending the "Public School Code of March 10, 1949 (P. L. 30), revising reimbursements on account of contracts with municipality authorities and nonprofit corporations approved during a certain period.

Referred to the Committee on Education.

By Mr. STROUP. HOUSE BILL No. 669.

An Act amending the act of May 31, 1947 (P. L. 377), entitled "A supplement to the act of June 27, 1923 (P. L.

858), known as the 'State Employes' Retirement Law,' * * *" providing for credit for time spent by an employe of the Commonwealth of Pennsylvania as an employe of the United States Government.

Referred to the Committee on State Government.

By Messrs. MIKULA and HAROLD G. MILLER. HOUSE BILL No. 670.

An Act amending "The Third Class City Code" approved June 23, 1931, (P. L. 932) further regulating sick leaves.

Referred to the Committee on Cities—Third Class.

By Messrs. TOLL, WELSH and GAILEY. HOUSE BILL No. 671.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the Pennsylvania Consumer Commission and defining its powers and duties.

Referred to the Committee on State Government.

By Mr. DAVIS. HOUSE BILL No. 672.

An Act amending the "Public School Employes Retirement Law" approved July 18, 1917 (P. L. 1043) providing credit for retirement purposes for private school and institution service in certain instances.

Referred to the Committee on Education.

By Messrs. DAVIS, THOMAS H. W. JONES and GRAMLICH. HOUSE BILL No. 673.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), changing fines and penalties in manslaughter cases.

Referred to the Committee on Judiciary.

By Messrs. DAVIS, LIGHT, ASHTON and METZ. HOUSE BILL No. 674

An Act regulating the propagation of furbearing animals; the granting of permits by the Department of agriculture; requiring reports of transactions by holders of permits; and fixing penalties.

Referred to the Committee on Game and Conservation.

By Messrs. McKEEVER and VAUGHAN. HOUSE BILL No. 675

An Act providing for the payment of salary, wages, medical and hospital expenses of fulltime employes who for one year or more have been employed by the Commonwealth who are injured in the performance of their duty * * *.

Referred to the Committee on State Government.

By Messrs. McKEEVER and MOODY. HOUSE BILL No. 676

An Act authorizing deductions from wages or salary of any Commonwealth employe for payment of certain union dues and the payment of such moneys to the union treasurer.

Referred to the Committee on State Government.

By Messrs. DALRYMPLE and HAMILTON. HOUSE BILL No. 677

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the biennium compensation and increments of members of the teaching and supervisory staffs * * *.

Referred to the Committee on Education.

By Mr. ESHLEMAN. HOUSE BILL No. 678

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), fixing minimum salaries and service and merit increments for county and district superintendents and their staffs, and for professional employes of school districts.

Referred to the Committee on Education.

By Messrs. DAVIS, GIBSON and JOHNSON. HOUSE BILL No. 679

An Act amending the "Law Fixing Annual Charge on Forest Lands," approved May 17, 1929 (P. L. 1798), providing for payment of fixed charges on certain parks and changing limitations on the responsibility of the Commonwealth to pay charges to counties on certain Federal forest reserves.

Referred to the Committee on Game and Conservation.

By Messrs. DENNISON, DIETTERICK, BRUCKER and PAUL G. MURRAY. HOUSE BILL No. 680

An Act providing for the recovery of judgments from the wages, salaries or commissions of judgment debtors; and imposing duties upon employers.

Referred to the Committee on Judiciary.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 5.

An Act authorizing the recovery of damages from parents of children destroying property.

Referred to the Committee on Judiciary.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. BELL and Mrs. VARALLO. RESOLUTION No. 40

In the House of Representatives, March 4, 1957

There presently exists discriminatory practice on behalf of the Civil Aeronautics Board against citizens of eastern Pennsylvania with respect to air travel from Philadelphia to Bermuda, Nassau, San Juan, and connecting points.

The discrimination consists of forcing the citizens of eastern Pennsylvania and their neighbors to travel to New York City in order to obtain air transportation to Bermuda, Nassau, San Juan, and connecting points. Such additional travel entails air or railroad transportation and other incidental expenses. The elapsed time required for one to travel to New York often equals the total flying time from New York to Bermuda or Nassau.

The advantages of air transportation have brought to the average citizen the availability of the vacation islands of Bermuda, Nassau, and the West Indies. Tens of thousands of citizens of eastern Pennsylvania annually spend winter vacations in these resorts. Such development has been so rapid as to cause considerable magazine comment as to the trend of American citizens to spend their vacation time in winter air vacation trips.

The discrimination being encouraged by the Civil Aeronautics Board consists of restricting air lines and prohibiting them from making non-stop air flights from Philadelphia to Bermuda, Nassau, and San Juan. There is presently

under consideration a request that such discrimination against the Airport of Philadelphia and continued harassment of the citizens of eastern Pennsylvania be terminated and that direct air flights to the points in question be authorized; therefore be it

Resolved, That the Civil Aeronautics Board be memorialized to investigate fully the charges of discrimination against the Airport of Philadelphia and the continued harassment of the citizens not only of eastern Pennsylvania but of the lower Delaware Valley by reason of the refusal of the Civil Aeronautics Board to permit direct non-stop flights from Philadelphia to Bermuda, Nassau, and San Juan; and be it further

Resolved, That the action of the Civil Aeronautics Board with respect to such investigation be expeditious to give the desired relief to those aggrived; and be it further

Resolved, That copies of this resolution be transmitted to the Chairman of the Civil Aeronautics Board and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Mr. POST. RESOLUTION No. 41

In the House of Representatives, March 4, 1957

Eberhard-Faber Pencil Company, the world's largest manufacturer of pencils and kindred writing materials is now located in Luzerne County, Pennsylvania.

Luzerne county has been designated as a distressed employment area. It is hoped that this new industry established by Eberhard-Faber Pencil Company will do much to relieve the hardship caused by unemployment in the area by the employment of up to twelve hundred persons.

The purchase of necessary material from industries located within this Commonwealth can do much to increase the prosperity and general well-being of the people of this State. Prosperous industries located in Pennsylvania can do much to attract other industrial activity to this Commonwealth by demonstrating the favorable conditions existing in the Commonwealth for the development of various industries and commercial activities; therefore be it

Resolved, That all departments, bureaus, commissions, and agencies of the Commonwealth of Pennsylvania and the residents of this Commonwealth are urged to give priority and preference to purchases of pencils and kindred materials from the Eberhard-Faber Pencil Company, which are manufactured by that company in this Commonwealth, and to give priority to the purchase of other articles manufactured by Pennsylvania concerns.

Referred to the Committee on Rules.

By Mr. AMARANDO. RESOLUTION No. 42

In the House of Representatives, March 4, 1957

The highways of Pennsylvania can be no safer than the drivers and the vehicles which use them.

Vehicles registered in Pennsylvania are required, through a system of compulsory State inspection to maintain at least minimum standards of mechanical safety.

Because of its industrial pre-eminence this Commonwealth is visited daily by thousands of vehicles from other States, where no such compulsory inspection exists, many of said vehicles being motor trucks in interstate commerce.

Numerous public complaints of the ineffective nature of Interstate Commerce Commission enforcement of its safety regulations have been made as a result of accidents occurring in this State involving mechanically unfit trucks from other states.

Governor George M. Leader has sent to the Interstate Commerce Commission a proposal developed by this Commonwealth's Director of Highway Safety, Mr. O. D. Shipley, suggesting the establishment by the Interstate Commerce Commission of a nationwide system of compulsory inspection for motor trucks under ICC auspices.

Such a system would most certainly bring lagging elements of the motor truck industry up to ICC standards, thus minimizing the likelihood of truck accidents due to mechanical failure; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Interstate Commerce Commission to adopt the proposal establishing ICC inspection stations for motor trucks, and the Pennsylvania's members of Congress be also memorialized to urge upon the Interstate Commerce Commission the many advantages of the proposal.

Referred to the Committee on Rules.

By Messrs. JUMP, MUSTO and REIDENBACH.
(Concurrent) RESOLUTION No. 43

In the House of Representatives, March 4, 1957

On August 7, 1956, the Congress of the United States enacted legislation known as the "Federal Flood Insurance Act of 1956." The declared purpose of this act is to provide insurance protection against individual and public loss in the case of recurring natural disasters, including recurring floods. Subsidence resulting from mining operations is a natural disaster against which Congress should provide such protection, but the act does not specifically provide that this is an insurable risk; therefore be it

Resolved, (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to amend the "Federal Flood Insurance Act of 1956," to provide that subsidence resulting from mining operations shall be an insurable risk; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Refererred to the Committee on Rules.

By Mr. SMITH. (Concurrent) RESOLUTION No. 44

In the House of Representatives, March 4, 1957

The House of Representatives of the Commonwealth of Pennsylvania desires to bring to the attention of the Post Master General of the United States what it considers to be a regrettable use of the United States mails. Attention is drawn specifically to the base, lewd and licentious drawing contained on page twenty-five of the April 1957 edition of the magazine "Manhunt," a pornographic product of Flying Eagle Publications, Inc., located at 545 Fifth Avenue, New York, New York. There is no doubt that such drawings depicting the lustful character of individuals have a detrimental effect upon the morality of all persons but the effect upon the formative minds of the youth of the nation is even more perilous. The General Assembly of the Commonwealth of Pennsylvania and the legislatures of the other states of the Union have attempted to employ all the means within their Constitutional power to curb or even eliminate the mass distribution of the type of literary filth herein mentioned in this resolution. It is equally important that Federal instrumentalities assist whenever possible in this drive to stamp out the distribution of such disgusting printed matter. Close scrutiny by postal officials of the United States will do much in attaining a high degree of success in this drive, therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania forward a copy of the April 1957 edition of the magazine "Manhunt" published by Flying Eagle Publications, New York, New York, to the Post Master General of the United States and be it further

Resolved, That he be urged to make a thorough and detailed investigation of subject matter sent through the mails to determine the amount of base, lewd, and licentious material passing through the mails and to employ all measures possible by law to prohibit their further distribution via the United States mails.

Referred to the Committee on Rules.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Kehler for Mr. BREISCH because of illness.

Mr. DOUGHERTY for himself for tomorrow's session.

REPORTS FROM COMMITTEES

Mr. GOLDSTEIN from the Committee on Cities—Counties First—Second and Second Class A re-reported as amended, House Bill No. 10, entitled.

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" providing for minority party representation in council.

Mr. OGILVIE from the Committee on State Government, reported as committed, House Bill No. 18, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation.

Mr. DONALDSON from the Committee on Judiciary reported as committed, House Bill No. 30, entitled:

An Act amending the act of May 5, 1911 (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, * * *" providing for action of the court sitting in banc in cases of desertion and nonsupport.

Mr. STUART from the Committee on Cities—Counties First—Second and Second Class A, reported as committed, House Bill No. 97, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), permitting certain county offices to be closed on Saturday.

Mrs. MARKLEY from the Committee on Motor Vehicles, reported as committed, House Bill No. 205, entitled:

An Act repealing section 502.1, act of May 1, 1929 (P. L. 905) removing limitations upon the operation of commercial motor vehicles for carriage of passengers.

Mr. BELL from the Committee on Military Affairs, reported as amended, House Bill No. 259, entitled:

A Supplement to the act of June 12, 1931 (P. L. 588) entitled "An act authorizing the Department of Property and Supplies to acquire lands in Harris Township, Centre County for the use of the Department of Military Affairs; * * *," transferring the control, supervision and management of the lands to the Penna. Historical and Museum Commission; requiring the commission to complete the "Twenty-eighth Division Shrine" thereon * * *.

Mr. OGILVIE from the Committee on Cities—Third Class, reported as committed, House Bill No. 266, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), permitting city council to hold its organization meeting on first day after a holiday.

Mr. RENWICK from the Committee on Townships, reported as amended, House Bill No. 269, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further providing for the employment of a certified public accountant and the duties of the township auditors.

Mr. LAFORE from the Committee on Elections and Apportionment, reported as committed, House Bill No. 282, entitled:

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

Mr. POLASKI from the Committee on Cities—Third Class, reported as committed, House Bill No. 326, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

Mr. De LONG from the Committee on Cities—Thir Class, reported as committed, House Bill No. 369, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing for the creation of capital reserve funds for capital expenditures.

Mr. KENNETH B. LEE from the Committee on Townships, reported as committed House Bill No. 370, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103) providing for the creation of capital reserve funds for capital expenditures.

Mr. HORST from the Committee on Townships, reported as committed, House Bill No. 371, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931, (P. L. 1206), providing for the creation of Capital reserve funds for capital expenditures.

Mr. MAGEE from the Committee on Judiciary, reported as committed, House Bill No. 400, entitled:

An Act amending the "Uniform Acknowledgment Act," approved July 24, 1941, (P. L. 490), deleting the reference to "Philippine Islands" the reference to "homestead" and the requirement that certain acknowledgements taken without the State be authenticated.

Mr. HEFFNER from the Committee on Judiciary, reported as committed, House Bill No. 402, entitled:

An Act amending the act of December 14, 1854 (1855 P. L. 724), entitled "An act relating to the authentication of Letters of Attorney Protests of Notaries Public, * * *," authorizing deeds executed and acknowledged out of State to be recorded * * *.

Mr. KEHLER from the Committee on Judiciary, reported as committed, House Bill No. 403, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof.

Mr. P. J. MURPHY from the Committee on Cities—Third Class, reported as committed, House Bill No. 409, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), authorizing cities to increase allowances paid out of the police pension fund after the termination of the service of the contributors.

Mr. WALSH from the Committee on Cities—Third Class, reported as committed, House Bill No. 411, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), fixing the minimum requirements necessary to entitle contributors to the police pension fund to retire; further regulating appropriations to the fund, and the payment of increments upon retirement.

Mr. MAGEE from the Committee on Cities—Third Class, reported as committed, House Bill No. 444, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), authorizing council to provide for the closing of city offices on Saturday.

Mr. LUTTY from the Committee on State Government, reported as committed, House Bill No. 448, entitled:

An Act amending the act of June 28, 1935 (P. L. 477), entitled, as amended, "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force * * *," extending provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board.

Mr. KORNICK from the Committee on Townships, reported as committed, House Bill No. 521, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further regulating ordinances opening, changing or vacating roads and highways.

Mr. HORST from the Committee on State Government, reported as committed, House Bill No. 564, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) providing penalties for violation of rules governing State Parks, State Forest Picnic Areas, State Forest Monuments and State Historical Parks.

Mr. LIPPINCOTT from the Committee on State Government, reported as committed, House Bill No. 566, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to grant rights of Way over State park lands.

Mr. STROUP from the Committee on State Government, reported as committed, House Bill No. 582, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring the Budget Secretary to submit budget material to the chairman of the Committees on Appropriations of the House of Representatives and the Senate within a specified time.

Mr. HAMILTON from the Committee on State Government, re-reported as amended, Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interstate bodies.

Mr. PRICE from the Committee on State Government, reported as committed, Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended * * * requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

BILL RE-REFERRED

Mr. WILLIAMS from the Committee on Mines and Mineral Industries, returned with the recommendation that it be re-referred to the Committee on Judiciary, House Bill No. 220, entitled:

An Act to prevent unfair discrimination, unfair methods of competition, and destructive trade practices in the production, manufacture, distribution or sale of petroleum products.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

FOREIGN CORRESPONDENT WELCOMED

The SPEAKER. The Chair welcomes to the desk of the newspaper correspondents Mr. T. J. S. George, Assistant Editor of the Free Press Journal of Bombay, India, working on the Harrisburg Patriot News for three months on an exchange program sponsored by the State Department. His newspaper is one of the largest and most influential in India.

EXETER TOWNSHIP SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House today a delegation of students from the Exeter Township School, Ninth Grade, of Berks County under the supervision of their teachers, Mr. Roger Hertz, Mr. Eugene Flicker, Mr. Otto Fisher and Mrs. Handorf. They are the guests of the gentleman from Berks County, Mr. Weidner.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 31.

An Act amending the act of June 25, 1951 (P. L. 159), entitled "Municipal Borrowing Law" defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GUTHRIE asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

LARKSVILLE HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Larksville High School of Luzerne County under the supervision of their teachers, J. J. Connell, Sr., and John J. Stush. They are the guests of the gentleman from Luzerne County, Mr. Dietterick.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. EWING asked and obtained permission for the Committee on Mines and Mineral Industries to meet during the session of the House.

ANNOUNCEMENT

The SPEAKER. The Chair has been requested to announce that the panoramic pictures which were taken a week ago are now on display in the lobby of the House. Today is the only day the photographer will be there. The pictures may be viewed immediately after the session today.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 165, entitled:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743), entablishing a Traffic

Court of Philadelphia and prescribing its powers and duties and jurisdiction and the magistrates assigned thereto * * *.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 453, entitled:

An Act transferring money from the Banking Department Fund to the General Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 479, entitled:

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 589, entitled:

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled "An act making an appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August one thousand nine hundred fifty-five" making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before the completion of projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 29, entitled:

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law * * * and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 172, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), extending provisions relating to obscene literature and objects and increasing the penalty for violating the provisions.

The first section was read.
On the question,
Will the House agree to the question?
Mrs. KERNAGHAN offered the following amendment:

Amend Sec. 1 (Sec. 524), page 2, line 5, by inserting after "or" "knowingly."

It was agreed to.
The section was agreed to as amended.
The second section and title were separately read and agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 458, entitled:

An Act validating the assesment rolls of counties from the fourth to eighth class.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection
Senate Bill No. 29, Printer's No. 6 and
Senate Bill No. 36, Printer's No. 22
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.
The motion was agreed to.

BILL PASSED OVER

There being no objection
Senate Bill No. 100, Printer's No. 17
was passed over at the request of the SPEAKER.

COMMITTEE REPORT

Mr. KELLER. Mr. Speaker, your Committee appointed to wait upon the Senate and escort that body to the Hall of the House has performed that duty and reports that the Senate is now in attendance.

The SPEAKER. The Committee is discharged with the thanks of the House.

The Lieutenant Governor, the Honorable Roy E. Furman, is invited to preside over the Joint Session of the General Assembly.

The President pro tempore of the Senate, the Honorable M. Harvey Taylor, and the Secretary of the Senate, the Honorable A. H. Letzler, are invited to be seated on the rostrum.

The Members of the Senate will please be seated.

The SPEAKER. The Chair would like to call to the attention of the Members of the Senate the attractive, comfortable chairs which have been provided for them in the well of the House. We trust their comfort will mean they will be happier to stay with us for a longer period of time.

JOINT SESSION OF THE GENERAL ASSEMBLY

LIEUTENANT GOVERNOR ROY E. FURMAN PRESIDING

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President, the Committee appointed to escort the Governor to the Hall of the House.

Mr. WATSON. Mr. President, I have the honor of presenting His Excellency, George M. Leader, Governor of the Commonwealth of Pennsylvania.

The LIEUTENANT GOVERNOR. Members of the General Assembly, I have the honor and privilege of presenting His Excellency, Honorable George M. Leader, Governor of the Commonwealth of Pennsylvania, who will address you.

ADDRESS OF GOVERNOR GEORGE M. LEADER

GOVERNOR LEADER. Lieutenant Governor Furman, Speaker Helm, and Members of the General Assembly, I am very grateful to have this second opportunity to come before you. It is only possible because the bundle was too large to deliver in one package.

I have the honor to transmit herewith the budget estimates of various special funds which, under provisions of the Constitution or of statutory law, are dedicated to public purposes apart from those provided by the General Fund budget already before you.

The Motor License Fund is, of course, of such great proportions as to dwarf the relatively modest amounts set aside for other special uses, and in fact compares in size and importance of function to the General Fund itself.

It is proper, therefore, for the Governor of the Commonwealth to comment in some detail upon the proposed uses of the Motor License Fund in the next biennium, upon its sources of revenue, and upon the highway needs and projections of the State and its communities.

It is clear that we have reached an agreed National policy that highway construction must be planned and executed on a scale far beyond our efforts of the past.

In my judgment, we will be able to do so in the next biennium in Pennsylvania on the basis of the Motor License Fund budget presently submitted.

This budget for a highway program requires no new taxes nor increases in license fees, nor does it ask for additional authorizations to incur debt.

At the same time, we will be able to plan, design, contract for, and construct the largest, most difficult, and most urgently needed program of highway expansion and modernization in the State's history.

We will necessarily concentrate on bringing to Pennsylvania in its full measure of benefit the very large amount of Federal assistance now available under the program which the Congress and the President have enacted.

On its revenue side, the Motor License Fund budget is predicated upon a liquid fuel tax of six cents per gallon, the existing rate, of which the Fund would receive five and one-half cents. The other half cent goes to the counties under existing law. The Fund will further receive the return from the existing charges for operators' and motor vehicle licenses. It will receive, if we match the monies under the various formulas provided, approximately $205,000,000 in Federal assistance.

The total revenues of the Motor License Fund will come to $713,000,000.

It would be foolhardy, in my judgment, to reduce the existing six cent tax on a gallon of liquid fuel. We are obviously faced with a flood of highway traffic which equals in its emergency pressures the emergency of Hurricane Diane itself. We cannot risk the loss of time and accomplishment which would follow our failure to participate to the fullest in the Federal aid program. We should, therefore, convert all the "temporary" liquid fuel taxes to a permanent tax base for the Motor License Fund.

We have had obvious difficulties in financing a General Fund budget which would meet the needs of Pennsylvania.

We are fortunate that we do not face such difficulties in gearing our highway program to our needs and our opportunities. Many legislatures throughout the country are struggling with their highway finance problems; ours are solved for this biennium if the Legislature will simply preserve the revenue status quo. This good fortune comes about, I would suppose, because of our wise Constitutional prohibition against the diversion of Motor License Funds to general State uses.

I have said that the total income of the Motor License Fund is estimated at $713,000,000. The Liquid Fuel Tax, plus the Fuel Use Tax will yield an estimated $316,665,000. Motor Licenses and Fees will yield $171,284,000. Federal aid will come to $205,000,000. These are the major revenue sources.

The total projected expenditures from the Motor License Fund will be $720,000,000.

Of this amount, $606,765,392 will be spent by the Department of Highways for the actual administration, engineering, maintenance and construction of the more than 40,000 miles of highways for which the State has direct responsibility.

Various disbursements are made from the Motor License Fund to other State agencies for services rendered the State's highway program. In the next biennium, the State Police will receive under this budget $21,000,000 for their work in patrolling the highways in the interest of public safety. The Department of Revenue will receive $18,570,000 for the collection of the Fund's taxes and the issuance of its licenses. The Department of State will be the recipient of payments of more than $5,000,000 as the Fund's contributon to the retirement benefits of its employes.

Because the training of young people to be good drivers is an important public service related to the use of our highway system, the Department of Public Instruction is making it possible to have driver training classes throughout our public school system in Pennsylvania. It will receive for this purpose $1,720,000 from the Motor License Fund.

The budget also provides for the repayment to farmers of the liquid fuel taxes they have paid on gasoline which is actually not used on the highway system but in agricultural production. A sum of $2,000,000 is set up for distribution of such rebates by the State Treasurer.

Taxes paid on aviation fuels go into the Motor License Fund; then go out again to the Department of Military Affairs for the administration of the Aeronautics Commission and its program of airport development. The amount is $1,213,000.

Such necessary payments for services and such legally directed disbursements take approximately $51,000,000 from the Motor License Fund above the expenditures of the Highway Department itself.

In addition, this Motor License Fund budget provides for the payment of more than $63,000,000 to the municipalities of the Commonwealth for the maintenance and improvement of township roads and borough and city streets.

This assistance to the municipalities is in addition to the one-half cent per gallon of liquid fuel tax which has been customarily returned to the counties for their own highway use or, more commonly, for distribution to constituent municipalities.

The last session of the Legislature agreed upon a formula by which the municipalities would receive twenty per cent of the yield of the liquid fuel tax, excepting always the one-half cent which is returned to the counties. This budget extends that formula to the additional one cent which it presumes will be made permanent.

The amount returnable then reaches the $63,000,000 of our estimate.

If this is not done, the local communities will receive State aid in the next biennium of only $52,000,000. I would urge that the municipalities, as well as the Commonwealth, be protected against this loss.

We have practically doubled the assistance we give the municipalities for street and road maintenance, believing that it is a measure of equity long overdue. We should not now take a backward step.

In this matter, we are the partner and associate of fifty Pennsylvania cities, seventy-five first class townships, nine hundred forty boroughs, one thousand four hundred and ninety-five second class townships, and our solitary and unique town.

We come now to the direct performance projected in this budget for the Department of Highways, to which is allotted, as I have said, the very large sum of more than $606,000,000. This is, of course, the heart of the matter.

The use of those funds by the Department, the speed at which we can achieve design, the ability of our economy to supply materials, the pace at which we can attain construction, all will dictate the rate of progress of our highway construction in Pennsylvania.

As Governor, I feel a deep sense of immediacy in this work, a feeling that time is pressing, that we must get on despite all the admitted obstacles and problems. I know that the Secretary of the Department shares my feeling, and that we can expect from him and his associates in the leadership of the Department a most determined and effective drive toward achievement. I trust that the members of the Legislature are equally determined to press forward so that Pennsylvania will be first among the states in the scope and the accomplishment of a highway program planned for our own day and the crowded future.

This is surely not a partisan matter.

There are neither Democratic nor Republican roads.

The Congress and the President agreed on that basis; as before in this Session, I would ask you to lay aside our political divisions so that the people of this State may be better served.

There is a certain amount of housekeeping which must be done on our 41,208 miles of State highway. The budget provides $28,500,000 for resurfacing 2,342 miles of this highway in the 1957-1959 biennium. It provides $70,000,000 for the maintenance of 38,142 miles of State highways in the townships; it sets up $4,500,000 for the maintenance of 2,418 miles of State highways in the boroughs; it has $2,500,000 for maintenance of the heavily travelled 648 miles of State highways which run through our Pennsylvania cities.

The Federal program has been vastly extended, as we all know.

But the Commonwealth still has the sole financial responsibility for more than 20,000 miles of State highway—the so-called 100 per cent State system. The budget provides $82,850,000 for construction and reconstruction on these totally State-supported roads, which will complete 450 miles of new or rebuilt highway—the equivalent of a highway across the State from Ohio to New Jersey, with some mileage to spare.

The Department must, of course, be administered.

The budget provides $36,699,000 for administration, a modest increase from a comparable figure of $32,529,000 in the current biennium, made necessary by rising costs and increased responsibilities.

We do have a large increase for contract engineering and design, from $14,000,000 to $24,000,000 to properly locate and effectively design the highways of our augmented program. We are employing the best skills we can find in the highly competitive market. It should be evident that great new highway system as is contemplated in the Federal program, will not design itself. There will be many thousand of man-hours at the drawing boards before the bulldozers and the scrapers shape the highway. This is another illustration of the fact which is, I hope, becoming evident—that if Pennsylvania is to accomplish its public purposes in this complex day, it cannot do so without utilizing the best talent it can find, and without paying a fair value for such talent. It will always be inexplicable to me that the same voices which applaud private enterprise for its achievements gained through research, management analysis, and special consultancies are sometimes unwilling to accept the same good methods in public service.

We are not doing this enormous amount of engineering for the exercise.

We are doing it as the necessary step in a giant program of construction, centering on the new opportunities of the Federal program

Those opportunities make it possible for us to budget for expenditures for construction and reconstruction of more than $327,000,000 in the four areas of Federal highway aid. In three categories of this program—Primary Roads, Secondary Roads, and Urban Extensions—we match

dollars with the Federal Government. Each state contribution brings an equal Federal amount.

On those highway projects which are part of the Interstate system, we will receive nine dollars in Federal contribution for every dollar supplied by the State.

I submit that it would be the most irresponsible folly if we did not make every effort to take full advantage, for Pennsylvania's sake, of this unparalleled program. And we can be sure that if we do not, other states certainly will.

I cannot believe that this Legislature, nor I am certain, will this Administration commit, by failure to do our part, any such folly.

The budget recommends that we spend approximately $37,000,000 on Federal Aid Secondary Roads, approximately $61,000,000 on Federal Aid Primary Roads, and $71,000,000 on Federal Aid Urban Extensions. For construction and reconstruction of Interstate Roads in the Federal Aid System, we will have $157,500,000.

As I said earlier in this message, the total of Federal aid will come to about $205,000,000—provided we are capable of producing the matching money, the decisions, and the plans. We intend to do all three.

During the next biennium, we expect to place under construction contracts 1,197 mnles of highway on the Federal aid system—a distance greater than from Philadelphia to Kansas City. The dollar value of the work under contract for design will reach in the next biennium $539,000,000—more than half a billion dollars.

The final item of major importance in the Motor License Fund budget is $17,500,000 allocated for the payment of rentals to the Highway and Bridge Authority. This is the equivalent of debt service. While it is a large amount, it is a relatively small proportion of the whole Motor License Fund budget—about two and one-half per cent. It is an indication that Pennsylvania has for many years carried out its major capital improvements for highways on a basis which is close to pay-as-you-go. This budget asks for no increase in borrowing authorization for the Highway and Bridge Authority, although we do contemplate using the unexpended authorization of $40,000,000.

The highway program presented in this budget is, in our best judgment, workable and balanced. It is workable because it is within our income and because it is within our capacity to execute. It is balanced because it provides for every segment of our highway needs, from the farm-to-market road on the 100 per cent state system to the enormously costly and complex expressways of our metropolitan cities. It provides the highest possible measure of assistance to the local communities for the maintenance and improvement of their roads and streets.

It would be most regerettable if the Legislature, by failure to provide adequate funds, destroyed the balance which is proposed. We would then have the hard choice of refusing available Federal funds for major highways, or cutting back the 100 per cent State program to the vanishing point, or withdrawing the assistance we propose for local communities. But I cannot believe that such painful decisions are before us. Certainly, there is no need for them.

In this connection, I would point out to the members of the General Assembly that the beginning and final balance shown in the budget figures is illusory. The May 31st balances of approximately $60,000,000.00 come at a time when annual license fees have been received and before demands for summer construction and maintenance have been paid out. It is a seasonal accumulation of funds, up in the early months before construction gets into full swing, and noted because of our fiscal year date of May 31st. It rapidly vanishes and becomes a thin margin of working capital in October and November.

A budget, to be sure, is only paper.

Money is only a government's promise to pay.

Neither can build highways, nor substitute for flesh and blood, for human ingenuity and purpose.

Consequently, in addition to this budget, we shall have various legislative proposals concerning our highway system which will come before you.

1. Personnel. We must establish a career service in our Highway Department which will make it attractive and secure for the technically trained men and women who will undertake as a life work the construction and maintenance of our highways. They are entitled to selection by merit, protection in their jobs, and compensation in accordance with their skills.

2. Training. We must establish a system of scholarships in Pennsylvania engineering schools for young Pennsylvanians who will graduate into the service of the Highway Department.

3. Planning. I shall ask the Chairman of the State Planning Board to appoint a subcommittee on Highway Planning to assist the Highway Department in its consideration of the grave problems it faces and to develop community acceptance and support of a continuing highway program adequate to the needs of the State.

4. Turnpike. The turnpike system must be brought into alignment with our general program of highway construction and operation. This inevitably means the eventual elimination of its tolls. To prepare for this transition, the turnpike operation requires a new framework and a new pattern of leadership.

5. Beautification. We must not allow billboards to exploit the interstate system. We must do a better job than we have yet done in the expansion of our program of roadside rests and scenic areas.

Legislation implementing such programs should be enacted during this Session of the General Assembly.

I am sure that none of us will want this 1957 Session to be remembered as a do-nothing legislative meeting, nor do I want my administration to be remembered as one which failed to point out the areas of opportunity and obligation in State Government.

In working together to produce a good budget pattern for our highway system, and in enacting important legislation for the improvement of our highways, we can come a long way toward a memorable achievement.

I trust that you will give this Motor License Fund budget your most thoughtful and favorable consideration.

GEORGE M. LEADER.

The LIEUTENANT GOVERNOR. Governor Leader, on behalf of the Members of the General Assembly, I want to thank you for your very comprehensive and informative message.

The Committee on the part of the Senate and the House

will now escort His Excellency, the Governor, to his Chambers.

The business of the Joint Session having been transacted, the session is now adjourned. The Senators will please reassemble in the Senate Chamber.

The SPEAKER (W. Stuart Helm) IN THE CHAIR.

PROCEEDINGS OF JOINT SESSION PRINTED IN JOURNAL

Mr. HEFFNER. Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House of Representatives held this day be printed in full in the Legislative Journal.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. EWING. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. EWING. Mr. Speaker. I notice in the Legislative Journal of February 26 on House Bill No. 337, I am not recorded as voting. I wish the record to show I did vote for House Bill No. 337.

BILLS ON SECOND READING

Mr. READINGER. Mr. Speaker, I call up on page 2 of today's calendar, House Bill No. 105, Bills on Second Reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 105, entitled:

An Act amending the "World War II Veterans' compensation Act" approved June 11, 1947 (P. L. 565) extending the time during which applications may be filed for veterans' compensation.

The first section was read.

On the question,

Will the House agree to the section?

BILL COMMITTED

Mr. THOMAS H. W. JONES. Mr. Speaker, I move that this bill be committed to the Committee on Appropriations.

The motion was agreed to.

Mr. READINGER. Mr. Speaker, I call up on page 2 of today's calendar, House Bill No. 478, Bills on Second Reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 478, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-five

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendment:

Amend Section 1, page 2, lines 1 and 2, by striking out the words and figures "seven million seven hundred sixty-seven thousand seven hundred ninety-eight dollars ($7,767,798)" and inserting in lieu thereof; "eight million one hundred sixteen thousand dollars ($8,116,000)."

On the question,

Will the House agree to the amendment?

Mr. READINGER. Mr. Speaker, I desire to inform the House that I have not had an opportunity to confer concerning the amendments with the Chairman of the House Appropriations Committee. When I called his office this morning he was engaged in a hearing, and I have not seen him until just now.

The Secretary of the Department of Public Assistance has informed me that the deficiency appropriation provided for in the bill without these amendments was based on a figure which was compiled at the time the budget message was prepared. Between that time and the present time the estimates of deficiency needs have increased to th point of $8,116,000 instead of seven million and whatever dollars that amount was in the bill.

Various reasons are assigned for these increases. I have in my possession a detailed breakdown of the figures which go to make up the deficiency of $8,116,000 and which I will be glad to deliver to the Chairman of the House Appropriations Committee if he does not already have a copy of it.

Mr. WOOD. Mr. Speaker, I will be glad to have the information from the gentleman from Berks, Mr. Readinger. I was unable to get it from the Department of Public Assistance.

It is true what the gentleman says. There is a deficiency of $8 million or more, but their answer was that the relief loads are going up. However, here is a newspaper release of March 3 which says the state relief load has declined 2.5 percent. So that just does not make sense to me. Rather than hold up the bill, it being an emergency to get through, we have decided to report it out as it is; and if they really need more money later, we can put another deficiency bill through to take care of it.

I ask the Members to vote the amendments down.

Mr. READINGER. Mr. Speaker, I desire to read a memorandum from the Secretary of the Department of Public Assistance to Mr. Bradley, the Budget Secretary dated February 25, 1957. She states as follows:

> "On the basis of experience to date we estimate that a deficiency appropriation of $8,116,000 will be required for the current biennium.
>
> "At the end of January we had used all but $16,460,000 of our appropriation. State fund expenditures during February and March will be about $12,300,000, thus leaving a balance of less than estimated state fund requirements for April. Since the Federal Government will not advance its share of estimated monthly costs unless the state is able to certify that its share is available, this means that in order to avoid a cessation in the writing of assistance checks a deficiency appropriation must be available by the first of April. To make this possible and allow time for applying for and receiving an advancement of the Federal share of expenditures for April, the deficiency bill should be finally enacted by March 13.
>
> "In presenting the initial budget request for this biennium, I said that I believed our estimate to be conservative. Our revised estimate based on actual practice to date shows an average total

number of persons who have received assistance which is only 141 per month more than estimated. The Aid to Dependent Children rolls have been higher than estimated, but in the other categories actual experience has been below that anticipated.

"The state share of the average assistance grant per person has turned out to be eighty-five cents more per person than estimated. This is due in part to Federal matching on fewer blind pension cases than anticipated because we were required to adopt a tighter definition of a needy blind person.

"In my budget presentation two years ago I pointed out that we were faced with having to make a refund to the Federal Government for its share of assistance granted to certain persons who received aid in the Federal categories while assigned to relief work projects. This amounted to $370,000. A second claim for $208,000 resulted because the Department had received Federal matching on a number of (1) blind pension cases that did not meet the Federal conditions of eligibility and (2) other cases of incompetent adult persons who the Federal Agency held should have had court appointed guardians.

"The new compensation plan accounted for an increase of $769,340 in state funds.

"The biggest factor, of course, in the need for a deficiency appropriation results from the cut of $5 million made by the Governor in order to balance total appropriations and total estimated revenues.

"A separate appropriation of $2,150,000 covered the state share of the increase of $10 per month in the blind pension,"

"The appropriation of $3 million for the new nursing home care program turned out to be more than needed for this biennium, but there is every indication that the cost of this program will increase considerably during the next biennium.

"The net result of the above and other miscellaneous factors supported by the attached detailed schedule shows a need for a deficiency appropriation of $8,116,000."

That is the end of the memorandum.

I am not going to read this comparative analysis of estimates submitted by the Secretary of Public Assistance but I am asking the Members of the House to vote for his deficiency amendment to supply the Department with he necessary amount of finances for this biennium. If it is not required, it will of course be lapsed. I believe he Secretary of Public Assistance should know approximately how much money is necessary, and I see no reason to pass a smaller amount at this time and then introduce another bill later on to do exactly what I am asking you to do at this time.

On the question recurring,

Will the House agree to the amendment?

On a rising vote, fifty-nine Members having voted in the affirmative, and ninety-eight in the negative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second, third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities"

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Fineman,	Limper,	Royer,
Agnew,	Floyd,	Lippincott,	Rudisill,
Amarando,	Flynn,	Lopresti,	Scarcelli,
Anderson, M. S.,	Foster,	Lovett,	Schuster,
Anderson, S. A.,	Fox,	Lutty,	Schwartz,
Andrews,	Frascella,	Magee,	Seltzer,
Ashton,	Gailey,	Mahan,	Sherman,
Auker,	Garlock,	Marsh,	Shields,
Barton,	Gelfand,	McCann,	Silverman,
Bell,	George,	McCormack,	Smith,
Blair,	Gibb,	McGee,	Snare,
Boies,	Gibson,	McInroy,	Snider,
Bower,	Goldstein,	McKeever,	Spray,
Bowman,	Goodling,	McLaughlin,	Steckel,
Brand,	Goodrich,	Merry,	Stimmel,
Brennan,	Gramlich,	Metz,	Stone,
Brenninger,	Gross,	Mihm,	Stoner,
Breon,	Guthrie,	Mikula,	Strausser,
Brown,	Hamilton,	Miller, B. Z.,	Stroup,
Brucker,	Haudenshield,	Miller, H. G.,	Stuart,
Bucchin,	Heavey,	Monroe,	Thompson,
Buchanan,	Heffner,	Moody,	Toll,
Carson,	Henzel,	Moyer,	Tompkins,
Cianfrani,	Hocker,	Muldowney,	Trusio,
Cioffi,	Holt,	Mullen,	Ujobai,
Cleveland,	Horst,	Munley,	Varallo,
Comer,	Ide,	Murphy,	Varner,
Cooper,	Isaacs,	Murray, H. P.,	Vaughan,
Cummins,	Jenkins,	Murray, P. G.,	Verona,
Curwood,	Jim,	Naugle,	Wall,
Davis,	Johnson,	O'Brien,	Walsh,
DeLong,	Johnston,	O'Dell,	Wargo,
Dengler,	Jones, T. H.,	Ogilvie,	Weidner,
Dennison,	Jump,	Parry,	Welsh,
Devlin,	Kamyk,	Pashley,	Wescott,
Dietterick,	Kehler,	Petrosky,	Wheeler,
Donahue,	Keller,	Phillips,	Whittaker,
Donaldson,	Kernaghan,	Piper,	Willard,
Down,	Knecht,	Polaski,	Willaredt,
Duffy,	Kooker,	Post,	Williams,
Dunn,	Kornick,	Price,	Wilt,
Edwards,	Korns,	Pursley,	Wood,
Eilberg,	Krakow,	Ragot,	Worley,
Erb,	Lafore,	Readinger,	Wyatt,
Eshleman,	Lee, A. M.,	Reidenbach,	Wynd,
Ewing,	Lee, K. B.,	Renwick,	Yatron,
Farabaugh,	Leonard,	Rigby,	Zimmerman,
Fetterolf,	Light,	Rovansek,	Helm,
Filo.			Speaker

NAYS—0

NOT VOTING—16

Boory,	Dalrymple,	Maxwell,	Musto,
Breisch,	Dougherty,	Miller, W. H.,	Pomeroy,
Breth,	Jones, G. E.	Mills,	Stevens,
Capano,	Markley,	Moscrip,	Taylor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with

amendments in which the concurrence of the Senate is requested

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 163, entitled as follows:

An Act amending the act of May 16, 1945 (P. L. 594), entitled "An act providing for the disposition of fines, penalties and forfeitures collected in summary proceedings * * *" imposing penalties for violations of the act, and in certain cases removing from office magistrates * * * wilfully failing to make monthly settlements with certain political subdivisions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Fineman,	Limper,	Royer,
Agnew,	Floyd,	Lippincott,	Rudisill,
Amarando,	Flynn,	Lopresti,	Scarcelli,
Anderson, M. S.,	Foster,	Lovett,	Schuster,
Anderson, S. A.,	Fox,	Lutty,	Schwartz,
Andrews,	Frascella,	Magee,	Seltzer,
Ashton,	Gailey,	Mahan,	Sherman,
Auker,	Garlock,	Marsh,	Shields,
Barton,	Gelfand,	McCann,	Silverman,
Bell,	George,	McCormack,	Smith,
Blair,	Gibb,	McGee,	Snare,
Boies,	Gibson,	McInroy,	Snider,
Bower,	Goldstein,	McKeever,	Spray,
Bowman,	Goodling,	McLaughlin,	Steckel,
Brand,	Goodrich,	Merry,	Stimmel,
Brennan,	Gramlich,	Metz,	Stone,
Brenninger,	Gross,	Mihm,	Stoner,
Breon,	Guthrie,	Mikula,	Strausser,
Brown,	Hamilton,	Miller, B. Z.,	Stroup,
Brucker,	Haudenshield,	Miller, H. G.,	Stuart,
Bucchin,	Heavey,	Monroe,	Thompson,
Buchanan,	Heffner,	Moody,	Toll,
Carson,	Henzel,	Moyer,	Tompkins,
Cianfrani,	Hocker,	Muldowney,	Trusio,
Cioffi,	Holt,	Mullen,	Ujobai,
Cleveland,	Horst,	Munley,	Varallo,
Comer,	Ide,	Murphy,	Varner,
Cooper,	Isaacs,	Murray, H. P.,	Vaughan,
Cummins,	Jenkins,	Murray, P. G.,	Verona,
Curwood,	Jim,	Naugle,	Wall,
Davis,	Johnson,	O'Brien,	Walsh,
DeLong,	Johnston,	O'Dell,	Wargo,
Dengler,	Jones, T. H.,	Ogilvie,	Weidner,
Dennison,	Jump,	Parry,	Welsh,
Devlin,	Kamyk,	Pashley,	Wescott,
Dietterick,	Kehler,	Petrosky,	Wheeler,
Donahue,	Keller,	Phillips,	Whittaker,
Donaldson,	Kernaghan,	Piper,	Willard,
Down,	Knecht,	Polaski,	Willaredt,
Duffy,	Kooker,	Post,	Williams,
Dunn,	Kornick,	Price,	Wilt,
Edwards,	Korns,	Pursley,	Wood,
Eilberg,	Krakow,	Ragot,	Worley,
Erb,	Lafore,	Readinger,	Wyatt,
Eshleman,	Lee, A. M.,	Reidenbach,	Wynd,
Ewing,	Lee, K. B.,	Renwick,	Yatron,
Farabaugh,	Leonard,	Rigby,	Zimmerman,
Fetterolf,	Light,	Rovansek,	Helm,
Filo,			Speaker

NAYS—0

NOT VOTING—16

Boory,	Dalrymple,	Maxwell,	Musto,
Breisch,	Dougherty,	Miller, W. H.,	Pomeroy,
Breth,	Jones, G. E.	Mills,	Stevens,
Capano,	Markley,	Moscrip,	Taylor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 201, entitled as follows:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine' 'approved March 31, 1949 (P. L. 372) permitting certain members of the Authority to designate other persons to act on their behalf.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Floyd,	Lippincott,	Rudisill,
Agnew,	Flynn,	Lopresti,	Scarcelli,
Amarando,	Foster,	Lovett,	Schuster,
Anderson, M. S.,	Fox,	Lutty,	Schwartz,
Anderson, S. A.,	Frascella,	Magee,	Seltzer,
Andrews,	Gailey,	Mahan,	Sherman,
Barton,	Garlock,	Marsh,	Shields,
Bell,	Gelfand,	McCann,	Silverman,
Blair,	George,	McCormack,	Smith,
Boies,	Gibb,	McGee,	Snare,
Bower,	Gibson,	McInroy,	Snider,
Bowman,	Goldstein,	McKeever,	Spray,
Brand,	Goodling,	McLaughlin,	Steckel,
Brennan,	Goodrich,	Merry,	Stimmel,
Brenninger,	Gramlich,	Metz,	Stone,
Breon,	Gross,	Mihm,	Stoner,
Brucker,	Guthrie,	Mikula,	Strausser,
Bucchin,	Hamilton,	Miller, B. Z.,	Stroup,
Buchanan,	Haudenshield,	Miller, H. G.,	Stuart,
Carson,	Heavey,	Monroe,	Thompson,
Cianfrani,	Heffner,	Moody,	Toll,
Cioffi,	Henzel,	Moyer,	Tompkins,
Cleveland,	Hocker,	Muldowney,	Trusio,
Comer,	Holt,	Mullen,	Ujobai,
Cooper,	Horst,	Munley,	Varallo,
Cummins,	Ide,	Murphy,	Varner,
Curwood,	Isaacs,	Murray, H. P.,	Vaughan,
Dalrymple,	Jenkins,	Murray, P. G.,	Verona,
Davis,	Jim,	Naugle,	Wall,
DeLong,	Johnson,	O'Brien,	Walsh,
Dengler,	Johnston,	O'Dell,	Wargo,
Dennison,	Jones, T. H.,	Ogilvie,	Weidner,
Devlin,	Jump,	Parry,	Welsh,
Dietterick,	Kamyk,	Pashley,	Wescott,
Donahue,	Kehler,	Petrosky,	Wheeler,
Donaldson,	Keller,	Phillips,	Whittaker,
Down,	Kernaghan,	Piper,	Willard,
Duffy,	Knecht,	Polaski,	Willaredt,
Dunn,	Kooker,	Post,	Williams,
Edwards,	Kornick,	Price,	Wilt,
Eilberg,	Korns,	Pursley,	Wood,
Erb,	Krakow,	Ragot,	Worley,
Eshleman,	Lafore,	Readinger,	Wyatt,
Ewing,	Lee, A. M.,	Reidenbach,	Wynd,
Farabaugh,	Lee, K. B.,	Renwick,	Yatron,
Fetterolf,	Leonard,	Rigby,	Zimmerman,
Filo,	Light,	Rovansek,	Helm,
Fineman,	Limper,	Royer,	Speaker

NAYS—3

NOT VOTING—15

Ashton,	Auker,	Brown,	
Boory,	Dougherty,	Miller, W. H.,	Pomeroy,
Breisch,	Jones, G. E.	Mills,	Stevens,
Breth,	Markley,	Moscrip,	Taylor,
Capano,	Maxwell,	Musto,	

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 268, Printer's No. 75

was passed over at the request of the SPEAKER.

There being no objection

House Bill No. 301, Printer's No. 76

was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 338, entitled as follows:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing fish wardens to make arrests for certain offenses.

On the question,

Will the House agree to the bill on third reading?

Mr. STRAUSSER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of title, by inserting after "offenses," "and adding penalties."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 32, entitled as follows:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" defining the status of the law librarian and making him eligible for membership in the county employes retirement plan.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Filo,	Limper,	Royer,
Agnew,	Fineman,	Lippincott,	Rudisill,
Amarando,	Floyd,	Lopresti,	Scarcelli,
Anderson, M. S.,	Flynn,	Lovett,	Schuster,
Anderson, S. A.,	Foster,	Lutty,	Schwartz,
Andrews,	Fox,	Magee,	Seltzer,
Ashton,	Frascella,	Mahan,	Sherman,
Auker,	Gailey,	Marsh,	Shields,
Barton,	Garlock,	Maxwell,	Silverman,
Bell,	Gelfand,	McCann,	Smith,
Blair,	George,	McCormack,	Snare,
Boles,	Gibb,	McGee,	Snider,
Bower,	Gibson,	McInroy,	Spray,
Bowman,	Goldstein,	McKeever,	Steckel,
Brand,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mihm,	Strausser,
Brown,	Guthrie,	Mikula,	Stroup,
Brucker,	Hamilton,	Miller, B. Z.,	Stuart,
Bucchin,	Haudenshield,	Miller, H. G.,	Thompson,
Buchanan,	Heavey,	Monroe,	Toll,
Carson,	Heffner,	Moody,	Tompkins,
Cianfrani,	Henzel,	Moyer,	Trusio,
Cioffi,	Hocker,	Muldowney,	Ujobai,
Cleveland,	Holt,	Mullen,	Varallo,
Comer,	Horst,	Munley,	Varner,
Cooper,	Ide,	Murphy,	Vaughan,
Cummins,	Isaacs,	Murray, H. P.,	Verona,
Curwood,	Jenkins,	Murray, P. G.,	Wall,
Dalrymple,	Jim,	Naugle,	Walsh,
Davis,	Johnson,	O'Brien,	Wargo,
DeLong,	Johnston,	O'Dell,	Weidner,
Dengler,	Jones, T. H.,	Ogilvie,	Welsh,
Dennison,	Jump,	Parry,	Wescott,
Devlin,	Kamyk,	Pashley,	Wheeler,
Dietterick,	Kehler,	Petrosky,	Whittaker,
Donahue,	Keller,	Phillips,	Willard,
Donaldson,	Kernaghan,	Piper,	Willaredt,
Down,	Knecht,	Polaski,	Williams,
Duffy,	Kooker,	Post,	Wilt,
Dunn,	Kornick,	Price,	Wood,
Edwards,	Korns,	Pursley,	Worley,
Eilberg,	Krakow,	Ragot,	Wyatt,
Erb,	Lafore,	Readinger,	Wynd,
Eshleman,	Lee, A. M.,	Reidenbach,	Yatron,
Ewing,	Lee, K. B.,	Renwick,	Zimmerman,
Farabaugh,	Leonard,	Rigby,	Helm,
Fetterolf,	Light,	Rovansek,	Speaker

NAYS—0

NOT VOTING—14

Boory,	Dougherty,	Miller, W. H.,	Musto,
Breisch,	Jones, G. E.	Mills,	Pomeroy,
Breth,	Markley,	Moscrip,	Stevens,
Capano,			Taylor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 87, entitled as follows:

An Act reenacting certain parts of the act of May 1, 1929 (P. L. 905) entitled * * *" clarifying provisions relating to magistrates sending notices by registered or certified mail.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Filo,	Limper,	Royer,
Agnew,	Fineman,	Lippincott,	Rudisill,
Amarando,	Floyd,	Lopresti,	Scarcelli,
Anderson, M. S.,	Flynn,	Lovett,	Schuster,
Anderson, S. A.,	Foster,	Lutty,	Schwartz,
Andrews,	Fox,	Magee,	Seltzer,
Ashton,	Frascella,	Mahan,	Sherman,
Auker,	Gailey,	Marsh,	Shields,
Barton,	Garlock,	Maxwell,	Silverman,
Bell,	Gelfand,	McCann,	Smith,

Blair,	George,	McCormack,	Snare,
Boles,	Gibb,	McGee,	Snider,
Bower,	Gibson,	McInroy,	Spray,
Bowman,	Goldstein,	McKeever,	Steckel,
Brand,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mihm,	Strausser,
Brown,	Guthrie,	Mikula,	Stroup,
Brucker,	Hamilton,	Miller, B. Z.,	Stuart,
Bucchin,	Haudenshield,	Miller, H. G.,	Thompson,
Buchanan,	Heavey,	Monroe,	Toll,
Carson,	Heffner,	Moody,	Tompkins,
Cianfrani,	Henzel,	Moyer,	Trusio,
Cioffi,	Hocker,	Muldowney,	Ujobai,
Cleveland,	Holt,	Mullen,	Varallo,
Comer,	Horst,	Munley,	Varner,
Cooper,	Ide,	Murphy,	Vaughan,
Cummins,	Isaacs,	Murray, H. P.,	Verona,
Curwood,	Jenkins,	Murray, P. G.,	Wall,
Dalrymple,	Jim,	Naugle,	Walsh,
Davis,	Johnson,	O'Brien,	Wargo,
DeLong,	Johnston,	O'Dell,	Weidner,
Dengler,	Jones, T. H.,	Ogilvie,	Welsh,
Dennison,	Jump,	Parry,	Wescott,
Devlin,	Kamyk,	Pashley,	Wheeler,
Dietterick,	Kehler,	Petrosky,	Whittaker,
Donahue,	Keller,	Phillips,	Willard,
Donaldson,	Kernaghan,	Piper,	Willaredt,
Down,	Knecht,	Polaski,	Williams,
Duffy,	Kooker,	Post,	Wilt,
Dunn,	Kornick,	Price,	Wood,
Edwards,	Korns,	Pursley,	Worley,
Eilberg,	Krakow,	Ragot,	Wyatt,
Erb,	Lafore,	Readinger,	Wynd,
Eshleman,	Lee, A. M.,	Reidenbach,	Yatron,
Ewing,	Lee, K. B.,	Renwick,	Zimmerman,
Farabaugh,	Leonard,	Rigby,	Helm,
Fetterolf,	Light,	Rovansek,	Speaker

NAYS—0

NOT VOTING—14

Boory,	Dougherty,	Miller, W. H.,	Musto,
Breisch,	Jones, G. E.	Mills,	Pomeroy,
Breth,	Markley,	Moscrip,	Stevens,
Capano,			Taylor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 124, Printer's No. 26

was passed over at the request of the SPEAKER.

BILL ON THIRD READING POSTPONED

TIME EXTENDED ON BILL

Mr. TOMPKINS asked and obtained unanimous consent to extend the time five days on House Bill No. 57, Printer's No. 33, on page 6 of today's calendar, bills on third reading postponed.

HOUSE RESOLUTION No. 11

Mr. STECKEL. Mr. Speaker, I call up on page 6 of today's calendar, House Resolution No. 11.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 29, 1957.

The present northern terminus of the Northeastern Extension of the Pennsylvania Turnpike is at Emerald Interchange at the convergence of Pennsylvania routes 29, 45 and 145 in Lehigh County.

The present plans of the Turnpike Commission are to eliminate this interchange after March 15 of this year, when the new section to Scranton will be opened.

The interchange at Emerald is of vital importance to all traffic approaching the turnpike from route 29, 45 or 145, because the only alternate route is over a hazardous road in extremely poor condition.

The maintenance of the Emerald interchange would promote safety for persons using our roads, convenience and expedite traffic approaching the turnpike from that area, and provide needed revenue to the Turnpike Commission; therefore be it

Resolved, That the House of Representatives of Pennsylvania respectfully request the Pennsylvania Turnpike Commission, to alter its present plans so as to make the Emerald Interchange a permanent part of the Pennsylvania Turnpike system; and be it further

Resolved, That copies of this resolution be forwarded to each member of the Pennsylvania Turnpike Commission.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. VARNER asked and obtained permission for the Committee on Boroughs to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, for the record and in answer to some of the statements made by the gentleman from McKean, Mr. Johnson, relative to the biennial report of the Department of Highways, I would like to say that the gentleman stated that a report was submitted from the Highway Department under the Administrative Code to the Governor and that there were 2,500 copies delivered to the Governor.

Mr. Speaker, this is not so. The report was compiled and one copy was transmitted to the Governor and one copy was transmitted to the Secretary of Highways.

It is not so, either, that the report was stamped "Confidential," for this report is available and open for public inspection by anyone desiring a copy of same. The report was available in the Department of Highways and up until the gentleman's remarks about it on the floor of the House there was not one single request for a copy of this biennial report.

I want to say further, Mr. Speaker, there is nothing to the matter of this not having been transmitted to the Members of the General Assembly. I understand the Highway Department intended to supply the membership with copies of it at the time of the presentation of the budget for the coming biennium.

I have sat in the House for nine consecutive terms and I have inquired of some of the older colleagues of mine on this side of the House, and we have never been favored with the presentation of this report in the fall of the year. I am assuming that the reason we have not been presented with such a report in the past is because it is put out in the fall of the even-numbered year and ordinarily we are not in session at that particular time.

So I believe the record should show that some of the inferences of the gentleman from McKean were in error and that the report was available and the report was made up in accordance with the Administrative Code. Since not one single request was received by the Department, therefore they had no reason to send it to any particular person. Under our Administrative Code that

Department and the other departments are required to compile such a report, and the report is compiled by the people in the Highway Department. Under the Administrative Code they are committed to sending one to the Governor and sending one to the Secretary of Highways. The same holds true with the other departments. Any person of all the people of our Commonwealth can request the report and the same would be furnished to them. It is public, it never has been stamped "Confidential" and it is open for everybody's inspection.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, in reply to the gentleman, I do not believe I said yesterday that 2,500 copies were delivered to the Governor. I do not believe I said that. I said the report had been made up during a period from May 31st to September 1st, during that interim, as required by law and that 2,500 copies were printed.

As near as I can find out, since that report was made up previous to September 1, 1916, I do not believe there is anyone in this Commonwealth who can walk in here and hold up a copy of that report and say he had received a copy of that report. So what I said yesterday still stands, that the report was made up and that it was—I will not say marked "classified," that probably is too strong a term—but I will say they sat on the report. I doubt very much, despite what has been said here today, that the report would have been in our hands even today.

I believe the report was printed between May 31st and September 1st. I will say in getting the report now, it has whiskers on it. It has been moulding in storage. We should have had it on the opening day of the Legislature, certainly, or we should have had it before then.

I have examined the report. I can see why it would not be published. For instance, the construction dollar dropped from $105.8 million in 1954-1955 to $88 million in 1955-1956. The administration costs went up in 1955-1956 over 1954-1955 from 8.57 per cent to 11.4 per cent. The cost of maintenance jumped in the last year under question from $33.2 million to $40.1 million.

I would say it is not a good report and I can see why it probably was not made public, because those figures certainly are nothing to crow about. They should be in the reverse, rather than maintenance jumping the way it does. We have shown in the figures that the construction dollar has been increasing every year, rather than decreasing. In other words, as I say, it dropped from $105 million to $88 million.

We have heard the Governor's message here today on the great things they hope to do in the next two years. I certainly hope they are able to do them, because it does present a challenging road construction program. With the absence of design engineers in the Department, the sparsity of surveying crews and the slow job that is being done by the design engineering firms, many of whom are new firms recruited to do this work, if we are able in the next ibennium to build $539 million worth of roads, I will certainly be a very surprised person. I doubt if the job can be done and I certainly want to challenge the Secretary of Highways on his ability to design, let contracts and construct that amount of highways during the next two years.

PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, I certainly cannot let some of the remarks of the gentleman go unanswered.

What the gentleman has stated here indicates he evidently has not made a study of the projected, expanded highway program. I have made such a study and I am not going to stand here and take the time of the House this afternoon in an endeavor to enlighten the membership upon the various facets of that program. I am going to say that the gentleman does not know what he is talking about when he read off a few figures at random from a book. At such time as the gentleman would want to debate the entirety of the projected highway program, together with the policies of the planning in past bienniums, I would do so at a future date.

I understood the gentleman was not going to discuss the budget message and he was not going to discuss the highway program. But in the event the gentleman needs more time, a week or two weeks, to get into the detailed matter of this highway program, I will be happy to wait that long. The gentleman must recognize a complete breakdown of the highway planning and designing took place between the Spring of 1954 and the February period of 1955. So in effect when the gentleman recognizes the technical problems confronting such a program, and one which is so vital to the economy of our state, he must realize those technical items take a period of anywhere from one to two years in which they enter the planning stage on the drawing boards until such time as they are let for contract. This and all of the other items in this budget I would like to discuss with the gentleman here on the floor of the House for the information of the Members, but I certainly do not think I want to take that time today. The gentleman can rest assured that with the type of program we have today it will all go well, together with our economic development program, to benefit every group in our Commonwealth.

We have found that the possibilities of inducing industry to locate in areas in our Commonwealth is contingent upon the proper planning of our highways as well. I was visited today by a former Member of this House, who is now in a key position with the Westinghouse Corporation, and we have in our immediate area in western Pennsylvania and in the immediate area of my legislative district, the possibility of an expansion of approximately a $15 million operation. It takes a little vision and foresight in the highway planning for that area in order to have that plant locate within our Commonwealth.

This and many other things have been taken into consideration by the good business administration that we now have in the Department of Highways. I know that in discussing all of these things we will be able to lay the program before the Members of the House and they will see very clearly with this detailed information that we should move in this regard, because we must consider and recognize just as the Federal Government did with a Republican President and a Democratic Congress,

that your highways today are the life line of your economy, and Pennsylvania should not be behind.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. WILT from the Committee on Judiciary, reported as committed, House Bill No. 31, entitled:

An Act amending the act of May 5, 1911 (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, * * *" requiring hearings in cases of desertion and nonsupport to be open to the public, except at the discretion of the judge when the parties agree the public shall be excluded.

Mr. STUART from the Committee on Cities—Counties First—Second and Second Class A, reported as amended, House Bill No. 98, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), permitting the prothonotary to appoint a solicitor, and prescribing a means for paying the cost of prothonotary's litigation.

Mr. DUNN from the Committee on Boroughs, reported as committed, Senate Bill No. 122, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and sonsolidating the law relating to boroughs" permitting borough council to hold its organization meeting on first day after a holiday.

Mr. ERB from the Committee on Appropriations, reported as committed, Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

BILL ON SECOND READING

Mr. ERB asked and obtained unanimous consent for Senate Bill No. 82 to be read for second time.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

COMMITTEE MEETINGS

HIGHWAYS, Mr. Hocker, Chairman, Room 329, Wednesday, March 6, 1957 at 9:45 a. m.

ADJOURNMENT

Mr. CLEVELAND. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 6, 1957 at 10:00 a. m.

The motion was agreed to, and (at 3:45 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., WEDNESDAY, MARCH 6, 1957. No. 21.

SENATE

WEDNESDAY, March 6, 1957

The Senate met at 10:00 o'clock, a.m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. ALBERT N. ROBERTS, Rector of St. Mark's Episcopal Church, Erie, offered the following prayer:

Let us pray.

Almighty God, without Whom nothing is strong, nothing is holy, give us grace that we may cast away the works of darkness and put upon us the armor of light.

Bless, we pray Thee, the deliberations of this body that wise and helpful legislation may be formulated and adopted.

Put far from us every root of bitterness, the desire of vain glory and the pride of life. Give Thy blessing to all public institutions in their several ministries, our churches, colleges, hospitals, prisons, our homes for the aged, for children and for delinquents.

Strengthen in us the will to free ourselves from harmful self-indulgence and from every social evil.

The Lord bless us and keep us. The Lord make His face to shine upon us and be gracious unto us. The Lord lift up His countenance upon us and give us peace and joy in His service, both now and evermore. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. PECHAN, further reading was dispensed with, and the Journal was approved.

GENERAL COMMUNICATION

The PRESIDENT pro tempore laid before the Senate the following communication, which was read by the Clerk as follows:

DEPARTMENT OF PENNSYLVANIA
VETERANS OF FOREIGN WARS
OF THE UNITED STATES
CHARTERED BY CONGRESS

(SEAL)
Telephone CEdar 4-7927

201 N. Front St.
Harrisburg, Pa.

February 19, 1957

Honorable Roy E. Furman
Lieutenant Governor
Commonwealth of Pennsylvania
The Capitol
Harrisburg, Pennsylvania

Dear Lieutenant Governor Furman:

The Department of Pennsylvania, Veterans of Foreign Wars of the United States, through its Council of Administration, composed of all elected state officers and commanders of our twenty-four districts in the Commonwealth, at a regular stated meeting at Steelton, Pennsylvania, February 16, 1957, unanimously opposed repealing the Pennsylvania Loyalty Act of December 2, 1951 (P. L. 1726) as proposed in Senate Bill No. 131, of 1957, introduced by Senator Harry E. Seyler of York, representing the 28th District of Pennsylvania.

It is the consensus of our organization that repeal of the Loyalty Oath would invite infiltration of our state government, our schools, tax-supported institutions in the Commonwealth and other tax-supported jobs by communists. Repeal of this law is unthinkable.

I am mandated by the Council to memorialize the General Assembly of the Commonwealth that the Department of Pennsylvania, Veterans of Foreign Wars of the United States, which long urged enactment of the Loyalty Act, is unalterably opposed to its repeal.

The resolution adopted by the Council, opposing its repeal is as follows:

"Whereas Senator Harry E. Seyler, of York, has introduced a bill in the Senate of the Commonwealth of Pennsylvania to repeal the Pennsylvania Loyalty Act, and

"Whereas Representatives John R. Welsh and Herman Toll, both of Philadelphia, and John R. Gailey, Jr., of York, are co-sponsors of an identical bill in the House of Representatives, therefore be it

"Resolved that the Department of Pennsylvania, Veterans of Foreign Wars of the United States, representing more than 150,000 members in Pennsylvania who fought for the freedom and security of our country, strongly memorialize the General Assembly of the Commonwealth its objections to repeal of the Loyalty Act, which if repealed would invite Soviet agents and other disloyal persons to infiltrate our state and local governments and all other institutions we cherish, and be it further

"Resolved that this resolution and letter of transmittal to the House of Representatives and to the Senate of the Commonwealth be made part of the Legislative Journal of the Commonwealth of Pennsylvania.

"ADOPTED BY THE COUNCIL OF ADMINISTRATION, DEPARTMENT OF PENNSYLVANIA, VETERANS OF FOREIGN WARS OF THE UNITED STATES, AT STEELTON, PENNSYLVANIA, FEBRUARY 16, 1957."

Upon receipt of this letter, it is respectfully requested that it be made part of the Legislative Journal of the Commonwealth of Pennsylvania.

With every good wish,

Sincerely,

/s/ Morton Fromm
MORTON FROMM
Department Commander

CC: Senator John H. Dent, Minority Leader of the Senate.
Senator Rowland B. Mahany, Majority Leader of the Senate.

The PRESIDENT pro tempore. This communication will be printed in the Journal.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Potter, Mr. Berger, to the rostrum to preside.

The PRESIDING OFFICER (James S. Berger) in the Chair.

REPORTS FROM COMMITTEE

Mr. WHALLEY, from the Committee on Banking, reported as committed, Senate Bill No. 253, entitled:

An Act amending the act of May 15 1933 (P. L. 624), entitled as amended "Banking Code," deleting the requirement that shareholders be given sixty days notice of proposed amendments to increase authorized capital.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 273, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended "Banking Code," increasing the aggregate amount of loans which a bank or bank and trust company may make upon the security of real property.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 274, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," making further provision for receipts of deposits in certain cases.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 292, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," further defining and limiting the rights, powers, duties, liabilities and immunities of such associations and of their officers, directors, shareholders and employes; establishing additional limitations of actions; and imposing additional duties on the Department of Banking.

BILL INTRODUCED AND REFERRED

Messrs. KESSLER and PROPERT read in place and presented to the Chair Senate Bill No. 319, entitled:

An Act providing for a referendum to determine the will of the electorate on certain contracts between any political subdivision and Authorities.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, this is the so-called scholarship bill about which Senator Dent, the Minority Leader, spoke on the opening day of the Session, if you will recall.

This bill proposes to refine for the use of the Nation and the Commonwealth some of the raw materials on the farm, in the village, in the town and city which are now being wasted. The greatest resource this Commonwealth has is the brain power of its people. Because ability to pay for a college education and ability to profit from a college education do not always show a positive correlation, we are now losing too much of this most valuable resource, a resource that we may sorely seed if the race with the anti-democratic forces in the world continue in the next decade as has been true in the past.

This is a scholarship bill, a kind of companion bill or a bill that complement Senate Bill No. 256, the Pennsylvania Higher Education Assistance Authority Bill, sponsored by Senator Mahany, Senator Dent, Senator Ehrgood and myself.

Mr. President, this proposal today was drafted prior to the report this week of the Commission on Higher Education. However, I do not think this proposal is contradictory to the scholarship proposal of that commission. This is a much shorter step than they propose with a $10,500,000 fund. However, this sponsor is quite willing to withdraw this bill in favor of the more extensive proposal of this commission, if the majority of the Senate should desire to take the giant step at this Session.

Briefly, the bill I am about to present provides for 500 competitive scholarships instead of the present eighty for the entire Commonwealth. This bill has no relationship to the so-called Senatorial Scholarships. It disturbs that situation in no way. The Senatorial Scholarship is the concern of the four universities of the State and not primarily a matter of legislation. These 500 scholarships would replace the present eighty competitive scholarships now valued at $200 each year. Even though we did increase their value at the last Session from $100 to $200, it still means that the boy or girl without any source of funds other than the $200 cannot attend a college, regardless of his brain power.

This proposal calls for a continuation of the present competitive examination conducted by the Department of Public Instruction. Instead of one award to each county or Senatorial District, as is now true, this number will be increased threefold and the number per county or district will be three. This also means that 260 additional scholarships will be available on a State-wide basis. Now, instead of the uniform value of $200 each, regardless of the need of the winner, this proposal will scale the value on a four step basis, with the lowest annual value $100, to the highest value of $800. The parent or guardian of the winner in the lowest income bracket would be awarded the $800 annually for four years, and the parent or guardian in the highest bracket or the parent or guardian of a winner who did not wish to reveal to the Department of Public Instruction his tax-

able income would be eligible for the minimum annual award of $100.

These scholarships, as is now true, would be valid at any approved institution of higher learning in the State. The effective date would be the 1958-1959 college year. If Pennsylvania's Senator Clark's Federal Scholarship Program should be fortunate enough to gain Congressional and Presidential approval, I still believe that this bill would be of great benefit to the Commonwealth of Pennsylvania.

Mr. President, I commend this proposed bill for serious consideration of the committee to which it will be referred. Let us give more of our best brains a real chance at a college education.

Therefore, Mr. President, on behalf of Senator Kalman, Senator Ehrgood, Senator Dent, Senator Pechan and myself I offer the following bill.

BILL INTRODUCED AND REFERRED

Messrs. HAYS, KALMAN, PECHAN, DENT and EHRGOOD read in place and presented to the Chair Senate Bill No. 320, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the number and value of scholarships and making an appropriation.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, the Legislature of Pennsylvania in recent years has recognized many of the advancements of medicine here in our Commonwealth. More recently, we have recognized, of course, the Salk vaccine. One of the forgotten groups of people in our State are the epileptics.

I, in this series of bills, suggest a repeal of some old existing laws and recognize the medical profession's advancement in controlling epilepsy here in the Commonwealth.

Accordingly, Mr. President, I am presenting the following series of bills.

BILLS INTRODUCED AND REFERRED

Mr. VAN SANT read in his place and presented to the Chair Senate Bill No. 321, entitled:

An Act amending the act of August 22, 1953 (P. L. 1344) entitled "The Marriage Law," further regulating the issuance of marriage licenses.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 322, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," providing in certain cases for the licensing of epileptics and persons suffering from other impairments.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 323, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled, as amended, "The Pennsylvania Workmen's Compensation Act," providing for reimbursement by the Commonwealth to employers, the State Workmen's Insurance Fund and insurance carriers for awards of compensation and expenses paid in certain cases.

Which was committed to the Committee on Labor and Industry.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 324, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," transferring the Farview State Hospital from the Department of Welfare to the Department of Justice.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 325, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," transferring the Laurelton State Village from the Department of Welfare to the Department of Justice.

Which was committed to the Committee on Public Health and Welfare.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 326, entitled:

An Act providing for the creation and incorporation as bodies corporate and politic of joint service districts by counties, cities of the third class, boroughs, towns and townships to perform certain functions; prescribing the powers and duties of such point service districts, and the duties of participating counties, cities, boroughs, towns and townships; and conferring jurisdiction on courts of quarter sessions in connection therewith.

Which was committed to the Committee on Local Government.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 77, Printer's No. 48, on concurrence in House amendments, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 70, Printer's No. 43; and
Senate Bill No. 21, Printer's No. 39.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 76, entitled:

An Act reenacting and amending the act of July 7, 1955 (P. L. 256) entitled "An act creating a temporary advisory commission to examine report upon and recommend reorganizations of agencies and functions of the State government . . ." reactivating and extending the life of the commission.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,	McMenamin,	Stiefel,	Berger,
Harney,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted"aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with in formation that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 110, on third reading, entitled:

A Supplement to the act of June 12, 1931 (P. L. 588) entitled "An act authorizing the Department of Property and Supplies to acquire lands in Harris Township, Centre County, for the use of the Department of Military Affairs; and making an appropriation," transferring the control, supervision and management of the lands to the Pennsylvania Historical and Museum Commission; requiring the Commission to complete, and thereafter maintain, the "Twenty-eighth Division Shrine," thereon, dedicating of same to the officers and men of the Twenty-eighth Division; creating the Twenty-eighth Division Memorial Shrine Commission, and prescribing its powers and duties; and making an appropriation.

be re-referred to the Committee on Appropriations.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 115, Printer's No. 45;
Senate Bill No. 203, Printer's No. 47; and
Senate Bill No. 216 (Pink)

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 224, entitled:

An Act requiring that all meetings of legislative bodies of all political subdivisions including school districts and of all meetings of boards commissions and authorities created by or operating as agencies of political subdivisions including authorities created by or operating as agencies of the Commonwealth shall be open to the public.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Blass,	Kalman,	Mullin,	Van Sant,
Camiel,	Kessler,	Murray,	Wade,
Chapman,	Kopriver, Jr.,	Pechan,	Wagner,
Dent,	Kromer,	Propert,	Walker,
Derk,	Lane,	Ruth,	Watkins,
DiSilvestro,	Madigan,	Sarraf,	Watson,
Donolow,	Mahany,	Schmidt.	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Seyler,	Wolfe,
Flack,	McGinnis,	Silvert,	Yosko,
Fleming,	McMenamin,	Stevenson,	Berger,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 266 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 11, entitled:

An Act authorizing incorporated towns to regulate junk yards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 15, Printer's No. 50, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REQUEST THAT BILL GO OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 17, Printer's No. 51, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection?

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 17, on second reading, be recommitted to the Committee on Highways.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 17, Printer's No. 22, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 60, entitled:

An Act amending the act of May 1 1929 (P. L. 905) entitled "The Vehicle Code" providing for the issuance of special registration plates to operators of amateur radio stations holding technician licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 84, Printer's No. 52, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 86, entitled:

An Act amending the act of June 3 1937 (P. L. 1225) entitled "The Game Law" authorizing unnaturalized foreign-born residents to own or possess dogs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 98, entitled:

An Act amending the act of April 25 1929 (P. L. 694) entitled "An Act providing for the payment monthly by the counties to the Department of Revenue of the expenses of keeping convicts in State penitentiaries" changing the counties which are responsible for the upkeep of convicts in State penitentiaries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 116, entitled:

An Act amending the act of June 3 1937 (P. L. 1225) entitled "The Game Law" providing for an open season for the hunting of male and female deer each year with bows and arrows

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 121, entitled:

An Act making an appropriation to the Pennsylvania Fish Commission for replacing destroyed fish

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 121, the bill just read, be re-referred to the Committee on Appropriations.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that, House Bill No. 130, Printer's No. 49, on second reading, go over in its order.

The PRESIDING OFFICER. Is there any objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 142, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172), entitled "Borough Rural State Highway Law" adding a new route in Delaware County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be traanscribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 143, Printer's No. 50;
Senate Bill No. 157, Printer's No. 56;
Senate Bill No. 159 (Pink);
Senate Bill No. 167 (Pink); and
Senate Bill No. 168 (Pink).

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 172, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code" providing for the erection of stop signs bearing the legend "Four Way Stop."

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 183 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 198, entitled:

An Act requiring all tunnels on the Pennsylvania Turnpike to be painted white or lined with a light colored material and be equipped with continuous lighting.

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 199, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike between the Donegal and Bedford interchanges.

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 200 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 202, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto, connecting the State highway system in Armstrong County with the State highway system in Clarion County.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 207, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" exempting blind veterans from the payment of certain fees.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 222, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "Second Class City Law" authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 234, entitled:

An Act to further amend section six of the act approved the third day of June one thousand eight hundred eighty-five (Pamphlet Laws 62) entitled "An act to provide for the establishment and maintenance of a home for disabled and indigent soldiers and sailors of Pennsylvania" by extending its provisions to veterans of armed conflicts.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 260, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" authorizing game to be hunted caught taken wounded or killed with auto-pistols.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 277, entitled:

An Act authorizing and empowering the Delaware River Port Authority a body corporate and politic functioning under the legislation enacted by the Commonwealth of Pensylvania and the State of New Jersey and the express consent of the Congress of the United States to appoint policemen make rules and regulations for the prevention of disorder the preservation of safety and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commision does or may hereafter operate to prevent the evasion of the payment of tolls and providing a penalty for the violations of any such rules or regulations or for the evasion or attempt to evade the payment of tolls.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 280, entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 281, entitled:

An Act amending the act of June 1, 1956 (Appropriation acts page 120 Act No. 150-A) entitled "The General Appropriation Act of 1955" decreasing appropriations to the Department of Revenue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 286, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route in Penndel Borough Bucks County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 287, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding a new route in Middletown and Bristol Townships, Bucks County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 287, Printer's No. 42, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 288, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" regulating issuance of special registration plates and fixing fees therefor in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 291 (Pink); and

Senate Bill No. 293, Printer's No. 59.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 305, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," regulating contract procedures and advertising for bids

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 306, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945" regulating contract procedures and advertising for bids

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 307, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" regulating contract procedure and advertising for bids

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 322, Printer's No. 44, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 253, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code," deleting the requirement that shareholders be given sixty days notice of proposed amendments to increase authorized capital.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 273, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled, as amended "Banking Code," increasing the aggregate amount of loans which a bank or bank and trust company may make upon the security of real property.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 274, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," making further provision for receipts of deposits in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 292, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," further defining and limiting the rights, powers, duties, liabilities and immunities of such associations and of their officers, directors, shareholders and employes; establishing additional limitations of actions; and imposing additional duties on the Department of Banking.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive nominations:

JUSTICE OF THE PEACE

March 6, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. E. Miller, 21 South High Street, Newville, Cumberland County, for appointment as Justice of the Peace in and for the Borough of Newville, Cumberland County, to serve until the first Monday of January 1958, vice Charles M. Meily, deceased.

GEORGE M. LEADER.

The PRESIDING OFFICER. The Senate will be at ease a few moments awaiting communications from the House.

(The Senate was at ease.)

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 82

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 82, entitled:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 140

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 140, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing representation on the board of directors of union and merged school districts.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 29, entitled:

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law * * * and providing for the reinstatement of the liens of such claims and judgments

Which was committed to the Committee on Local Government.

House Bill No. 172, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) extending provisions relating to obscene literature and objects and increasing the penalty for violating the provisions

Which was committed to the Committee on Law and Order.

House Bill No. 338, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing fish wardens to make arrests for certain offenses.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 458, entitled:

An Act validating the asessment rolls of counties from the fourth to eighth class

Which was committed to the Committee on Local Government.

House Bill No. 478, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-five

Which was committed to the Committee on Rules.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 82.

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district

HOUSE BILL No. 140.

An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949," providing representation on the board of directors of union and merged school districts.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT pro tempore. The Senate will be at ease a few moments to allow a meeting of the Committee on Rules.

(The Senate was at ease.)

REPORT FROM COMMITTEE

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on Rules, reported as committed, House Bill No. 478, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-five.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill just reported from committee for the first time at today's session.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 478, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-five.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, March 11, 1957, at 4:00 o'clock, p. m., Eastern Standard Time.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:54 o'clock, a. m., Eastern Standard Time, until Monday, March 11, 1957, at 4:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 6, 1957

The House met at 10:00 a. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Mark J. Hostetter, Pastor of Lincoln Park Community Church, Reading, Pa., guest Chaplain, offered the following prayer:

O Lord, our Heavenly Father, who willest that we should give thanks for all things, give us a deep awareness of all Thy blessings, both the pleasant experience and the tough challenges confronting us. While we thank Thee for these things, help us to withstand the temptations following close on the heels of every blessing; for comfort and pleasure tempt us to go to sleep when we should be every alert, and hardship tempts us to give up when we should look up to Thee.

O thou Sun of righteousness, evermore arising and never going down, shed abroad in our hearts the rays of Thy light; drive out the clouds of ignorance and the mists of sin and doubt.

Here we pause to thank Thee for freedom based on justice under law. So we also offer special prayer for this House of Representatives. Guide these selected ones who make our laws by a great and unfailing vision of Thee; then shall they know better and better how to perform this large work. Let all they think or speak or do, be for Thy glory and the good of the people. Through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, March 5, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. PIPER, YATRON, WEIDNER and READINGER. HOUSE BILL No. 681.

An Act requiring any person using a kerosene heater to register, providing for adoption of rules and regulations for installation and operation of such heaters; requiring inspection by local authorities, and prescribing penalties.

Referred to the Committee on Municipal Corporations.

By Messrs. LOPRESTI and PRICE. HOUSE BILL No. 682.

An Act amending "The Borough Code," approved May 4, 1927, (P. L. 519), authorizing additional taxes for fire fighting purposes.

Referred to the Committee on Boroughs.

By Messrs. A. M. LEE, BRUCKER, CARSON and POMEROY. HOUSE BILL No. 683.

An Act relating to minimum salaries of policemen, firemen and park police in cities of the first class.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. DUNN. HOUSE BILL No. 684.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), making the offices of policemen and constables incompatible.

Referred to the Committee on Boroughs.

By Mrs. MONROE and Mrs. ANDERSON. HOUSE BILL No. 685.

An Act making it a crime for a tenant to unlawfully destroy or remove any part of the leased premises and providing a penalty therefor.

Referred to the Committee on Judiciary Special.

By Mr. LUTTY. HOUSE BILL No. 686.

An Act amending the "Child Labor Law" approved May 13, 1915 (P. L. 286) permitting the employment of certain male minors as pin boys in a combination bowling alley and pool or billiard room establishment.

Referred to the Committee on Labor Relations.

By Mrs. SARAH A. ANDERSON, Mrs. MONROE Mrs. PASHLEY and Mrs. BEATRICE Z. MILLER. HOUSE BILL No. 687.

An Act amending the act of August 20, 1953 (P. L. 1212), entitled "An act providing for the study of the problems of alcoholism; * * *" making clinical and hospital facilities available to both sexes.

Referred to the Committee on Welfare.

By Mrs. MUNLEY and Mrs. MARKLEY. HOUSE BILL No. 688.

An Act providing group hospitalization contract and benefits for State employes, the cost thereof to be divided between the Commonwealth and such employes, and requiring the Executive Board to enter into the necessary contracts for such purpose.

Referred to the Committee on State Government.

By Messrs. AUKER, JUMP and WALSH. HOUSE BILL No. 689.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), extending reimbursement on account of pupil transportation to all districts of the second and third class.

Referred to the Committee on Education.

By Mr. KAMYK and Mrs. MUNLEY. HOUSE BILL No. 690.

An Act relating to public assistance, * * * by further amending the definition of dependent children.

Referred to the Committee on Welfare.

By Mr. READINGER. HOUSE BILL No. 691.

An Act amending section two hundred twelve of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled 'An act relating to nonprofit corporations; * * *,' by including within the special procedure all proposed corporations the charters of which contain authority to operate nonsectarian hospitals, clinics, homes or other institutions or to render similar services in private homes or other places and imposing duties on the Department of Welfare.

Referred to the Committee on Welfare.

By Mrs. BEATRICE Z. MILLER
and Mr. AUSTIN M. LEE. HOUSE BILL No. 692.

An Act making an appropriation to the Department of Forests and Waters for the payment of expenses incurred in continuing the development, operation and maintenance of the Independence Mall in Philadelphia.

Referred to the Committee on Appropriations.

By Messrs. AUSTIN M. LEE, CARSON,
BRUCKER and SCHWARTZ.
HOUSE BILL No. 693.

An Act amending the "State Employes' Retirement Law" approved June 27, 1923 (P. L. 858), defining employes of redevelopment authorities as State employes.

Referred to the Committee on State Government.

By Messrs. BRUCKER and CARSON
and Mrs. PASHLEY. HOUSE BILL No. 694.

An Act amending the act of March 26, 1903 (P. L. 63), entitled "An act authorizing and empowering the several cities of this Commonwealth to purchase, or acquire by condemnation proceedings, such real estate, within the city limits, as they may need, upon which to erect or construct municipal buildings * * *" authorizing the acquisition of real estate for health center purposes.

Referred to the Committee on Municipal Corporations.

By Messrs. BELL and WARGO.
HOUSE BILL No. 695.

An Act amending the act of June 7, 1917 (P. L. 600), entitled "An act providing that appointive officers and employes, employed by the Commonwealth of Pennsylvania in its civil service, or by any department, bureau, * * * shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment or draft in the military or naval service of the United States * * *" including within the provisions of the act persons drafted or involuntarily ordered into extended active duty in the armed service and making changes to conform to existing law.

Referred to the Committee on State Government.

By Messrs. PURSLEY and
H. P. MURRAY. HOUSE BILL No. 696.

An Act amending the act of July 18, 1917, (P. L. 1043) entitled, "An act establshing a public school employes' retirement system, etc. . . ." by providing additional retirement allowances.

Referred to the Committee on Education.

By Messrs. POMEROY, BRUCKER, SHERMAN
and Mrs. ANDERSON. HOUSE BILL No. 697.

An Act amending the act of July 11, 1917 (P. L. 758) entitled "An act for the protection of the public health by regulating the possession * * * regulating the use of drugs * * *," clarifying the definition of "drug" to include heroin in any quantity, * * *.

Referred to the Committee on Public Health and Sanitation.

By Mrs. DONAHUE and Mrs. KOOKER.
HOUSE BILL No. 698.

An Act amending the "Transfer Inheritance Tax Law," approved June 20, 1919, (P. L. 521), changing the tax rate on property transferred to certain collateral heirs.

Referred to the Committee on Ways and Means.

By Messrs. BUCHANAN and STONER.
HOUSE BILL No. 699.

A Supplement to the act approved July 18, 1917, (P. L. 1043), entitled "An act establishing a public school employes' retirement system, etc. . . ." by permitting contributors to obtain credit for service while on leave under certain conditions.

Referred to the Committee on Education.

By Messrs. BRUCKER, CARSON, FINEMAN
and Mrs. VARALLO. HOUSE BILL No. 700.

An Act amending the act of May 20, 1921 (P. L. 957) entitled "An act empowering cities to take, puchase or condemn property for the purpose of erecting * * * playfields, gymnasiums, public baths * * *," authorizing the acquisition of property for outdoor recreation center purposes.

Referred to the Committee on Municipal Corporations.

By Mrs. BEATRICE MILLER, Mr. POMEROY
Mr. FINEMAN and Mrs. VARALLO.
HOUSE BILL No. 701.

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), changing the order and sources of liability for costs of patients convicted of crimes who are institutionalized and in need of care.

Referred to the Committee on Welfare.

By Messrs. AMARANDO and LIPPINCOTT.
HOUSE BILL No. 702.

An Act concerning the charging of tolls for the passage of certain vehicles over the bridge across the Delaware River between the cities of Camden, New Jersey and Philadelphia, Pennsylvania.

Referred to the Committee on Highways.

By Messrs. HORST, STROUP and LIGHT.
HOUSE BILL No. 703.

An Act amending "The Fiscal Code," approved April 9, 1929, (P. L. 343), changing certain provisions as to the granting of refunds.

Referred to the Committee on State Government.

By Messrs. CARSON, POMEROY, TOLL and
Mrs. VARALLO. HOUSE BILL No. 704.

An Act amending "The Penal Code" of June 24, 1939 (P. L. 872), making it unlawful to give false information concerning the commission of crimes.

Referred to the Committee on Judiciary Special.

By Messrs. READINGER and BOWER.
HOUSE BILL No. 705.

An Act to further amend the first paragraph and clause (d) of section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051), known as the 'Public Assistance Law," by further providing for eligibility for assistance in the case of aliens.

Referred to the Committee on Welfare.

By Messrs. McCANN and BLAIR.
HOUSE BILL No. 706.

An Act amending the "Public School Code of 1949"

approved March 10, 1949 (P. L. 30), further regulating the appointment of auditors in union school districts.

Referred to the Committee on Education.

By Messrs. HAMILTON and H. P. MURRAY.
HOUSE BILL No. 707.

An Act amending 'The Fiscal Code," approved April 9, 1929 (P. L. 343), further regulating the issuance of receipts.

Referred to the Committee on State Government.

By Messrs. TOMPKINS and STROUP.
HOUSE BILL No. 708.

An Act amending the act of May 29, 1885 (P. L. 29) entitled 'An act to provide for the incorporation and regulation of natural gas companies," providing for the merger and consolidation of corporations existing under this act with other corporations existing under this act, or under any other laws other than those of this Commonwealth.

Referred to the Committee on Public Utilities.

By Messrs. TOLL, BOORY, ISAACS and DENGLER.
HOUSE BILL No. 709.

An Act amending 'The Penal Code" of June 24, 1939 (P. L. 872), making it unlawful to attempt to destroy property with corrosive substances.

Referred to the Committee on Judiciary Special.

By Messrs. TOLL, BOORY, ISAACS and DENGLER.
HOUSE BILL No. 710.

An Act amending 'The Penal Code," approved June 24, 1939, (P. L. 872), increasing penalties for attempting to maim with explosive or corrosive substances.

Referred to the Committee on Judiciary Special.

By Messrs. PAUL G. MURRAY and HOCKER.
HOUSE BILL No. 711.

An Act to further amend Section 33 of the act approved the thirty-first day of May one thousand nine hundred eleven (P. L. 468) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner***" by changing the percentages of payments to be withheld by the Secretary of Highways pending satisfactory completion of contracts for the construction of State highways and bridges.

Referred to the Committee on Highways.

By Messrs. PAUL G. MURRAY and HOCKER.
HOUSE BILL No. 712.

An Act to further amend Section 33 of the act approved the thirty-first day of May one thousand nine hundred eleven (P. L. 468) entitled 'An act providing for the establishment of a State Highway Department***" by changing the percentages of payments to be withheld by the Secretary of Highways pending satisfactory completion of contracts for the construction of State highways and bridges and by providing for payment of interest on amount withheld and on final payment.

Referred to the Committee on Highways.

By Messrs. HORST. STROUP and LIGHT.
HOUSE BILL No. 713.

An Act making an appropriation to the Board of Finance and Revenue for the refund of oleomargarine licenses.

Referred to the Committee on Appropriations.

By Mrs. BEATRICE MILLER, Messrs. AUSTIN LEE, SILVERMAN and CIANFRANI.
HOUSE BILL No. 714.

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Referred to the Committee on Appropriations.

By Messrs. AUSTIN M. LEE, BRUCKER and DOUGHERTY. HOUSE BILL No. 715.

An Act making an appropriation to the Department of Forests and Waters for the construction and maintenance of a pilot ship-to-shore radar installation for navigation of the Delaware River Channel.

Referred to the Committee on Appropriations.

By Mrs. B. Z. MILLER, Mr. POMEROY and Mr. DOUGHERTY. HOUSE BILL No. 716.

An Act making an appropriation to the Department of Forests and Waters for the clearing and dredging part of the Schuylkill River.

Referred to the Committee on Appropriations.

By Messrs. MULLEN, CARSON, POMEROY and HEAVEY. HOUSE BILL No. 717.

An Act making an appropriation to the Philadelphia Commercial Museum for maintenance***.

Referred to the Committee on Appropriations.

By Messrs. ASHTON and UJOBAI.
HOUSE BILL No. 718.

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the driveways on the Paoli Parade Ground,***.

Referred to the Committee on Appropriations.

By Messrs. A. M. LEE, BRUCKER, BOORY and McCORMACK. HOUSE BILL No. 719.

An Act making an appropriation to the Department of Commerce for the rendering of financial assistance to industrial development agencies.

Referred to the Committee on Appropriations.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 147 and 241.
Amended House Bill returned for concurrence No. 161.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 32.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" fix-

ing the status of the law librarian and making him eligible for membership in the county employes retirement plan.

SENATE BILL No. 87.

An Act reenacting certain parts of the act of May 1, 1929 (P. L. 905) entitled . . ." clarifying provisions relating to magistrates sending notices by registered or certified mail

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Kehler for Mr. BREISCH because of illness.

Mr. Capano for Mr. FLYNN for today's session.

REPORTS FROM COMMITTEES

Mr. THOMAS H. W. JONES from the Committee on Judiciary, reported as amended, House Bill No. 253, entitled:

An Act amending the act of June 24, 1895 (P. L. 212), entitled "An act to establish an intermediate court of appeal, regulating its constitution, . . ." increasing the term of office of Superior Court judges to twenty-one years and limiting them to one term with certain exceptions.

Mr. GRAMLICH from the Committee on Highways, reported as committed, House Bill No. 315, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the borough of Kingston and Plains Township, both situate in Luzerne County.

Mr. BRENNINGER from the Committee on Highways, reported as committed, House Bill No. 384, entitled:

An Act authorizing and directing the Department of Highways, with the approval of the Governor, to construct a highway and to erect and maintain a bridge over the Chester River in Delaware County between Twenty-second Street and Upland Avenue in the Borough of Upland . . . and making an appropriation therefor.

Mr. DAVIS from the Committee on Highways, reported as amended, House Bill No. 553, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Clarion River . . .

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, we have now been in session for a considerable number of weeks. Judging by comment I would gather that the responsible leaders of this House are in high good humor and speak of the businesslike, short session which confronts us.

As a matter of fact, in our deliberations so far we have been as reckless as children playing bank with bogus money. There is yet a failure to show any indication of a desire to grapple basically with the paramount financial problems which confront this Commonwealth.

If there ever was a time when Pennsylvania's General Assembly could begin making long-range plans for a sane and sensible financial structure, that time is now. We have hurriedly concocted the beginnings of a financial program which embodies all the Democratic mistakes of the past and reaffirms a good many mistakes of the now dominant party.

We face a very peculiar situation. If ever the editors and those who write for the Press have demonstrated their incompetence to pass upon legislation, particularly passed tax legislation, that time is now. Either the Press has gone screwball, or we have failed to grapple with the problems that beset us.

We have on every hand newspaper comment. One newspaper says, "High Taxes Drive Plant Into Ohio." A man by the name of Rockwell attacks our tax structure. A very distinguished writer says, "State Losing Industry." A paper of some general circulation published in Pittsburgh comments editorially about a new steel plant for Ohio. I could go on and on. That is one side of the picture.

We have our Department of Labor and Industry sending out releases which tell of this industry that is located in Pennsylvania; this industry that is located in Pennsylvania, this industry that is located in Pennsylvania and this industry that is located in Pennsylvania and claiming there has been during the last two years such an increase in Pennsylvania industry as should be impressive.

We have framed our tax program. It really should be pending at this time in the House, instead of being committed to the other Chamber, until such time as the agency which we have designated as the agency to study the matter, the Joint State Government Commission, renders its pending report, supposed to be authentic, as to whether or not our tax structure is the reason why various industries leave Pennsylvania. I say it is a gesture of contempt directed toward our fact-finding agency that we should have formed a tax program, have dealt with our business problems as they relate to taxation and then have wholly disregarded the report of our fact-finding body, the Joint State Government Commission.

The question recurs, what do we propose to do for business? When are we going to do it?

There are pending certain developments which, come 1958 or 1959, along there somewhere, will give, or are supposed to give some relief to business. Those proposals have been pending for 20 years.

You know, in the days when Dobbin was being succeeded by the horseless carriage two sparrows were lamenting the prospect. One sparrow lamented the passing of Dobbin, the other sparrow commented upon the fact that there was a horseless carriage that went along saying, "Putt. Putt. Putt." The other sparrow said, "Yes, it says, 'Putt. Putt. Putt,' but God knows we can't live on promises." And I would say the same thing about the industry of our Commonwealth as far as taxes are concerned.

If it is true that our tax structure tends to destroy our economic structure, then we have been dealing in promises as long as I have been a Member of this House. So if there was some way within the range of proper parliamentary practice, the tax program which we have sent to the other Chamber should be recalled and placed upon the table until such time as the Joint State Government Commission has reported its belief as to whether or not our taxes are driving industries out of this Common-

wealth. If they are, if that is the case, then we are confronted with the prime necessity of redrafting our tax structure and beginning to erect it on a long-range, permanent basis. We are still dealing, still adding, still giving the people, still giving business, emergency taxes which have been emergency taxes, as I have said, ever since I have been a Member of this House.

So I would say to the Majority Leader that instead of being so cocky about a short businesslike session, he and his colleagues should begin to give some evidence of what they propose to do for business now.

WRIT OF SPECIAL ELECTION

The SPEAKER. The Chair has issued the following writ of special election to fill a vacancy in this House, which the Clerk will read.

The writ of special election was read as follows:

COMMONWEALTH OF PENNSYLVANIA, SS:

To Hon James A. Finnegan, Secretary of the Commonwealth, and to William H. Cardoskey, J. William Getty and Clyde W. Shannon, constituting the Board of Elections of the County of Montour.

Greetings: Whereas, A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the Legislative District of the County of Montour, caused by reason of the death of John R. Quigg, the Representative elect from said District, on the first day of December, one thousand nine hundred fifty-six.

Now Therefore, I, W. Stuart Helm, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the Legislative District of the County of Montour on the 21st day of May, 1957, to choose a person to represent said Legislative District in the House of Representatives of Pennsylvania for the remainder of the term expiring December first, one thousand nine hundred fifty-eight, and that you give due and public notice of said election throughout said District, in the form and manner directed by law.

Given under my hand and the seal of the House of Representatives at Harrisburg, Pennsylvania, this 6th day of March, A. D. one thousand nine hundred fifty-seven.

Attest:

LLOYD H. WOOD
Chief Clerk of the House of Representatives.

W. STUART HELM
Speaker of the House of Representatives

(Seal)

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. Under a question of personal privilege the following communication was received by the Chair and will be noted in the Journal:

Wednesday, March 6, 1957.

On Monday, March 4, we the undersigned voting under a misapprehension, voted "no" on House Bill No. 295, Printer's No. 59 and would like to be recorded as voting "yes" on this bill.

JOHN J. VAUGHAN
LESTER E. SPRAY
WILLIAM P. H. JOHNSTON
GLENN E. STUART

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 18, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 30, entitled:

An Act amending the act of May 5, 1911 (P. L. 198), entitled "An act to establish a county court for the county of Allegheny * * *" providing for action of the court sitting in banc in cases of desertion and nonsupport

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 31, entitled:

An Act amending the act of May 5, 1911 (P. L. 198), entitled "An act to establish a county court for the county of Allegheny * * *" requiring hearings in cases of desertion and nonsupport to be open to the public except at the discretion of the judge when the parties agree the public shall be excluded

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 97, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), permitting certain county offices to be closed on Saturday.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 98, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), permitting the prothonotary to appoint a solicitor and prescribing a means for paying the cost of prothonotary's litigation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 205, entitled:

An Act repealing section 502.1 act of May 1, 1929 (P. L. 905), removing limitations upon the operation of commercial motor vehicles for carriage of passengers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 259, entitled:

A Supplement to the act of June 12, 1931 (P. L. 588) entitled "An act authorizing the Department of Property and Supplies to acquire lands in Harris Township, Centre County for the use of the Department of Military Affairs

* * *" transferring the control supervision and management of the lands to the Penna Historical and Museum Commission requiring the commission to complete the "Twenty-eighth Division Shrine" thereon * * *.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 266, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), permitting city council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 269, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), further providing for the employment of a certified public accountant and the duties of the township auditors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 282, entitled:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 326, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 369, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), providing for the creation of capital reserve funds for capital expenditures.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 370, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), providing for the creation of capital reserve funds for capital expenditures.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 371, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), providing for the creation of capital reserve funds for capital expenditures.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 400 entitled:

An Act amending the "Uniform Acknowledgement Act" approved July 24, 1941 (P. L. 490) deleting the reference to "Philippine Islands" the reference to "homestead" and the requirement that certain acknowledgements taken without the State be authenticated.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 402 entitled:

An Act amending the act of December 14, 1854 (1855 P. L. 724) entitled "An act relating to the authentication of Letters of Attorney Protests of Notaries Public * * *" authorizing deeds executed and acknowledged out of State to be recorded * * *

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and conhideration of House Bill No. 403, entitled:

An Act to validate certain acknowledgements and to regulate the effect thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 409 entitled:

An Act amending ""The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing cities to increase allowances paid out of the police pension fund after the termination of the service of the contributors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 411 entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) fixing the minimum requirements necessary to entitle contributors to the police pension fund to retire further regulating appropriations to the fund and the payment of increments upon retirement

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 444 entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing council to provide for the closing of city offices on Saturday

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 448 entitled:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force * * *" extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 521 entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) further regulating ordinances opening changing or vacating roads and highways

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 564 entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) providing penalties for violation of rules governing State Parks State Forest Picnic Areas State Forest Monuments and State Historical Parks

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 566 entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Forests and Waters to grant rights of way over State park lands

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 582 entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) requiring the Budget Secretary to submit budget material to the chairmen of the Committees on Appropriations of the House of Representatives and the Senate within a specified time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 122, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" permitting borough council to hold its organization meeting on first day after a holiday

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended * * * requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 165, entitled:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743) establishing a Traffic Court of Philadelphia and prescribing its powers and duties and jurisdiction and the magistrates assigned thereto * * *.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 293, entitled:

An Act amending the act of June 16, 1836 (P. L. 715), entitled "An act relating to Reference and Arbitration" increasing the amount in controversy which may be referred to arbitration

The first section was read.
On the question,
Will the House agree to the section?
Mr. THOS. H. W. JONES offered the following amendment:

Amend Sec. 1, (Sec. 8.1), page 2, lines 2 and 3, by striking out "fifteen hundred dollars ($1,500)" and inserting "two thousand dollars ($2,000)"

It was agreed to.
The section was agreed to as amended.
The title was read and agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 453, entitled:

An Act transferring money from the Banking Department Fund to the General Fund.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 479, entitled:

An Act making a deficiency appropriation to the De-

partment of Labor and Industry for payments to claimants for certain occupational diseases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 589, entitled:

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled An act "An act making an appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August one thousand nine hundred fifty-five" making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before the completion of projects.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interstate bodies

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 29, Printer's No. 6,
Senate Bill No. 36, Printer's No. 22 and
Senate Bill No. 100, Printer's No. 17,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 338, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing fish wardens to make arrests for certain offenses and adding penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—129

Adams,	George,	Magee,	Readinger,
Agnew,	Gibb,	Mahan,	Renwick,
Ashton,	Gibson,	Markley,	Rudisill,
Barton,	Goodling,	Marsh,	Schuster,
Boles,	Goodrich,	McCann,	Seltzer,
Bower,	Gramlich,	McCormack,	Smith,
Bowman,	Gross,	McGee,	Snare,
Brand,	Guthrie,	McInroy,	Snider,
Brenninger,	Hamilton,	McKeever,	Spray,
Breon,	Heffner,	McLaughlin,	Steckel,
Brown,	Henzel,	Merry,	Stevens,
Buchanan,	Hocker,	Mihm,	Stimmel,
Carson,	Horst,	Mikula,	Stone,
Cioffi,	Ide,	Miller, B. Z.,	Stoner,
Cleveland,	Isaacs,	Miller, H. G.,	Strausser,
Dalrymple,	Jenkins,	Moody,	Stroup,
Davis,	Johnson,	Moscrip,	Stuart,
DeLong,	Jones, T. H.,	Moyer,	Ujobai,
Dengler,	Jump,	Muldowney,	Varner,
Dennison,	Kehler,	Murphy,	Wall,
Devlin,	Keller,	Murray, H. P.,	Weidner,
Dietterick,	Kernaghan,	Murray, P. G.,	Wescott,
Donahue,	Knecht,	Naugle,	Whittaker,
Donaldson,	Kooker,	O'Dell,	Willard,
Dunn,	Korns,	Ogilvie,	Willaredt,
Edwards,	Lafore,	Parry,	Wood,
Erb,	Lee, A. M.,	Phillips,	Worley,
Eshleman,	Lee, K. B.,	Piper,	Wyatt,
Fetterolf,	Leonard,	Post,	Wynd,
Filo,	Light,	Price,	Yatron,
Fox,	Lippincott,	Pursley,	Zimmerman,
Gailey,	Lutty,	Ragot,	Helm,
Garlock,			Speaker

NAYS—50

Amarando,	Duffy,	Lovett,	Scarcelli,
Anderson, M. S.,	Ewing,	Maxwell,	Sherman,
Andrews,	Farabaugh,	Monroe,	Shields,
Boory,	Frascella,	Mullen,	Silverman,
Brennan,	Gelfand,	Munley,	Thompson,
Brucker,	Goldstein,	O'Brien,	Toll,
Bucchin,	Haudenshield,	Pashley,	Varallo,
Capano,	Heavey,	Petrosky,	Vaughan,
Cianfrani,	Jim,	Polaski,	Verona,
Comer,	Johnston,	Reidenbach,	Walsh,
Cooper,	Kamyk,	Rigby,	Wargo,
Cummins,	Krakow,	Rovansek,	Welsh,
Curwood,			Williams,

NOT VOTING—30

Anderson, S. A.,	Eilberg,	Limper,	Royer,
Auker,	Fineman,	Lopresti,	Schwartz,
Bell,	Floyd,	Metz,	Taylor,
Blair,	Flynn,	Miller, W. H.,	Tompkins,
Breisch,	Foster,	Mills,	Trusio,
Breth,	Holt,	Musto,	Wheeler,
Dougherty,	Jones, G. E.	Pomeroy,	Wilt,
Down,	Kornick,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 10, Printer's No. 96

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 29, entitled as follows:

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law * * * and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adams,	Fox,	Magee,	Rovansek,
Agnew,	Frascella,	Mahan,	Rudisill,
Amarando,	Gailey,	Markley,	Scarcelli,
Anderson, M. S.,	Garlock,	Marsh,	Schuster,
Andrews,	Gelfand,	Maxwell,	Seltzer,
Ashton,	George,	McCann,	Sherman,
Barton,	Gibb,	McCormack,	Shields,
Boies,	Gibson,	McGee,	Silverman,
Boory,	Goldstein,	McInroy,	Smith,
Bower,	Goodling,	McKeever,	Snare,
Bowman,	Goodrich,	McLaughlin,	Snider,
Brand,	Gramlich,	Merry,	Spray,
Brennan,	Gross,	Mihm,	Steckel,
Brenninger,	Guthrie,	Mikula,	Stevens,
Breon,	Hamilton,	Miller, B. Z.,	Stimmel,
Brown,	Haudenshield,	Miller, H. G.,	Stone,
Brucker,	Heavey,	Monroe,	Stoner,
Bucchin,	Heffner,	Moody,	Strausser,
Buchanan,	Henzel,	Moscrip,	Stroup,
Capano,	Hocker,	Moyer,	Stuart,
Carson,	Horst,	Muldowney,	Thompson,
Cianfrani,	Ide,	Mullen,	Toll,
Cioffi,	Isaacs,	Munley,	Ujobai,
Cleveland,	Jenkins,	Murphy,	Varallo,
Comer,	Jim,	Murray, H. P.,	Varner,
Cooper,	Johnson,	Murray, P. G.,	Vaughan,
Cummins,	Johnston,	Naugle,	Verona,
Curwood,	Jones, T. H.,	O'Brien,	Wall,
Dalrymple,	Jump,	O'Dell,	Walsh,
Davis,	Kamyk,	Ogilvie,	Wargo,
DeLong,	Kehler,	Parry,	Weidner,
Dengler,	Keller,	Pashley,	Welsh,
Dennison,	Kernaghan,	Petrosky,	Wescott,
Devlin,	Knecht,	Phillips,	Whittaker,
Dietterick,	Kooker,	Piper,	Willard,
Donahue,	Korns,	Polaski,	Willaredt,
Donaldson,	Krakow,	Pomeroy,	Williams,
Duffy,	Lafore,	Post,	Wilt,
Dunn,	Lee, A. M.,	Price,	Wood,
Edwards,	Lee, K. B.,	Pursley,	Worley,
Erb,	Leonard,	Ragot,	Wyatt,
Eshleman,	Light,	Readinger,	Wynd,
Ewing,	Lippincott,	Reidenbach,	Yatron,
Farabaugh,	Lovett,	Renwick,	Zimmerman,
Fetterolf,	Lutty,	Rigby,	Helm,
Filo,			Speaker

NAYS—0

NOT VOTING—28

Anderson, S. A.,	Down,	Jones, G. E.	Musto,
Auker,	Eilberg,	Kornick,	Royer,
Bell,	Fineman,	Limper,	Schwartz,
Blair,	Floyd,	Lopresti,	Taylor,
Breisch,	Flynn,	Metz,	Tompkins,
Breth,	Foster,	Miller, W. H.,	Trusio,
Dougherty,	Holt,	Mills,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 172, entitled as follows:

An Act amending "The Penal Code" approved June 24 1939 (P. L. 872) extending provisions relating to obscene literature and objects and increasing the penalty for violating the provisions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams,	Filo,	Magee,	Rovansek,
Agnew,	Fox,	Mahan,	Rudisill,
Amarando,	Frascella,	Markley,	Scarcelli,
Anderson, M. S.,	Gailey,	Marsh,	Schuster,
Andrews,	Garlock,	Maxwell,	Seltzer,
Ashton,	Gelfand,	McCann,	Sherman,
Barton,	George,	McCormack,	Shields,
Boies,	Gibb,	McGee,	Silverman,
Boory,	Gibson,	McInroy,	Smith,
Bower,	Goldstein,	McKeever,	Snare,
Bowman,	Goodling,	McLaughlin,	Snider,
Brand,	Goodrich,	Merry,	Spray,
Brennan,	Gramlich,	Mihm,	Steckel,
Brenninger,	Gross,	Mikula,	Stevens,
Breon,	Guthrie,	Miller, B. Z.,	Stimmel,
Brown,	Hamilton,	Miller, H. G.,	Stone,
Brucker,	Haudenshield,	Monroe,	Stoner,
Bucchin,	Heavey,	Moody,	Strausser,
Buchanan,	Heffner,	Moscrip,	Stroup,
Capano,	Henzel,	Moyer,	Stuart,
Carson,	Hocker,	Muldowney,	Thompson,
Cianfrani,	Horst,	Mullen,	Toll,
Cioffi,	Ide,	Munley,	Ujobai,
Cleveland,	Isaacs,	Murphy,	Varallo,
Comer,	Jenkins,	Murray, H. P.,	Varner,
Cooper,	Jim,	Murray, P. G.,	Vaughan,
Cummins,	Johnson,	Naugle,	Verona,
Curwood,	Johnston,	O'Brien,	Wall,
Dalrymple,	Jones, T. H.,	O'Dell,	Walsh,
Davis,	Jump,	Ogilvie,	Wargo,
DeLong,	Kamyk,	Parry,	Weidner,
Dengler,	Kehler,	Pashley,	Welsh,
Dennison,	Keller,	Petrosky,	Wescott,
Devlin,	Kernaghan,	Phillips,	Whittaker,
Dietterick,	Knecht,	Piper,	Willard,
Donahue,	Kooker,	Polaski,	Willaredt,
Donaldson,	Korns,	Pomeroy,	Williams,
Down,	Krakow,	Post,	Wilt,
Duffy,	Lafore,	Price,	Wood,
Dunn,	Lee, A. M.,	Pursley,	Worley,
Edwards,	Lee, K. B.,	Ragot,	Wyatt,
Erb,	Leonard,	Readinger,	Wynd,
Eshleman,	Light,	Reidenbach,	Yatron,
Ewing,	Lippincott,	Renwick,	Zimmerman,
Farabaugh,	Lovett,	Rigby	Helm,
Fetterolf,	Lutty,		Speaker

NAYS—0

NOT VOTING—27

Anderson, S. A.,	Eilberg,	Kornick,	Royer,
Auker,	Fineman,	Limper,	Schwartz,
Bell,	Floyd,	Lopresti,	Taylor,
Blair,	Flynn,	Metz,	Tompkins,
Breisch,	Foster,	Miller, W. H.,	Trusio,
Breth,	Holt,	Mills,	Wheeler,
Dougherty,	Jones, G. E.	Musto,	

BILLS PASSED OVER

There being no objection

House Bill No. 268, Printer's No. 75 and

House Bill No. 301, Printer's No. 76

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 458 entitled as follows:

An Act validating the assessment rolls of counties from the fourth to eighth class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams,	Filo,	Magee,	Rovansek,
Agnew,	Fox,	Mahan,	Rudisill,
Amarando,	Frascella,	Markley,	Scarcelli,
Anderson, M. S.,	Gailey,	Marsh,	Schuster,
Andrews,	Garlock,	Maxwell,	Seltzer,
Ashton,	Gelfand,	McCann,	Sherman,
Barton,	George,	McCormack,	Shields,
Boles,	Gibb,	McGee,	Silverman,
Boory,	Gibson,	McInroy,	Smith,
Bower,	Goldstein,	McKeever,	Snare,
Bowman,	Goodling,	McLaughlin,	Snider,
Brand,	Goodrich,	Merry,	Spray,
Brennan,	Gramlich,	Mihm,	Steckel,
Brenninger,	Gross,	Mikula,	Stevens,
Breon,	Guthrie,	Miller, B. Z.,	Stimmel,
Brown,	Hamilton,	Miller, H. G.,	Stone,
Brucker,	Haudenshield,	Monroe,	Stoner,
Bucchin,	Heavey,	Moody,	Strausser,
Buchanan,	Heffner,	Moscrip,	Stroup,
Capano,	Henzel,	Moyer,	Stuart,
Carson,	Hocker,	Muldowney,	Thompson,
Cianfrani,	Horst,	Mullen,	Toll,
Cioffi,	Ide,	Munley,	Ujobai,
Cleveland,	Isaacs,	Murphy,	Varallo,
Comer,	Jenkins,	Murray, H. P.,	Varner,
Cooper,	Jim,	Murray, P. G.,	Vaughan,
Cummins,	Johnson,	Naugle,	Verona,
Curwood,	Johnston,	O'Brien,	Wall,
Dalrymple,	Jones, T. H.,	O'Dell,	Walsh,
Davis,	Jump,	Ogilvie,	Wargo,
DeLong,	Kamyk,	Parry,	Weidner,
Dengler,	Kehler,	Pashley,	Welsh,
Dennison,	Keller,	Petrosky,	Wescott,
Devlin,	Kernaghan,	Phillips,	Whittaker,
Dietterick,	Knecht,	Piper,	Willard,
Donahue,	Kooker,	Polaski,	Willaredt,
Donaldson,	Korns,	Pomeroy,	Williams,
Down,	Krakow,	Post,	Wilt,
Duffy,	Lafore,	Price,	Wood,
Dunn,	Lee, A. M.,	Pursley,	Worley,
Edwards,	Lee, K. B.,	Ragot,	Wyatt,
Erb,	Leonard,	Readinger,	Wynd,
Eshleman,	Light,	Reidenbach,	Yatron,
Ewing,	Lippincott,	Renwick,	Zimmerman,
Farabaugh,	Lovett,	Rigby,	Helm,
Fetterolf,	Lutty,		Speaker

NAYS—0

NOT VOTING—27

Anderson, S. A.,	Eilberg,	Kornick,	Royer,
Auker,	Fineman,	Limper,	Schwartz,
Bell,	Floyd,	Lopresti,	Taylor,
Blair,	Flynn,	Metz,	Tompkins,
Breisch,	Foster,	Miller, W. H.,	Trusio,
Breth,	Holt,	Mills,	Wheeler,
Dougherty,	Jones, G. E.	Musto,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 478, entitled as follows:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams,	Filo,	Magee,	Rovansek,
Agnew,	Fox,	Mahan,	Rudisill,
Amarando,	Frascella,	Markley,	Scarcelli,
Anderson, M. S.,	Gailey,	Marsh,	Schuster,
Andrews,	Garlock,	Maxwell,	Seltzer,
Ashton,	Gelfand,	McCann,	Sherman,
Barton,	George,	McCormack,	Shields,
Boles,	Gibb,	McGee,	Silverman,
Boory,	Gibson,	McInroy,	Smith,
Bower,	Goldstein,	McKeever,	Snare,
Bowman,	Goodling,	McLaughlin,	Snider,
Brand,	Goodrich,	Merry,	Spray,
Brennan,	Gramlich,	Mihm,	Steckel,
Brenninger,	Gross,	Mikula,	Stevens,
Breon,	Guthrie,	Miller, B. Z.,	Stimmel,
Brown,	Hamilton,	Miller, H. G.,	Stone,
Brucker,	Haudenshield,	Monroe,	Stoner,
Bucchin,	Heavey,	Moody,	Strausser,
Buchanan,	Heffner,	Moscrip,	Stroup,
Capano,	Henzel,	Moyer,	Stuart,
Carson,	Hocker,	Muldowney,	Thompson,
Cianfrani,	Horst,	Mullen,	Toll,
Cioffi,	Ide,	Munley,	Ujobai,
Cleveland,	Isaacs,	Murphy,	Varallo,
Comer,	Jenkins,	Murray, H. P.,	Varner,
Cooper,	Jim,	Murray, P. G.,	Vaughan,
Cummins,	Johnson,	Naugle,	Verona,
Curwood,	Johnston,	O'Brien,	Wall,
Dalrymple,	Jones, T. H.,	O'Dell,	Walsh,
Davis,	Jump,	Ogilvie,	Wargo,
DeLong,	Kamyk,	Parry,	Weidner,
Dengler,	Kehler,	Pashley,	Welsh,
Dennison,	Keller,	Petrosky,	Wescott,
Devlin,	Kernaghan,	Phillips,	Whittaker,
Dietterick,	Knecht,	Piper,	Willard,
Donahue,	Kooker,	Polaski,	Willaredt,
Donaldson,	Korns,	Pomeroy,	Williams,
Down,	Krakow,	Post,	Wilt,
Duffy,	Lafore,	Price,	Wood,
Dunn,	Lee, A. M.,	Pursley,	Worley,
Edwards,	Lee, K. B.,	Ragot,	Wyatt,
Erb,	Leonard,	Readinger,	Wynd,
Eshleman,	Light,	Reidenbach,	Yatron,
Ewing,	Lippincott,	Renwick,	Zimmerman,
Farabaugh,	Lovett,	Rigby,	Helm,
Fetterolf,	Lutty,		Speaker

NAYS—0

NOT VOTING—27

Anderson, S. A.,	Eilberg,	Kornick,	Royer,
Auker,	Fineman,	Limper,	Schwartz,
Bell,	Floyd,	Lopresti,	Taylor,
Blair,	Flynn,	Metz,	Tompkins,
Breisch,	Foster,	Miller, W. H.,	Trusio,
Breth,	Holt,	Mills,	Wheeler,
Dougherty,	Jones, G. E.	Musto,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 82, entitled as follows:

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BOWMAN. Mr. Speaker, Senate Bill No. 82 provides for an additional common pleas judge in the 12th Judicial District, which comprises Dauphin County.

This bill is before you today because Dauphin County, the 12th Judicial District, feels it needs one additional law

judge to carry on the work load that is being carried on by this court. Undoubtedly that same problem exists statewide in many other judicial districts. However, in Dauphin County, as probably all of the Members know, the Dauphin County Court is the Commonwealth Court of the Commonwealth of Pennsylivania. As the Commonwealth Court, the Dauphin County Court is responsible for carrying a heavy load of cases and litigation involving the Commonwealth of Pennsylvania as a party.

Presently, the Commonwealth Court comprises the four present judges of the Commonwealth Pleas Court and the one present judge of the Orphans' Court when they sit as the Commonwealth Court. This bill, as I said, asks for another Common Pleas judge, making the Common Pleas Court five in number and making the Commonwealth Court six in number with the Orphans' Court judge sitting as a member of the Commonwealth Court.

As I said, the problem of increasing litigation is probably prevalent throughout the state in many judicial districts. However, in the Dauphin County Court we have a particularly heavy increase of Commonwealth cases over the last five years.

For your information, the Commonwealth Court in 1951 heard 266 cases in the Commonwealth Docket. They were cases in which the Commonwealth of Pennsylvania itself was a party. That went down slightly in 1952 and then continued to rise until this past year of 1956 when the Commonwealth Court had before it 497 cases in which the Commonwealth of Pennsylvania was a party. In other words, in a period of approximately six years the case load on the Commonwealth Docket alone has almost doubled.

For that reason we feel this is not a bill of local interest only, but is a bill which must be considered by this membership as it affects every county in this state. It affects the operation of the executive branch of the government, it affects the operation of the state government as a whole. We feel for this reason, and this reason alone, the justification for an additional judge in the 12th Judicial District is certainly basic, is certainly necessary, and we request that you support this bill and give us an additional judge here particularly, for the Commonwealth work.

I will just say one more thing. This bill has the support of the Pennsylvania Bar Association because it likewise feels this is a statewide problem.

I will close my remarks to prevent interrogation by stating that I am not a candidate for this position.

Mr. READINGER. Mr. Speaker. I desire to interrogate the gentleman from Dauphin.

The SPEAKER. Will the gentleman from Dauphin, Mr. Bowman, permit himself to be interrogated?

Mr. BOWMAN. I shall, Mr. Speaker.

Mr. READINGER. I desire to ask the gentleman whether it is not a fact that one of the common pleas judges who formerly sat in the Commonwealth Court has been ill for the last two years?

Mr. BOWMAN. That is correct. He is now back in his chambers and although he has not sat on the bench he is handling some work again.

Mr. READINGER. Is it the opinion of the gentleman if this judge had not been ill, the work load would still be more than the four Common Pleas and one Orphans' Court judge can handle properly?

Mr. BOWMAN. It is, Mr. Readinger.

Mr. READINGER. What is the population of Dauphin County?

Mr. BOWMAN. The last decennial census indicates approximately 197,000. It is now said to be in the vicinity of 200,000.

Mr. READINGER. In counties of that size, is it not common to have only two common pleas judges?

Mr. BOWMAN. Two or three. Cambria County, with slightly more population, has three. They have 209,000. Schuylkill County, which has 200,000 population, has four common pleas judges. They do not, of course, have any Commonwealth Court docket.

Mr. READINGER. Did the gentleman give us the figures of the number of Commonwealth cases for the year 1955?

Mr. BOWMAN. I did not specifically give the number

Mr. READINGER. Does the gentleman have that?

Mr. BOWMAN. He does.

Mr. READINGER. May I have that number?

Mr. BOWMAN. That number is 299.

Mr. READINGER. And the year 1954?

Mr. BOWMAN. 309.

Mr. READINGER. 1953?

Mr. BOWMAN. 243.

Mr. READINGER. May I ask whether the work of the Dauphin County Court has been unduly delayed? Does it take a long time to get decisions or to get hearings, and so forth?

Mr. BOWMAN. The gentleman is speaking of the normal common pleas work?

Mr. READINGER. I am speaking of their work generally, whether it is Commonwealth cases or whether it is county cases.

Mr. BOWMAN. On the Commonwealth side, they are of course very busy. As far as I am personally concerned, there is an extensive time element in getting a decision.

Mr. READINGER. The trial dockets, are they far behind, say six months, three months?

Mr. BOWMAN. Arbitration has considerably lessened the trial docket. However, in the last term there were 50 cases listed for trial. I would say they are approximately six months to one year behind.

Mr. READINGER. Mr. Speaker, I had requested that this bill go over until Monday for the reason that the Democratic Members have not had an opportunity to caucus on it, but the majority party has decided the bill should be moved today. I presume one of the reasons for wanting to move it now is the fact that if the bill does not pass quite soon, it would be too late for this additional judicial position to be filled by election this year If that happened, it could not be filled, as I understand the law, until the election of 1959, which would mean the person elected would not take office until January of 1960. Of course, the Governor could appoint someone to fill this position until that time.

I am not asking the Democratic Members to vote against this bill. I think every Democrat should consider what has been said about the need for this additional judge and should make that decision as he sees fit and vote in that way.

What I would like to state today is the fact that in past sessions we have seen some rather peculiar political voting on this matter of judges. There was a proposal made during the 1955 session to add an additional Common

Pleas Court in Philadelphia, and the matter was debated quite at length. It seemed reasonably clear to me that Philadelphia needed another court and probably still needs it. So I would like to have the assurance of the majority Members that they will give fair and honest consideration to the needs of other counties for judges if those needs are proposed during this Session, and to vote not on a political basis but on a basis of need. If a county's work load requires additional judges, I think we should provide them. We should not force any county, Dauphin County included, to overwork its judges or have its court work unduly delayed because of lack of personnel.

I am asking the Democratic Members who believe Dauphin County needs an additional judge to vote for it. Those who think Dauphin County does not need it, they should vote against this request.

Mr. TOLL. Mr. Speaker, I do not know whether the Minority Leader overlooked the fact that in the last session a resolution was adopted for the Joint State Government Commission to study the problem of court administration.

In connection with that study several meetings were held, and a bill is being prepared for the purpose of recommending a court administrator who will make assignments of various members of the bench to the counties which have an unusual work load. Now it is quite possible that in Dauphin County, due to the illness of Judge Smith, they slipped behind a little in the administration of their business. As a matter of fact, the gentleman from Dauphin said they are only six months to a year behind on some of their civil cases, while in Philadelphia we are two years behind. So relatively speaking they are much better off than we are.

I would say that a bill of this nature should be held up in the interests of economy and in the interests of the bill which is being prepared now by the Joint State Government Commission so that if it is necessary to have a judge assigned to Dauphin County for purposes of disposing of the extra cases, a judge could be assigned from another county. As a matter of fact, judges are now being assigned on a voluntary basis, but under this bill which is being prepared, assignments will be mandatory. That is why I feel that to hastily acquire a new judge, in view of the impending change of the judicial administration, would be unwise, and that is why I am going to vote against it.

The SPEAKER. How does the gentleman from Westmoreland, Mr. Lovett, vote?

Mr. LOVETT. Mr. Speaker, the gentleman votes "present".

The SPEAKER. The Chair rules the gentleman cannot be recorded as voting "present."

Article III Section 4 of the Constitution requires the vote to be taken by ayes and nays. Under the rules of the House he is required to vote for or against the bill.

Mr. LOVETT. If I have a special interest in the bill, Mr. Speaker?

The SPEAKER. If the gentleman states he has a special interest in the bill he may be excused from voting.

Will the House excuse the gentleman from Westmoreland, Mr. Lovett, from voting?

Mr. LOVETT. Mr. Speaker, under the present circumstances I wish to be recorded as voting "aye."

The SPEAKER. The gentleman will be so recorded.

On the quesiotn recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—154

Adams,	George,	Marsh,	Rigby,
Agnew,	Gibb,	Maxwell,	Scarcelli,
Amarando,	Gibson,	McCann,	Schuster,
Anderson, M. S.,	Goldstein,	McGee,	Seltzer,
Ashton,	Goodling,	McInroy,	Shields,
Barton,	Goodrich,	McKeever,	Silverman,
Bower,	Gramlich,	McLaughlin,	Snare,
Bowman,	Gross,	Merry,	Snider,
Brand,	Guthrie,	Metz,	Spray,
Brenninger,	Haudenshield,	Mikula,	Steckel,
Breon,	Heavey,	Miller, B. Z.,	Stevens,
Brown,	Heffner,	Monroe,	Stimmel,
Brucker,	Henzel,	Moody,	Stoner,
Bucchin,	Hocker,	Moscrip,	Strausser,
Buchanan,	Horst,	Moyer,	Stroup,
Carson,	Ide,	Muldowney,	Thompson,
Cleveland,	Isaacs,	Mullen,	Trusio,
Comer,	Jenkins,	Munley,	Ujobai,
Cooper,	Jim,	Murphy,	Varallo,
Curwood,	Johnson,	Murray, H. P.,	Varner,
Dalrymple,	Johnston,	Murray, P. G.,	Vaughan,
Davis,	Jones, T. H.,	Musto,	Wall,
DeLong,	Jump,	Naugle,	Wargo,
Dengler,	Kamyk,	O'Dell,	Weidner,
Dennison,	Kehler,	Ogilvie,	Welsh,
Devlin,	Kernaghan,	Parry,	Wescott,
Dietterick,	Knecht,	Pashley,	Whittaker,
Donahue,	Kooker,	Petrosky,	Willard,
Donaldson,	Korns,	Phillips,	Willaredt,
Down,	Lafore,	Piper,	Williams,
Duffy,	Lee, A. M.,	Polaski,	Wilt,
Dunn,	Lee, K. B.,	Pomeroy,	Wood,
Edwards,	Light,	Post,	Worley,
Erb,	Lippincott,	Price,	Wyatt,
Eshleman,	Lovett,	Pursley,	Wynd,
Ewing,	Magee,	Ragot,	Yatron,
Fetterolf,	Mahan,	Readinger,	Zimmerman,
Fox,	Markley,	Reidenbach,	Helm,
Frascella,		Renwick,	Speaker

NAYS—21

Andrews,	Farabaugh,	Gelfand,	Rovansek,
Boles,	Filo,	Hamilton,	Rudisill,
Capano,	Floyd,	Krakow,	Toll,
Cianfrani,	Gailey,	Miller, H. G.,	Walsh,
Cioffi,	Garlock,	O'Brien,	Wheeler,
Cummins,			

NOT VOTING—34

Anderson, S. A.,	Eilberg,	Limper,	Schwartz,
Auker,	Fineman,	Lopresti,	Sherman,
Bell,	Flynn,	Lutty,	Smith,
Blair,	Foster,	McCormack,	Stone,
Boory,	Holt,	Mihm,	Stuart,
Breisch,	Jones, G. E.	Miller, W. H.,	Taylor,
Brennan,	Keller,	Mills,	Tompkins,
Breth,	Kornick,	Royer,	Verona,
Dougherty,	Leonard,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 124, Printer's No. 26

was passed over at the request of the SPEAKER.

HOUSE BILL No. 140

Mr. JOHNSON asked and obtained unanimous con-

sent to call up the Senate Message, amended House bill returned for concurrence, House Bill No. 140.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 140

An Act amending the act of March 10 1949 (P. L. 30) entitled "Public School Code of 1949," providing representation on the board of directors of union and merged school districts.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 5 by inserting after the word "union" the word "and;'" line 6 by striking out at the beginning of the line the words "and consolidated."

Amend Section 2, page 3, by striking out all of lines 7 to 20 inclusive; page 4 by striking out all of lines 1 to 7 inclusive and inserting in lieu theoreof the following:

Section 312 Union and merged districts (A) In all union districts and all districts resulting from the merger of two or more districts there shall be one director elected from each of the component cities boroughs towns and townships (hereinafter referred to as "municipalities") making up the union or merged district and such additional number elected at large in the union or merged district as are necessary to make up the number of directors provided by sections 304 and 305 of this act for school districts of the class to which the union or merged district belongs if the number of component municipalities is equal to or greater than the number of directors provided for the appropriate class of district the number of directors of the union or merged districts shall equal the number of component municipalities and such additional number elected at large in the union or merged district as are necessary to make up an odd number of directors but never less than two nor more than three in such event the number of directors shall be divided into three groups as nearly equal as possible the members of each group shall be elected at three successive municipal elections and shall serve for terms of six years each if a component district did not have an active and elected school board prior to its becoming a part of the union or merged school district it shall not be entitled to representation on the board of school directors of the union or merged school district

Page 6, line 3 by striking out after the word "merged" the words "or consolidated as aforesaid;" line 10 by striking out after the word "elected" the words "in a" and inserting in lieu thereof the words "from the;" and by inserting after the word "municipalities" the words "entitled to representation under Subsection (A) of this section;" line 13, by inserting after the word "union" the word "or;" line 14, by striking out at the beginning of the line the words "or consolidated;" line 17 by striking out after the word "the" the word "competent" and inserting in lieu thereof the word "component;" by inserting after the word "municipalities" the words "starting with the largest;" line 19 by inserting after the word "union" the word "or" and by striking out after the word "merged" the words "or consolidation;" page 7 by striking out at the end of line one (1) the words "all component municipalities have elected;" line 2 by inserting after the word "director" the words "has been elected from each component municipality entitled to representation under Subsection (a) of this section.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Bradford, Mr. Moscrip.

The SPEAKER. Will the gentleman from Bradford, Mr. Moscrip, permit himself to be interrogated?

Mr. MOSCRIP. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, will the gentleman explain to the membership the meaning of the Senate amendments in which we are asked to concur?

Mr. MOSCIRP. Mr. Speaker, this bill passed the House originally 202 to 0. This involves some rather technical situations in union districts which have already been constituted and in operation in order to preserve the staggered terms by which school directors are elected.

As you know, in fourth class districts you elect two, two and one and in the third class districts two, three and two.

It developed after the bill passed the House that there might be some bugs in it which would affect the sequence of elections as well as perhaps, the legality of the election of certain directors.

These amendments make no substantive change in the bill as it left the House, with one exception. It does provide in certain cases for the election of either two or three members at large, in addiiton to the minimum membership of one director per district.

The rest of the amendments are simply a matter of polishing the bill to make it operative and try to eliminate any ambiguities in its construction.

All parties sat in on these amendments when they were drawn, including the Department of Justice.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Filo,	Magee,	Rovansek,
Agnew,	Fox,	Mahan,	Rudisill,
Amarando,	Frascella,	Markley,	Scarcelli,
Anderson, M. S.,	Gailey,	Marsh,	Schuster,
Andrews,	Garlock,	Maxwell,	Seltzer,
Ashton,	Gelfand,	McCann,	Sherman,
Barton,	George,	McCormack,	Shields,
Boies,	Gibb,	McGee,	Silverman,
Boory,	Gibson,	McInroy,	Smith,
Bower,	Goldstein,	McKeever,	Snare,
Bowman,	Goodling,	McLaughlin,	Snider,
Brand,	Goodrich,	Merry,	Spray,
Brennan,	Gramlich,	Metz,	Steckel,
Brenninger,	Gross,	Mihm,	Stevens,
Breon,	Guthrie,	Mikula,	Stimmel,
Brown,	Hamilton,	Miller, B. Z.,	Stone,
Brucker,	Haudenshield,	Miller, H. G.,	Stoner,
Bucchin,	Heavey,	Monroe,	Strausser,
Buchanan,	Heffner,	Moody,	Stroup,
Capano,	Henzel,	Moscrip,	Stuart,
Carson,	Hocker,	Moyer,	Thompson,
Cianfrani,	Horst,	Muldowney,	Toll,
Cioffi,	Ide,	Mullen,	Ujobai,
Cleveland,	Isaacs,	Munley,	Varallo,
Comer,	Jenkins,	Murphy,	Varner,
Cooper,	Jim,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Verona,
Curwood,	Johnston,	Naugle,	Wall,
Dalrymple,	Jones, T. H.,	O'Brien,	Walsh,
Davis,	Jump,	O'Dell,	Wargo,
DeLong,	Kamyk,	Ogilvie,	Weidner,
Dengler,	Kehler,	Parry,	Welsh,
Dennison,	Keller,	Pashley,	Wescott,
	Kernaghan,	Petrosky,	Whittaker,

Devlin,	Knecht,	Phillips,	Willard,
Dietterick,	Kooker,	Piper,	Willaredt,
Donahue,	Korns,	Polaski,	Williams,
Donaldson,	Krakow,	Pomeroy,	Wilt,
Duffy,	Lafore,	Post,	Wood,
Dunn,	Lee, A. M.,	Price,	Worley,
Edwards,	Lee, K. B.,	Pursley,	Wyatt,
Erb,	Leonard,	Ragot,	Wynd,
Eshleman,	Light,	Readinger,	Yatron,
Ewing,	Lippincott,	Reidenbach,	Zimmerman,
Farabaugh,	Lovett,	Renwick,	Helm,
Fetterolf,	Lutty,	Rigby,	Speaker

NAYS—0

NOT VOTING—26

Anderson, S. A.,	Down,	Jones, G. E.	Musto,
Auker,	Eilberg,	Kornick,	Royer,
Bell,	Fineman,	Limper,	Schwartz,
Blair,	Floyd,	Lopresti,	Taylor,
Breisch,	Flynn,	Miller, W. H.,	Tompkins,
Breth,	Foster,	Mills,	Trusio,
Dougherty,	Holt,		Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 140

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing representation on the board of directors of union and merged school districts.

Whereupon,

The SPEAKER, in the prsence of the House, signed the same.

HOUSE RESOLUTION No. 27

Mr. IDE. Mr. Speaker, I call up on page 8 of today's calendar, House Resolution No. 27.

The resolution was read as follows:

In the House of Representatives, February 11, 1957.

Whereas, State Highway Alternate Route 22 at its eastern terminus is located in the City of Easton, extending from the western boundary of the city eastwardly by a tortuous and winding route along the Bushkill Creek to the Delaware River; and

Whereas, the speed limit on the major portion of said roadway is fixed at 35 miles per hour in view of the dangerous and hazardous conditions created by the hairpin curves of said roadway; and

Whereas, said roadway is posted against speeds in excess of 35 miles an hour but the posting does not adequately warn motorists of the inherently dangerous and hazardous conditions of the roadway with the result that motorists have, time and again, proceeded into said curves at excessive speeds and have lost control of their vehicles —crossing the medial strip and colliding with traffic proceeding in the opposite direction; and

Whereas, an exceptionally high rate of serious accidents, many involving fatalities, have resulted and have prompted repeated requests to the Pennsylvania Department of Highways to install such additional facilities as may be necessary to warn motorists of the hazardous road condition; and

Whereas, The Pennsylvania Department of Highways, despite a continuing and increasing rate of serious accidents on said roadway, has failed to adopt any remedied measures as requested;

Now, therefore, be it resolved that, in the interests of the safety of the general travelling public, the Governor be and he hereby is requested to order and direct the Pennsylvania Department of Highways to install such additional warning facilities including more adequate illumination, flashing red signals and an elevated medial strip so as to impress more forcefully upon motorists about to enter upon said roadway the extremely hazardous and dangerous condition of the same.

On the question,

Will the House adopt the resolution?

Mr. IDE. Mr. Speaker, I offer the following amendment.

The SPEAKER. The amendment was read by the Clerk as follows:

Amend first preamble, page 1, by striking out "Alternate" in the first line.

On the question,

Will the House agree to the amendments?

They were agreed to.

Ordered, That the resolution as amended, lie over for printing.

ABSENT MEMBERS

Mr. JOHNSON. Mr. Speaker, we just want it noted in the record that the reason the following Members of the House are not here this morning for voting, viz., Messrs. Tompkins, Bell and Lopresti, is because they are attending the hearing on the Pardons Board investigation. They would have come up here had it been necessary for any of them to be on the roll call.

ANNOUNCEMENT

The SPEAKER. The Chair announces with profound sorrow the death this morning of a familiar face around the Capitol, Mr. Dick Maxwell, a former Executive Secretary of the Pennsylvania Motor Federation.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 82.

An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district

ADJOURNMENT

Mrs. KOOKER. Mr. Speaker, I move that this House do now adjourn until Monday, March 11, 1957 at 4:30 p. m.

The motion was agreed to, and (at 11:53 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, MARCH 11, 1957. No. 22.

SENATE

MONDAY, March 11, 1657.

The Senate met at 4:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, The Reverend John W. Fitzgerald, Rector of St. Peter's Episcopal Church, Butler, offered the following prayer:

Let us pray.

O God, the Fountain of Wisdom, Whose statutes are good and gracious and Whose law is truth, we beseech Thee so to guide and bless the Senate of this State that it may obtain for our governance only such good things as please Thee, to the glory of Thy Name and the welfare of the people, through Jesus Christ, Thy Son, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, no motion of Mr. PECHAN and Mr. KALMAN, further reading was dispensed with, and the Journal was approved.

EXECUTIVES AND BUSINESSMEN OF LOCAL CHAMBERS OF COMMERCE PRESENTED TO SENATE

Mr. LANE. Mr. President and Members of the Senate, it is my pleasure today to introduce to the Senate the local Chambers of Commerce of Pennsylvania, their executives and businessmen, from all over our Commonwealth. They are here today to attend the reception and dinner which the State Chamber of Commerce is going to tender to the Members of the Legislature.

I would like for all of them to stand up and please take a bow.

The PRESIDENT. On behalf of the Members of the Senate, the Chair wishes to welcome this distinguished group here this afternoon. We hope you will be able to stay with us for most of the Session, and that it will be enjoyable to you.

MEMBERS OF CAMP HILL COUNCIL OF REPUBLICAN WOMEN PRESENTED TO SENATE

Mr. WADE. Mr. President, we are honored today by a visit from a group of ladies from the Camp Hill Republican Council of Women. They are escorted by their President, Mrs. John W. DeGroot. In the group is Mrs. Flora Withers, who is a Director in the Pennsylvania Council of Republican Women and also a member of the Legislative Committee.

The PRESIDENT. Will the members please arise?

On behalf of the Members of the Senate, the Chair wishes to state that we are, indeed, honored by having this group of ladies here this afternoon. We hope you enjoy your visit here with us.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James L. Gray, Jr., 228 West Steuben Avenue, Crafton, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Crafton, Allegheny County, to serve until the first Monday of January 1958, vice James L. Gray, Sr., resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles T. Lucabaugh, 916 Baltimore Street, Hanover, York County, for appointment as Justice of the Peace in and for the Township of Penn, York County, to serve until the first Monday of January 1958, vice John W. Dubs, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Rex E. Willard, R. D. 5, Wellsboro, Tioga County, for appointment as Justice of the Peace in and for the Township of Delmar, Tioga County, to serve until the first Monday of January 1958. vice Myron Wilson, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanley O'Hop, Box 63, Clifford, Susquehanna County, for appointment as Justice of the Peace in and for the Township of Clifford, Susquehanna Sounty, to serve until the first Monday of January 1958, vice Glenn Hasbrouck, deceased

GEORGE M. LEADER.

JUSTICE OF THE PEACE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Ferguson, 221 North Main Street, Shenandoah, Schuylkill County, for appointment as Justice of the Peace in and for the Borough of Shenandoah, Schuylkill County, to serve until the first Monday of January 1958, vice Walter C. Glodeck, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary Courtney, Jamestown, Mercer County, for appointment as Justice of the Peace in and for the Borough of Jamestown, Mercer County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE STATE BOARD OF EXAMINERS OF ARCHITECTS

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert A. Eyerman, Bear Creek, Luzerne County, for appointment as a member of the State Board of Examiners of Architects, for the term of six years and until his successor shall have been appointed and qualified, vice Henry Y. Shaub, Lancaster, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF EMBREEVILLE STATE HOSPITAL

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Embreeville State Hospital, for a term of four years and until their successors are appointed and qualified:

George A. Pagano, 441 Glendale Circle, Springfield, Delaware County, to fill a vacancy.

W. Ernest Williams, Russellville, P. O., Oxford, Chester County, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles T. Benner (Democrat), Mifflin Street, Saxton, Bedford County, for appointment as a member of the Bedford County Board of Assistance, until December 31, 1957, and until his successor is duly appointed and qualified, vice Robert E. Huff, Saxton, resigned.

GEORGE M. LEADER.

MEMBER OF THE FOREST COUNTY BOARD OF ASSISTANCE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Elizabeth Bowman (Republican), Tionesta, Forest County for appointment as a member of the Forest County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Genevieve M. Grove, Tionesta, whose term expired.

GEORGE M. LEADER.

GENERAL COMMUNICATION

REPORT OF THE DELAWARE RIVER JOINT COMMISSION OF PENNSYLVANIA AND NEW JERSEY

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

DELAWARE RIVER PORT AUTHORITY
of
PENNSYLVANIA AND NEW JERSEY

ADMINISTRATION BUILDING
BRIDGE PLAZA

CAMDEN 1, NEW JERSEY

JOHN M. McCULLOUGH
SECRETARY

March 6, 1957.

The Honorable Charles L. Lathero
Senate Librarian
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

Dear Mr. Lathero:

The Delaware River Port Authority respectfully presents its report for the year 1956 to you as Senate Librarian.

Under separate cover ten copies of this report have been mailed in your care.

Sincerely yours,

/s/ JOHN M. McCULLOUGH, Secretary.

Enc.

(For Report see Appendix.)

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE LUZERNE COUNTY BOARD OF ASSISTANCE

February 5, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph M. Rava (Democrat), 104 Main Street, Duryea, Luzerne County, for appointment as a member of the Luzerne County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Dr. Maurice J. Regan, Kingston, resigned.

GEORGE M. LEADER.

MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward A. Skyanier (Democrat), 4840 Osage Avenue, Philadelphia 46, Philadelphia County, for appointment as a member of the Philadelphia County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Miss Marie DeBacker, Philadelphia, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE ERIE COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Erie County Board of Assistance:

Anthony L. Gambatese, Esq. (Democrat), 500 Masonic Building, Erie, Erie County, until December 31, 1959, and until his successor is duly appointed and qualified, vice Michael Ricci, Erie, whose term expired.

Francis A Slattery (Democrat), 720 North Center Street, Corry, Erie County, until December 31, 1958, and until his successor is duly appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE CLARION COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary E. Kassel (Republican), 108 Merle Street, Clarion, Clarion County, for reappointment as a member of the Clarion County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE PERRY COUNTY BOARD OF ASSISTANCE

January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate G. Ross Titzell (Democrat), R. D. Ickesburg, Perry County, for appointment as a member of the Perry County Board of Assistance, until December 31, 1958, and until his successor is duly appointed and qualified, vice Mrs. Laura H. Stees, Landisburg, resigned.

GEORGE M. LEADER.

MEMBERS OF THE SULLIVAN COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Sullivan County Board of Assistance:

Vell C. Holcomb (Republican), Dushore, Sullivan County, until December 31, 1959.

Robert H. Marquardt (Republican), Muncy Valley, Sullivan County, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE CENTRE COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Johnson (Democrat), 314 North Second Street, Philipsburg, Centre County, for appointment as a member of the Centre County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice George R. Griest, Philipsburg, resigned.

GEORGE M. LEADER.

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

Feburary 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Zick (Democrat), Saxton, Bedford County, for reappointment as a member of the Bedford County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

January 29, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel K. Williams (Democrat), Roaring Spring, Blair County, for appointment as a member of the Blair County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Rev. Marion E. Smith, Altoona, resigned.

GEORGE M. LEADER.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of County Boards of Assistance, to serve until December 31, 1959, and until their successors are duly appointed and qualified:

BRADFORD COUNTY

Miles Erle (Democrat), Milan, Bradford County.
Rev. Peter James Alisauskas (Non-Partisan), 106 Third Street, Townada, Bradford County.

DAUPHIN COUNTY

Robert T. Crumling, Sr. (Democrat), 6 Jury Street, Highspire, Dauphin County.

MONTGOMERY COUNTY

Thomas P. McArthur, Jr. (Democrat), 3016 Stoney Creek Road, Penn Square Village, Norristown, Montgomery County.
Mrs. Agnes A. Fisher (Democrat), Morris Road, R. D. 1, Lansdale, Montgomery County.

PHILADELPHIA COUNTY

Lynwood F. Blount, Esq. (Democrat), 1325 North Sixtieth Street, Philadelphia, Philadelphia County.

GEORGE M. LEADER

REPORTS FROM COMMITTEES

Mr. WALKER, from the Committee on Local Government, reported as committed, House Bill No. 29, enttiled:

An Act authorizing counties, cities, boroughs, incorporated towns, township, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of defaults or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

He also, from the Committee on Local Government, reported as committed, House Bill No. 267, entitled:

An Act amending the act of June 24, 1931 (P. L. 1205) entitled "The First Class Township Code," permitting township commissioners to hold their organization meeting the day after a holiday.

Mr. BERGER, from the Committee on Rules, reported as committed, Senate Bill No. 265, entitled:

An Act amending the act of June 1, 1956 (Appropriations Acts, page 110, Act No. 146-A), entitled "An act to provide for the ordinary expenses of the Department of Welfare for two years beginning June first, one thousand nine hundred fifty-five, and . . .," making certain appropriations for research and training applicable only to State-owned institutions.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 443, entitled:

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess for five minutes, for the purpose of holding a meeting of the Committee on Finance.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order,

GENERAL COMMUNICATION

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

DISTRICT ATTORNEY'S OFFICE
ROOM 666, CITY HALL
PHILADELPHIA 7, PA.

(Seal)

VICTOR H. BLANC
District Attorney

March 4, 1957.

Lt. Gov. Roy E. Furman
President of the Senate
Capitol Building
Harrisburg, Pa.

Dear Sir:

Enclosed please find two copies of the Philadelphi February Grand Jury's final presentment. Its compre hensiveness, scope and quality merit state-wide recogni tion. I feel that at least parts of it are of special interes to you and the entire membership of the Senate.

Very truly yours,

/s/ Thomas Shiomos
THOMAS SHIOMOS,
Assistant District Attorney
Chief, Indictment Division

Enc.

(For Report of Philadelphia February Grand Jury's Final Presentment see Appendix.)

BILLS INTRODUCED AND REFERRED

Mr. MAHANY, on behalf of Messrs. MALLERY and CHAPMAN, read in his place and presented to the Chair, Senate Bill No. 327, entitled:

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

Which was committed to the Committee on Corporations.

Mr. WATSON, on behalf of Mr. FLEMING, read in his place and presented to the Chair, Senate Bill No. 328, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing payments by the Commonwealth on account of area technical schools.

Which was committed to the Committee on Education.

Messrs. PECHAN and DENT, read in place and presented to the Chair, Senate Bill No. 329, entitled:

An Act making an appropriation to the Department of Public Instruction for the payment of salaries and increments of the faculty of the State Teachers Colleges.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 330, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges; . . .," increasing the minimum compensation and increments, and changing conditions of payment.

Which was committed to the Committee on Education.

Mr. PECHAN, read in his place and presented to the Chair, Senate Bill No. 331, entitled:

An Act to amend the act approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1335), entitled "Pennsylvania Hospital Survey and Construction Act," by requiring that non-Federal funds be available before application shall be made for hospital construction projects to be owned or operated by the State.

Which was committed to the Committee on Public Health and Welfare.

Messrs. WALKER and MAHANY, read in place and presented to the Chair, Senate Bill No. 332, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," authorizing local authorities to install traffic signals on highways under their jurisdiction without prior approval of the Secretary of Highways.

Which was committed to the Committee on Highways.

Mr. MULLIN, read in his place and presented to the Chair Senate Bill No. 333, entitled:

An Act amending the act of May 2, 1929 (P. L. 1237), entitled "The Divorce Law," repealing certain sections relating to divorce from bed and board.

Which was committed to the Committee on Judiciary General.

He also, read in his place and presented to the Chair, Senate Bill No. 334, entitled:

An Act repealing the act of April 11, 1927 (P. L. 181), entitled "An Act authorizing a married woman, granted a divorce from bed and board, to convey and encumber her real estate, without the joinder of her husband."

Which was committed to the Committee on Judiciary General.

He also, read in his place and presented to the Chair, Senate Bill No. 335, entitled:

An Act amending the act of April 11, 1856 (P. L. 315), entitled "An act relating to the rights of property of Husband Wife,"" deleting provisions relating to divorce from bed and board.

Which was committed to the Committee on Judiciary General.

Messrs. STIEFEL and CAMIEL, read in place and presented to the Chair, Senate Bill No. 336, entitled:

An Act regulating the serving and selling of imported wild rabbit and prescribing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 337, entitled:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia; . . .," enlarging the jurisdiction of the court.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 338, entitled:

An Act regulating arbitration of controversies between labor and management when arbitration is required by written contract or agreement providing a method of securing arbitration and the appointment of arbitrators or an umpire regulating hearings evidence and awards imposing duties on courts of common pleas.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 339, entitled:

An Act amending the act of May 18, 1937 (P. L. 654) entitled, as amended "An act to provide for the safety and to protect the health and morals of persons while employed; . . .," requiring employers to furnish personal protective devices free of charge.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 340, entitled:

An Act amending the act of May 22, 1933 (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses," requiring employers to make certain payments to employes when on jury duty in certain cases.

Which was committed to the Committee on Labor and Industry.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 341, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding new routes in Washington County.

Which was committed to the Committee on Highways

He also read in his place and presented to the Chair Senate Bill No. 342, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route in Centreville Borough, Washington County.

Which was committed to the Committee on Highways.

He also, on behalf of Mr. SILVERT, read in his place and presented to the Chair Senate Bill No. 343, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110), entitled "Motor Vehicle Sales Finance Act," prescribing the method of fixing the fair market value of certain motor vehicles purchased under installment sales contracts and regulating the rights and duties of the parties thereto.

Which was committed to the Committee on Judiciary General.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 344, entitled:

An Act permitting bingo games for prizes in merchandise when licensed by the municipality; providing for local option thereon and prescribing penalties.

Which was committed to the Committee on Law and Order.

PREMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, Philadelphia is considered the capital of Delaware Valley, United States of America, and our entire economy hinges upon a deeper channel in the Delaware, especially that part of the Delaware which lies between Trenton and Philadelphia.

It seem that in making appropriations, the Federal Government—and I am referring to the Executive Branch —disregarded the will expressed by the Congress of the United States and pursued the formula of too little and too late. Again this year, despite the recommendations of the district engineers and despite action on the part of the Congress, the amount which was ear marked for the deepening of the channel is appalling in its paucity and. furthermore, instead of referring to a channel of forty feet deep, it only speaks about the channel being thirty-five feet deep.

Mr. President, I feel that we must establish a standing committee on the part of the Senate and the House to represent the people of Pennsylvania in such a way that our will will be known to the Federal Government, especially to the Executive Branch.

About a year ago, a study was made showing that millions upon millions of dollars were spent in the West on the Colorado River with funds, of which Pennsylvanians participated to the tune of about twenty-three per cent, and yet when it comes to the Delaware River which, as I stated before, is the main factor in the rapid expansion of the Delaware Valley and embraces three States, Pennsylvania, New Jersey and Delaware, there is always an attitude of reluctance and curtailment.

Accordingly, Mr. President, this resolution brings to the attention of the Executive Branch, and the Legislative Branch of the United States Government, our wish to have the Delaware Valley developed rapidly.

Now in case there will be objection to this resolution, I can foresee that it will be sent to the Committee on Constitutional Changes and Federal Relations. I am a great admirer of Senator Harney, but I hope for awhile that mighty crematory will stop functioning and some action will be taken.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

VOICING DISAPPROVAL OF THE DISCRIMINATORY ACTION OF THE EXECUTIVE DEPARTMENT OF THE UNITED STATES IN JEOPARDIZING THE WELFARE AND RETARDING THE FURTHER PROGRESS OF DELAWARE VALLEY U. S. A.

Mr. STIEFEL offered the following resolution which was twice read and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate, March 11, 1957.

Whereas, The Executive Department of the United States has recommended an appropriation of $9 million to be expended by the Corps of Engineers in the fiscal year 1958 for the purpose of continuing the authorized improvement of the Delaware River Channel, Philadelphia, Pa., to Trenton, N. J.; and

Whereas, The Executive Department of the United States has imposed a maximum depth of 35 feet for the authorized improvement; and

Whereas, the Congressionally-authorized improvement calls for a depth of 40 feet; and

Whereas, the Philadelphia District Engineer of the United States Army, Corps of Engineers, has stated that the sum of $16,500,000 can be economically utilized in Fiscal 1958 on deepening the Delaware River Channel Philadelphia to Trenton; now therefore be it

Resolved (The House of Reprehentatives concurring) that the Senate and House of Representatives of the General Assembly of Pennsylvania, in behalf of the people of Pennsylvania, voice their disapproval of the discriminatory action of the Executive Department of the United States in jeopardizing the welfare and retarding the further progress of our Delaware Valley U.S.A. three state area and by refusing to recognize the urgent need for improvement of the Delaware River by providing in sufficient funds for the effective, timely continuation of the construction of this vital project, thereby causing a undue delay, measured in years, of the economic usefulness of the project; and be it further

Resolved, that the Senate and the House of Representatives of the General Assembly of Pennsylvania, on behalf of the people of Pennsylvania, voice its disapproval of the discriminatory action of The Executive Department of the United States which has altered the Congressionally-authorized 40-foot channel depth to an imposed figure of 35 feet; and be it further

Resolved, that the Senate and the House of Representatives of the General Assembly of Pennsylvania petition the Executive and Legislative branches of the United States Government through this resolution to amend an

approve legislation during the present session of the Congress of the United States that will make available in fiscal year 1958 the economic sum of $16,500,000 so that the justified and authorized improvement of the Delaware River can be continued at an effective rate in the interests of our national defense, industry, commerce, and the welfare of all the people of the Delaware Valley; and be it further

Resolved, that the Senate and the House of Representatives of the General Assembly of Pennsylvania petition the Excutive and Legislative branches of the United States Government through this resolution to strike out any reference to a 35-foot restricting depth when that figure is in conflict with the authorized 40-foot depth; and be it further

Resolved, that the President pro-tempore of the Senate of the General Assembly of Pennsylvania reconstitute three members of the Senate who together with three members of the House of Representatives, upon the concurrence of the House of Representatives, to be appointed by the Speaker of the House, shall serve as a Joint Committee to be known as the Delaware River Philadelphia-Trenton Deeper Channel Committee; and be it further

Resolved, that said committee shall cooperate with the Governor of the Commonwealth of Pennsylvania in such actions as may be desirable and necessary to achieve the required legislative action from the Congress of the United States to assure not only the construction of the Congressionally-authorized 40-foot channel but to assure also the earliest possible completion of this important project; and be it further

Resolved, that the Secretary of the Senate be directed upon the passage of the instant Resolution to forward copies thereof to His Excellency, the President of the United States; to the Vice President of the United States, in his capacity as presiding officer of the Senate of the United States; to the Speaker of the House of Representatives of the Congress of the United States; to the two United States Senators from Pennsylvania, the Honorable Edward Martin and Joseph S. Clark, Jr.; to each one of the Members of the Pennsylvania Delegation to the House of Representatives of the Congress of the United States; to the Director of the Bureau of the Budget; and to the Chief of Engineers, United State Corps of Engineers.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Messrs. WALKER and WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, March 11, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 18, 1957, at four o'clock, p.m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, March 18, 1957, at four-thirty o'clock, p.m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE LUZERNE COUNTY BOARD OF ASSISTANCE

February 5, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph M. Rava (Democrat), 104 Main Street, Duryea, Luzerne County, for appointment as a member of the Luzerne County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Dr. Maurice J. Regan, Kingston, resigned.

GEORGE M. LEADER.

MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward A. Skyanier (Democrat), 4840 Osage Avenue, Philadelphia 46, Philadelphia County, for appointment as a member of the Philadelphia County Board of Assistance, until December 31, 1959, and until his successor is duly apointed and qualified, vice Miss Marie DeBacker, Philadelphia, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE ERIE COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Erie County Board of Assistance:

Anthony L. Gambatese, Esq. (Democrat), 500 Masonic Building, Erie, Erie County, until December 31, 1959, and until his successor is duly appointed and qualified, vice Michael Ricci, Erie, whose term expired.

Francis A. Slattery (Democrat), 720 North Center Street, Corry, Erie County, until December 31, 1958, and until his successor is duly appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE CLARION COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary E. Kassel (Republican), 108 Merle Street, Clarion, Clarion County, for reappointment as a member of the Clarion County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE PERRY COUNTY BOARD OF ASSISTANCE

January 28, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate G. Ross Titzell (Democrat), R. D. Ickesburg, Perry County, for appointment as a member of the Perry County Board of Assistance, until December 31, 1958, and until his successor is duly appointed and qualified, vice Mrs. Laura H. Stees, Landisburg, resigned.

GEORGE M. LEADER.

MEMBERS OF THE SULLIVAN COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Sullivan County Board of Assistance:

Vell C. Holcombe (Republican), Dushore, Sullivan County, until December 31, 1959.

Robert H. Marquardt (Republican), Muncy Valley, Sullivan County, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE CENTRE COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George A. Johnson (Democrat), 314 North Second Street, Philipsburg, Centre County, for appointment as a member of the Centre County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice George R. Griest, Philipsburg, resigned.

GEORGE M. LEADER.

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

February 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Zick (Democrat), Saxton, Bedford County, for reappointment as a member of the Bedford County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BLAIR COUNTY BOARD OF ASSISTANCE

January 29, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel K. Williams (Democrat), Roaring Spring, Blair County, for appointment as a member of the Blair County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Rev. Marion E. Smith, Altoona, resigned.

GEORGE M. LEADER.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of County Boards of Assistance, to serve until December 31, 1959, and until their successors are duly appointed and qualified:

BRADFORD COUNTY

Miles Erle (Democrat), Milan, Bradford County.

Rev. Peter James Alisauskas (Non-Partisan), 106 Third Street, Towanda, Bradford County.

DAUPHIN COUNTY

Robert T. Crumling, Sr. (Democrat), 6 Jury Street, Highspire, Dauphin County.

MONTGOMERY COUNTY

Thomas P. McArthur, Jr. (Democrat), 3016 Stoney Creek Road, Penn Square Village, Norristown, Montgomery County.

Mrs. Agnes A. Fisher (Democrat), Morris Road, R. D. 1, Lansdale, Montgomery County.

PHILADELPHIA COUNTY

Lynwood F. Blount, Esq. (Democrat), 1325 North Sixtieth Street, Philadelphia, Philadelphia County.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities"

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 77

Mr. MAHANY. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 77.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 11, entitled:

An Act authorizing incorporated towns to regulate junk yards

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 60, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" providing for the issuance of special registration plates to operators of amateur radio stations holding technician licenses

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 70, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," prohibiting payments for certain types of transportation from school district funds procured by the assessment levy or collection of taxes.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, last line of Title, by striking out "procured by the assessment levy or collection of taxes"; Amend Sec. 2 (Sec. 517), page 3, line 16, by inserting after "funds": "State or local"; Amend Sec. 2 (Sec. 517), page 3, line 17, by inserting after "taxes": "or by State appropriation."

On the question,

Will the Senate agree to the amendments?

Mr. DENT. Mr. President, we agree to the amendments and then we ask that the bill go over as amended, without moving it up on the Calendar.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 70, Printer's No. 43, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 71, Printer's No. 39, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 86, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" authorizing unnaturalized foreign-born residents to own or possess dogs.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeable to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 98, entitled:

An Act amending the act of April 25, 1929 (P. L. 694) entitled "An Act providing for the payment monthly by the counties to the Department of Revenue of the expenses of keeping convicts in State penitentiaries" changing the counties which are responsible for the upkeep of convicts in State penitentiaries

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. MALLERY. Mr. President, I ask unanimous consent that Senate Bill No. 98, Printer's No. 54, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 115, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" establishing a monetary limit to the amount of funds in the Special Administration Fund and discontinuing authorization to erect buildings.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 116, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" providing for an open season for the hunting of male and female deer each year with bows and arrows.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,

Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 142, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route in Delaware County.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 172, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" providing for the erection of stop signs bearing the legend "Four Way Stop."

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 198, entitled:

An Act requiring all tunnels on the Pennsylvania Turnpike to be painted white or lined with a light colored material and be equipped with continuous lighting.

And said bill having been read at length the third time and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 199, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike between the Donegal and Bedford interchanges.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 202, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto, connecting the State highway system in Armstrong County with the State highway system in Clarion County.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 203, entitled:

An Act amending the act of June 21, 1939 (P. L. 565) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'The Pennsylvania Workmen's Compensation Act' as reenacted and amended * * *" providing for withdrawal of election and acceptance to be covered by act.

And said bill having been read at length the third time and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 207, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" exempting blind veterans from the payment of certain fees.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 216 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 222 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 234, entitled:

An Act to further amend section six of the act approved the third day of June one thousand eight hundred eighty-five (P. L. 62) entitled "An act to provide for the establishment and maintenance of a home for disabled and indigent soldiers and sailors of Pennsylvania" by extending its provisions to veterans of armed conflicts

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 260, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law" authorizing game to be hunted caught taken wounded or killed with auto-pistols.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. DENT. Mr. President, there seems to be some question as to the description of an auto-pistol and we, therefore, request that the bill go over in order until we have made a study of the type of weapon this may be.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 266, entitled:

An Act amending the act of May 21, 1956 (P. L. 1642), entitled "Commonwealth Mental Health Research Foundation Act" further defining the powers and jurisdiction of the Foundation.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1 (Section 2), page 2, line 8, by striking out the bracket before and after "exclusively"; Amend Section 1 (Section 7), page 2, lines 14 and 17, by striking out the bracket before "sole," and after "exclusive" and before "and" in line 14, and after "act" in line 17.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 277, entitled:

An Act authorizing and empowering the Delaware River Port Authority a body corporate and politic functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey and the express consent of the Congress of the United States to appoint policemen make rules and regulations for the prevention of disorder the preservation of safety and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate to prevent the evasion of the payment of tolls and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt o evade the payment of tolls

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitu ion, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 280, entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund.

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1, page 1, line 2 by inserting after "561)": "except the twelve million dollars ($12,000,000) appropriated to the Council of Civil Defense by the act of September 3, 1955 (Appropriation Acts, page 17, act No. 17-A.)"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 281 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 286, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route in Penndel Borough Bucks County.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

YEAS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered ,That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 287, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding a new route in Middletown and Bristol Townships, Bucks County.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

YEAS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 288, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" regulating issuance of special registration plates and fixing fees therefor in certain cases.

And said bill having been read at length the third time and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

YEAS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 305, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" regulating contract procedures and advertising for bids.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

YEAS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 306, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945" regulating contract procedures and advertising for bids.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

YEAS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 307, entitled:

An Act amending the act of May 4, 1927 (P .L. 519) entitled "The Borough Code" regulating contract procedure and advertising for bids.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Silvert,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Stevenson,	Whalley,
Flack,	McGinnis,	Seyler,	Wolfe,
Fleming,			Yosko,

YEAS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

SENATE BILL No. 98 CALLED UP

Mr. MALLERY. Mr. President, I call up, from Page 2 of today's Third Reading Calendar, Senate Bill No. 98, Printer's No. 54, which went over in its order on final passage.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 98, entitled:

An Act amending the act of April 25, 1929 (P. L. 694), entitled "An act providing for the payment monthly by the counties to the Department of Revenue of the expenses of keeping convicts in State penitentiaries" changing the counties which are responsible for the upkeep of convicts in State peni entiaries

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 15, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code" clarifying provisions relating to certain limitations of prosecutions.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend Section 1 (Section 1201), page 3, line 7, by inserting after "interchange": "or emergency exit"; Amend Section 1 (Section 1201), page 3, line 11, by inserting after "interchange": "or emergency exit."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 17, entitled:

An Act authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles authorizing the suspension of operators' licenses or permits of persons refusing to submit to a chemical test and making the results of the chemical tests admissible in evidence

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 84, on second reading, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the county commissioners to pay the expenses for certain courses of studies for public prosecutors.

be recommitted to the Committee on local Government.

Mr. EHRGOOD. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 130, Printer's No. 49, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 143, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945," requiring "Authorities" to submit annual reports to municipalities creating the "authorities" and to the Department of Internal Affairs.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. VAN SANT offered the following amendments:

Amend Section 1 (Sec. 8), page 3, line 6 to 10, inclusive, by striking out the following: "Every Authority shall have at least an annual examination of its books accounts and records by a certified public accountant A copy of such audit shall be delivered to the municipality or municipalities creating the Authority"; Amend Section 1 (Sec. 8), page 3, line 15, by inserting after the word "Affairs" the following: "every authority shall have its books accounts and records audited annually by a certified public accountant and a copy of his audit report shall be attached to and be made a part of the aforesaid annual report."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. VAN SANT. Mr. President, I ask unanimous consent that House Bill No. 143, Printer's No. 50, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" authorizing courts to revoke or suspend operating privileges in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 159 (Pink), on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS RE-REFERRED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 167, (Pink), on second reading, entitled:

An Act creating in Philadelphia a Court of Administrative Appeals and defining its powers and jurisdiction

be re-referred to the Committee on Judiciary General.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, I desire to address to the gentleman from Armstrong, Senator Pechan, an innocent inquiry.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. On an innocent inquiry, yes, Mr. President.

Mr. STIEFEL. Is the purpose of this referral for further study or is the bill to be pulverized, cremated and buried?

Mr. PECHAN. That we have never done on this side, Mr. President. We have never cremated nor pulverized a bill. The bill belongs in the Judiciary General Committee, we feel, because it is going to create some judgeships in Philadelphia County. We feel that the Committee on Judiciary General should make a thorough study, and that august body should give the benefit of their study to this Senate.

Mr. STIEFEL. Mr. President, I have no other alternative than to yield. However, I want to remark that this bill has been carefully scrutinized and studied by the

Committee on Local Government. That committee does not consist of slouchers; there are some luminaries there. If Senator Stevenson passed the bill, there is something to it. I do not see why there is a difference between the members of the Judiciary General Committee and the members of the Committee on Local Government. After all, the Chairman of the Committee on Local Government, a man renown for his fairness and thoroughness, looked into those bills. If the bill merits re-study, I have no objection. However, I had to get up and take up for the Committee on Local Government.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

Mr. PECHAN. Mr. President, I move that Senate Bill No. 168 (Pink), on second reading, entitled:

An Act changing the name of the Municipal Court of Philadelphia to the County Court of Philadelphia.

be re-referred to the Committee on Judiciary General.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, Senator Pechan, who is a man of few words, is extraordinarily cryptic today. He does not finish his sentences. Usually, he mollifies his statements by saying, "For further study." Even this statement is omitted, which is very ominous.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

Mr. PECHAN. Mr. President, I move that Senate Bill No. 183 (Pink), on second reading, entitled

An Act making an appropriation to the Department of Forests and Waters for the payment of expenses incurred in continuing the development of Independence Mall in Philadelphia.

be re-referred to the Committee on Appropriations.

Mr. Taylor. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DONOLOW. Mr. President, I have no objection to this bill going to the Committee on Appropriations, which is the committee I feel it should find itself in. However, I do hope that the Committee on Appropriations will make a sufficient appropriation so that this project can be completed. If we had followed the advice of Judge Lewis some years ago, we would have saved some $5,000,000 to date by completing this project.

Mr. President, I do hope that we get sufficient funds in order to finally complete this time undertaking.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 200 (Pink), on second reading go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 253, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" deleting the requirement that shareholders ge given sixty days notice of proposed amendments to increase authorized capital.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 273, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" increasing the aggregate amount of loans which the bank or bank and trust company may make upon the security of real property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 274, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" making further provision for receipts of deposits in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 287, entitled:

An Act abolishing the Pennsylvania Tunnel Commission assuming its obligations and appropriating money from the Motor License Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 291, entitled:

An Act designating the counties responsible for the upkeep of certain convicts in penal or correctional institutions

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HAYS offered the following amendments:

Amend Section 1, page 2, line 1, by striking out "that"; Amend Section 1, page 2, line 1, by striking out "subsequent"; Amend Section 1, page 2, line 3, by inserting after "tion"; "pursuant to such subsequent conviction or plea of guilty"; Amend Section 1, page 2, lines 3 to 6 by striking out "domiciled at" in line 3, and all of lines 4 to 6, and inserting: "originally convicted".

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 291 (Pink), on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 292 (Pink), on second reading, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Buliding and Loan Code" further defining and limiting the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders and employes establishing additional limitations of actions and imposing additional duties on the Department of Banking.

be placed on the Second Reading Postponed Calendar.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 293, on second reading, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" providing that each person elected to the office of councilman shall be elected as the director of a specified department of the city.

be recommitted to the Committee on Local Government.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 322, entitled:

An Act making certain bridges in the Commonwealth toll free providing for the payment of certain bond issues requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 478, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-five.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT. Mr. President, there are two sets of amendments here, but I am only going to present the one set which corrects an obvious error in the bill. The bill deals with the year 1955 instead of the year 1957 in making a deficiency appropriation to the Department of Public Assistance. However, the bill as it appears on the Calendar is $467,000 less than the amount required by the department to meet the Federal commitments and the needs of the Department for the end of the biennium. Inasmuch as the amendments were offered before and failed of passage, it would only be a waste of time, at this time, with the vote being what it is, to offer these amendments.

Neverthless, Mr. President, I can see another deficiency appropriation some time later on in the Session. I believe it would have been proper to have amended it at this time in order to give the proper amount. When you are dealing with $8,000,000, although $467,000 is a considerable sum of money, when you are dealing with an appropriation that is spending approximately $155,000,000 a biennium, you can easily see that such an amount would not carry the Department of Public Assistance too far.

I am sorry that the amendments were turned down when they were offered to the Majority side. However, at this time, on behalf of Senator Mahany and myself, I would like to present these clarifying amendments.

Messrs. DENT and MAHANY offered the following amendment:

Amend Section 1, page 2, line 12 by striking out "fifty-five" and inserting: "fifty-seven."

It was agreed to.

The section was agreed to as amended.

The second, third and fourth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. DENT and MAHANY offered the following amendment:

Amend the title, page 1, line 7 of the title, by striking out "fifty-five" and inserting: "fifty-seven."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. WHALLEY. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Highways, reported as committed, Senate Bill No. 315, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," changing or deleting a certain route and adding a certain new route.

He also, from the Committee on Finance, reported as committed, House Bill No. 330, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations jointstock associations copartnerships and persons.

He also, from the Committee on Finance, reported as committed, House Bill No. 331, entitled:

An Act reenacting and amending the act of December 27, 1951 (P. L. 1742) entitled, as amended "The Realty Transfer Tax Act," extending the provisions of the act for a further limited period of time.

He also, from the Committee on Finance, reported as committed, House Bill No. 332, entitled:

An Act amending the act of June 14, 1935 (P. L. 341) entitled, as amended "Cigarette Tax Act," extending the provisions imposing an additional tax for a further limited period of time.

He also, from the Committee on Finance, reported as amended, House Bill No. 333, entitled:

An Act reenacting and amending the act of August 24, 1951 (P. L. 1417) entitled as amended "Corporation Income Tax Law," imposing the tax permanently and amending the definition of net income.

He also, from the Committee on Finance, reported as amended, House Bill No. 334, entitled:

An Act reenacting and amending the act of May 16, 1935 (P. L. 208) entitled as amended "Corporate Net Income Tax Act," imposing the tax permanently and amending the definition of net income.

He also, from the Committee on Finance, reported as committed, House Bill No. 335, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled, as amended "The Liquid Fuels Tax Act," extending the provisions of one additional tax for a limited time.

He also, from the Committee on Finance, reported as committed, House Bill No. 336, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended "Fuel Use Tax Act," extending the provisions of one additional tax for a limited time.

He also, from the Committee on Finance, reported as amended, House Bill No. 337, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act," eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts changing and clarifying certain definitions; making further exemptions; changing the procedure for the collection of the tax and the administration of the act, and providing appeals.

BILL RE-REFERRED

Mr. WHALLEY, from the Committee on Finance returned to the Senate, House Bill No. 162, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs * * *," further defining the formula used to determine the amount of payments to be made to the political subdivisions.

Which was re-referred to the Committee on Highways.

BIRTHDAY FELICITATIONS EXTENDED TO SENATOR JOHN H. DENT AND HONORABLE CHARLES L. LATHERO

Mr. LANE. Mr. President, I have had an unusual responsibility bestowed upon me by quite a number of the Members of the Senate on the Democratic side.

Most of you know that we of the Senate of Pennsylvania have acquired great renown as to our generosity, as to our dignity and as to the decorum with which we conduct our affairs here on the floor of the Senate. It has been brought to my attention that we have in our midst a Member of this Senate and one of our official family, too, who is sitting up front, that we on the Democratic side—and I feel that the Republicans will agree—feel are pretty much a couple of cheapskates. I say that because it seems that last Saturday, Senator Dent and our good friend, Charlie Lathero, both had birthdays. You know, to the best of my knowledge and to the best of my memory, as long as I have been a Member of this Senate, I have never attended a birthday party that Charlie Lathero put on or Senator Dent put on, whereby they picked up the check.

Therefore, we on the Democratic side and I hope you on the Republican side will join with us when we say this; that if these two gentlemen want to stay in our good graces, we feel they should loosen up a little bit and not feel that they always should break even. I recall that around Christmas time, Senator Dent wants to figure out whether he will break even on his Christmas presents. I think Mr. Lathero is in the same boat.

We feel that it this time of the year, just because they had a birthday on Saturday, it does not mean that we are not in Session on Monday and are not still hungry. We feel that these two distinguished gentlemen should be gracious and generous enough to, at least, extend us the courtesy of inviting us to a birthday shindig. We do not mean that we want anything cheap either. We would like to have a nice fillet, with all the trimmings, down at the Penn-Harris. Of course, if you have anything which will help out as far as laughter is concerned, a little wine or something like that, I believe we will accept if you coax us a little bit. However, if you do not coax us and if you do not agree, as far as we are concerned, we feel that your tap is shut off.

Mr. MAHANY. Mr. President, on behalf of my Republican colleagues, I wish to congratulate both these gentlemen; my good friend, Senator Dent, the orator from Westmoreland, and that honored employee and great friend of all of us, Charles Lathero.

I want to also state to Senator Lane that he was lucky that he did not get invited to the birthday party that these gentlemen had. They had a little soiree last Saturday evening, to which I was invited, and I got into the spirit of the occasion to such an extent that I invited everybody present to be my guests at dinner on Sunday. Believe me, I would have been much better off moneywise to have been with Senator Lane on Saturday night and paid for my own dinner.

BILLS INTRODUCED AND REFERRED

Mr. WHALLEY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WHALLEY and MAHANY read in place and presented to the Chair Senate Bill No. 345, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing for the issuance of registration plates at such times as to permit their use for a three year period.

Which was committed to the Committee on Highways.

Mr. VAN SANT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VAN SANT read in place and preented to the Chair Senate Bill No. 346, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," extending a route in Lehigh County.

Which was committed to the Committee on Highways.

Mr. WADE. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WADE and BERGER read in place and presented to the Chair Senate Bill No. 347, entitled:

An Act amending the act of June 2, 1915 (P. L. 736), entitled, as amended, "The Pennsylvania Workmen's Compensation Act," exempting from the act employes and their employers of other states, when such employes temporarily or intermittently within this Commonwealth are covered by workmen's compensation insurance of other states, and extraterritorial provisions of this act are similarly recognized by other states.

Which was committed to the Committee on Labor and Industry.

Messrs. WADE and VAN SANT read in place and presented to the Chair Senate Bill No. 348, entitled:

An Act amending the act of May 11, 1949 (P. L. 1210), entitled "An Act relating to group life insurance . . ." further limiting policies of group life insurance that may be issued by life insurance companies doing business in the Commonwealth.

Which was committed to the Committee on Insurance.

Messrs. WADE and WATKINS read in place and presented to the Chair Senate Bill No. 349, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," further regulating the issuance of registration plates and requiring that they be reflectorized.

Which was committed to the Committee on Highways.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

JOINT COMMITTEE TO STUDY CONSTRUCTION PROJECTS AT STATE TEACHERS' COLLEGES AND RECOMMENDATIONS MADE BY OUT-OF-STATE CONSULTANTS

Mr. HARNEY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. HARNEY and MADIGAN offered the following resolution which was twice read and referred to the Committee on Education:

In the Senate, March 11, 1957.

Whereas, the General State Authority has adopted construction projects at several of the State Teachers Colleges of the Commonwealth, and

Whereas, the Department of Public Instruction has employed consultants from outside the Commonwealth to survey said State Teachers Colleges, and

Whereas, recommendations are being made to the Superintendent of Public Instruction which are impractical and impossible of accomplishment, and

Whereas, this has resulted in unnecessary delay in making critically needed repairs and expansions for a long period of time after money has been made available for this purpose, therefore be it

Resolved (if the House of Representatives concur), That a committee be appointed, three by the President pro tempore of the Senate and three by the Speaker of the House, to make a study of this matter and report to the Legislature not later than May 1, 1957, in order that this unfortunate situation may be corrected.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, what I am going to direct to this group today illustrates one cleavage of adversity. Sometimes in adversity there is a silver lining, and after suffering adversity, I am in a position to make a statement without any accusations whatever of being partial.

I want to state that during the Leader Administration I had one after another adverse decision by the Board of Pardons. Therefore, when I get up to say something about the Board of Pardons, I am not currying any favor because most all of my cases, except one, went down to defeat. Therefore, I am impartial. As a matter of fact maybe I should be called as an Exhibit No. 1, or 2 or 3 to show that this Board is impartial.

Anyway while people speak about rippers, it reminds me of the classic statement of John B. Kelley back in 1938, when the Supreme Court of Pennsylvania declared the ripper of the Municipal Court unconstitutional. Mr. Kelley then uttered that famous classical expression. He said, "They put the zippers in the rippers." Now when you hear people going around Pennsylvania talking about ripping the Board of Pardons, I may assure them that the people of Pennsylvania in due time will put the zippers in the rippers.

However, Mr. President, this is not what I am going to talk about. I am coming to the conclusion that there

is some remedial action needed concering the Board of Pardons. Time and again, I observe a young district attorney coming before the Board and having the audacity and arrogance to speak about a case which may have been tried fifteen or twenty years ago. These assistant district attorneys come to the prison or to the penitentiary like Caesar, "Veni, vidi, vici," "He came, he saw, he conquered." He pays a hurried visit and then he comes before the Pardons Board and either objects or favors, but anytime the statement is superficial. Sometimes a judge, who never tried the case, ventures to pass an opinion about the fate of a prisoner, although he does not know anything about the case.

I came to the conclusion, Mr. President, that in order to bolster the standing of the Board of Pardons, it is high time to create a special branch, to be known as a group of evaluators or a committee on evaluations which would make an independent study of a prisoner's record. When they would appear before the Board, there would be no need to depend upon the district attorney or the judge. Then we would know that whatever would be presented would not be slanted one way or the other way.

For this reason, Mr. President, I serve notice that tomorrow I am going to introduce a bill which will take care of this situation.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MAHANY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, we object to the following revenue bills being read for the first time: House Bill No. 330, House Bill No. 331, House Bill No. 332, House Bill No. 335, House Bill No. 336, House Bill No. 333, House Bill No. 334 and House Bill No. 337.

Mr. MAHANY. Mr. President, there is not very much we can do to prevent the objection being entered. However, I would point out to Senator Lane that this means that we will have to have a Session on Thursday. We had planned to go down to Philadelphia on Wednesday night to be the guests of Mayor Dilworth and others, and also take a little tour of the city to see what their needs are in Philadelphia on Thursday. This means that we will have to call off that particular party and be here in Session on Thursday if they insist. I cannot understand why they would insist on this, because it seems to me that between now and Wednesday they should be able to study these bills. If they have any amendments which they would like to introduce, they may do so tomorrow.

I hope they will reconsider their position because Mayor Dilworth and others in Philadelphia have gone to considerable effort and some planning in order to have us there Wednesday night and Thursday.

Mr. DENT. Mr. President, it is impossible for any of us to have any amendments ready by tomorrow or to make a final consideration on this package of bills by Wednesday or by Thursday, for that matter. I believe that in all honesty, waiting until next week for the final passage of the tax legislation is not going to delay this Session any longer than its final adjournment date.

Do we not find ourselves in this position? Major amendments are being made. The depth of these amendments cannot be measured from the reading across the desk nor can we wait until tomorrow morning, sometime, to get a copy of the amended bill and hope to have it in shape to offer amendments in the afternoon, unless a predetermination has been made that whatever suggestions we have to offer and whatever amendments we may suggest will be automatically defeated by the juggernaut of the votes on the other side. If that is the case, then, of course, there is no sense in holding up today, tomorrow, Wednesday or Thursday.

Mr. President, this is important legislation, dealing with the welfare and the lives of the people of Pennsylvania, yes, and the welfare and the future welfare of the industry of Pennsylvania and its businesses. Sometimes those of us who pose as friends today may end up being the enemies of tomorrow. Let us just see how big the grab is; let us just see what is happening here.

Are we further reducing to a lower minimum yet the numbers of peoples in this Commonwealth who will pay the taxes as the budget creeps higher and the expenditures go higher? Are we taking from those who have paid taxes for a period of twenty-five years or more and now suddenly, in a demand of increasing the expenditures, going to reduce taxes on some and add to others?

I cannot answer those questions tonight. It behooves every man in this Senate to answer them, at least, for himself if not for the people of the Commonwealth. I do not care whether we are here on Thursday, Friday, Saturday or Sunday. Certainly, we can wait an extra day for that important a matter.

We are not dealing with a small, insignificant piece of legislation that has no great portent on the welfare of this great Commonwealth. We are dealing with a group of tax measures that now may well measure $1,500,000,000. I have before me conflicting statements. I cannot analyze them that quickly, nor can any other student in this body analyze the amount of revenue that is expected from the new taxes as they have been amended in this committee. No committee member, outside of the chairman, has had a look at any of the committee amendments prior to the meeting which was held this afternoon during the Session of the Legislature. The most important and vital legislation that will come before this body during the entire Session was resolved in a matter of an impromptu meeting held during the Session.

There have been no meetings of the Finance Committee, as we were wont to do in years gone by, to hammer out and study between us the various problems and agreements or disagreements at which we may have arrived. This was put through today, and never have I seen steamroller tactics so well pictured as they are here this afternoon when they object to the bills being held over for one day.

I would interrogate every man on the other side and outside of perhaps one—and I do not go beyond that one—I can interrogate any one of you right at this moment and take these bills page by page, and verse by verse, and I would be willing to wager that you would not know any more about the legislation that we are pushing through at this time than any of us on this side.

You are dealing with the welfare of the Commonwealth, and an extra day or two is not going to hurt us. There have been no committee meetings, Mr. President. There have been no publications of any authenticity which would give us any of the recommendations that are embodied in these amendments. We want ot look them over. The only copy that I had a chance to see was in the hands of a newspaperman a few minutes ago, a man who represents one of the presses. He showed me the only copy of these amendments that I have had an opportunity to see. I sent Senator Weiner, a member of this committee, over and he now has a copy of the amendments which I hope to look at tonight. However, I understand that we have committeed ourselves to some kind of an open forum meeting tonight with the Chamber of Commerce, of which I am proud to say I am a member. Maybe I am a member who can criticize it once in awhile, but I am a member and I would like to attend that. I have visitors here from my home community and I would like to be with them. However, if you do not care to go, I can sit here with you until the end of the evening. We will not remove our objection for reading the bills. I am sorry if we cannot attend the affair in Philadelphia.

Mr. MAHANY. Mr. President, I did not think I would get Senator Dent into a long speech on the subject of taxation, but evidently that is what I did. If we would pass these bills on first reading today, they would be on second reading tomorrow and he would have sufficient time to look them over. If he had any objection, then we might hold the bills over until Wednesday.

I do not think there is any intention on the part of any of the Republican Senators to steamroller this tax program through. In days gone by in other sessions, we usually had meetings, such as was held by the Finance Committee today, and the bills were reported out and we gave them first reading when they were reported out.

Now if the Senator would have some objection tomorrow to any of them, why then he certainly is free to put forth that objection, and if all of us feel that we need more time for study, then we can put the bills over until Wednesday or for that matter run them over until next week. However, we would like to be in a position so that if the bills look all right tomorrow, we could roll them on Wednesday and not have to have a session on Thursday.

Mr. DENT. Mr. President, I do not know whether the Republican Majority Leader was informed the same as I was, but I was informed to have my forces here on Wednesday because the final vote was going to be taken. I believe if I understood the remarks of the gentleman when he stood up and said that any delay at this time would force a meeting on Thursday, there did not appear to be in that statement any kind of a suggestion that we would have an opportunity to study the bills after they have been printed. If it is the purpose of the statement just made—and I have always taken the word of the Republican Majority Leader—that if we allow the printing tonight by reading the first time, we have the right tomorrow, and that right will be recognized, to ask that the bills go over in order as printed tomorrow, then I would not hesitate a bit on that kind of an agreement to withdraw my objection to the reading for the first time. If the Senator will so state, I certainly will go along.

Mr. MAHANY. Mr. President, I think all of us would like to have the bills in print so that they may be available to us and our constituents and anyone else that is interested. Therefore, I will give that assurance to the Senator that if he will remove his objection and if he finds anything wrong with the bills tomorrow, we will allow them to go over in order.

Mr. LANE. Mr. President, on the basis of the statement made by the Majority Leader that if any Member of the Democratic Caucus has any question as to these bills he will agree that they be passed over in order, I will withdraw my objection; on that basis and that basis alone.

I want it understood that if any Member of this Caucus has any objection to any of those bills, they will be passed over in order.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 29, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of defaults or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 265, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts, page 110, Act No. 146-A), entitled "An act to provide for the ordinary expenses of the Department of Welfare for two years beginning June first, one thousand nine hundred fifty-five, and . . .," making certain appropriations for research and training applicable only to State-owned institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 267, entitled:

An Act amending the act of June 24, 1931 (P. L. 1205) entitled "The First Class Township Code," permitting township commissioners to hold their organization meeting the day after a holiday.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 315, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," changing or deleting a certain route and adding a certain new route.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 330, entitled.

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 331, entitled:

An Act reenacting and amending the act of December 27, 1951 (P. L. 1742) entitled, as amended "The Realty Transfer Tax Act," extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 332, entitled:

An Act amending the act of June 14, 1935 (P. L. 341) entitled, as amended "Cigarette Tax Act," extending the provisions imposing an additional tax for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 333, entitled:

An Act reenacting and amending the act of August 24, 1951 (P. L. 1417) entitled, as amended "Corporation Income Tax Law," imposing the tax permanently and amending the definition of net income.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 334, entitled:

An Act reenacting and amending the act of May 16, 1935 (P. L. 208) entitled, as amended "Corporate Net Income Tax Act," imposing the tax permanently and amending the definition of net income.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 335, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled, as amended "The Liquid Fuels Tax Act," extending the provisions of one additional tax for a limited time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 336, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965) entitled, as amended "Fuel Use Tax Act," extending the provisions of one additional tax for a limited time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 337, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled, as amended "Selective Sales and Use Tax Act," eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts changing and clarifying certain definitions; making further exemptions; changing the procedure for the collection of the tax and the administration of the act, and providing appeals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 443, entitled:

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Tuesday, March 12, 1957, at 4:00 o'clock, p.m., Eastern Standard Time.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:02 o'clock, p.m., Eastern Standard Time, until Tuesday, March 12, 1957, at 4:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, March 11, 1957.

The House met at 4:30 p. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Ernst N. Bauer, Pastor of the Zion Lutheran Church, Hollidaysburg, guest Chaplain and guest of the gentleman from Blair, Mr. Erb, offered the following prayer:

We thank Almighty God for the rich heritage of this good land, for the evidences of Thy favor in the past, and for the Hand that hath made and preserved us a nation.

We thank Thee for the men and women who by blood and sweet, by toil and tears, forged on the anvil of their own sacrifice all that we hold dear.

May we never lightly esteem what they obtained at great price.

Grateful for rights and privileges may we be conscious of duties and obligations.

So, O Gracious Father, we pray for the members of this body in their several responsibilities.

Help them in their offices, in committees, and above all as they meet here in legislative session.

May they never forget that what is said and done here is not done in a corner, but always under Thy all-seeing eye.

May they feel the weight of their responsibility before Thee, and remember the influence of good example, that all who come to this place may have a stronger faith in government of the people, by the people, and for the people.

Lord Jesus, make Thyself real to these men and women that each may feel Thee sitting beside them giving them counsel and wisdom.

May all that they say and do win Thy divine approval.

So help them, gracious God, for Jesus' sake. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journals for Monday, March 4, Tuesday, March 5 and Wednesday, March 6, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. RIGBY, JOHNSON and BOWER.
HOUSE BILL No. 720.

An Act prohibiting discrimination because of age in any union contract.

Referred to the Committee and Labor Relations.

By Messrs. RIGBY, JOHNSON and BOWER.
HOUSE BILL No. 721.

An Act authorizing any city borough town or township to establish a day recreation center for elderly people providing for State aid upon certain conditions and making an appropriation.

Referred to the Commottee on Labor Relations

By Messrs. JOHNSON, RIGBY and BOWER.
HOUSE BILL No. 722.

An Act prohibiting the involuntary retirement of employes of the Commonwealth or political subdivisions because of age.

Referred to the Committee on Labor Relations.

By Messrs. RIGBY, JOHNSON and BOWER.
HOUSE BILL No. 723.

An Act amending the "Housing Authorities Law," approved May 28, 1937 (P .L. 955), requiring housing authorities to set aside ten percent of each housing project for rental or lease to persons over sixty-five years of age at minimum rental.

Referred to the Committee on Labor Relations.

By Messrs. RIGBY, JOHNSON and BOWER.
House Bill No. 724.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the Labor Utilization Foundation within the Department of Labor and Industry, and providing for a director thereof.

Referred to the Committee on Labor Relations.

By Mrs. HENZEL and Mr. KELLER.
HOUSE BILL No. 725.

An Act amending the Public School Employe Retirement Law of July 18, 1917 (P. L. 1043), permitting employees to make an additional contribution to purchase credit for periods of approved leaves of absence and regulating the same.

Referred to the Committee on Education.

By Messrs. AUSTIN E. LEE, MULLEN, CARSON and Mrs. BEATRICE Z. MILLER. HOUSE BILL No. 726.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) providing for the use of one building as a polling place for more than one election district.

Referred to the Committee on Elections and Apportionment.

By Miss DUFFY, Messrs. AGNEW, HEAVEY and DUNN. HOUSE BILL No. 727.

An Act imposing liabilities on landlords for injuries to persons resulting from breach of covenant to repair.

Referred to the Committee on Judiciary Special.

By Mr. BRAND. HOUSE BILL No. 728.

An Act regulating the maintenance of junk automobile scrap yords; and prescribing penalties.

Referred to the Committee on Judiciary Special.

By Mr. JOHNSTON. HOUSE BILL No. 729.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), providing for a change of township name.

Referred to the Committee on Townships.

By Mr. AMARANDO. HOUSE BILL No. 730.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) providing for an annual registration fee for issuance of special registration plates to certain

persons and for issuance of special registration plates without payment of any additional fee to the Governor, cabinet members and members of the General Assembly.

Referred to the Committee on Motor Vehicles.

By Mr. AGNEW and Miss DUFFY.
HOUSE BILL No. 731.

An Act prescribing maximum hour standards and the rate of pay in excess thereof for employes engaged in manufacturing, fabricating or construction work, and imposing penalties on employers for violations.

Referred to the Committee on Labor Relations.

By Mrs. KERNAGHAN and Mr. DENGLER.
HOUSE BILL No. 732.

An Act amending "The Marriage Law" approved August 22, 1953 (P. L. 1344) authorizing notaries public in certain counties to examine applicants and complete applications for marriage licenses.

Referred to the Committee on Judiciary Special.

By Mr. WORLEY (By Request) and Mr. GEORGE (By Request) HOUSE BILL No. 733.

An Act amending "The Penal Code," approved June 24, 1939, (P. L. 872), prohibiting the coloration or adding of any ingredients to potatoes or yams.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. WOOD and JOHNSON.
HOUSE BILL No. 734.

A Supplement to the act of April 9, 1929 (P. L. 177), known as "The Administrative Code of 1929," regulating expenditures and commitments by administrative bodies, boards and commissions during a portion of each biennium.

Referred to the Committee on State Government.

By Mrs. MARKLEY and Mr. TOLL.
House Bill No. 735.

An Act amendng "The Admnstratve Code of 1929" approved Aprl 9, 1929 (P. L. 177), changing the provisions relating to sick leaves for certain state employes.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 147.

An Act amending the act of December 27, 1951 (P. L. 1742), entitled as amended "The Realty Transfer Tax Act," exempting from the tax the transfer of real property by certain holders in escrow.

Referred to the Committe on Ways and Means.

SENATE BILL No. 241.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," limiting reimbursement for depreciation to school districts which use their own vehicles in transporting pupils.

Referred to the Committee on Education.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. DUNN. RESOLUTION No. 45.

In the House of Representatives, March 6, 1957.

Strip mining operations have left many areas in the Commonwealth as eyesores and as areas stamped with the scars and symbols of the ugly and unfeeling side of modern civilization.

It is of importance that facts be presented to the General Assembly in order to show that the purposes of the strip mining laws in providing for the recovery of areas devastated by strip mining operations are being carried out; therefore be it

Resolved, That the Department of Mines and Mineral Industries is requested to submit to the House of Representatives within sixty days of the adoption of this resolution a report of all monies in the Bituminous Strip Mining Fund-in Lieu of Planting the estimated area of land strip mined and lying open and not recovered by the operators of strip mining operations in both the anthracite and bituminous open pit mining fields, the estimated acreage of such areas in and near cities, boroughs, and towns that could be recovered by replanting and reforestation in order to relieve the appearance of desolution and neglect, and an estimate of the cost to the Commonwealth in order to replant and reforest the entire acreage so laid waste as well as the estimated cost of the replanting and reforesting, the strip-mined and unrehabilitated areas near cities, boroughs, and towns.

Referred to the Committe on Rules.

By Messrs. BRENINGER, WILLAREDT, FETTEROLF AND MRS. HENZEL. RESOLUTION No. 46.

In the House of Representatives, March 6, 1957.

The Cheltenham Township Art Centre, through the initiative of its activities, has performed a noteworthy public service by generating and fostering in the community a true appreciation of the aesthetic beauty of art, drama and music.

The House of Representatives wishes to commend the Cheltenham Township Art Centre for its ideals and its determination to cultivate such an appreciation of the fine arts; therefore be it

Resolved, That the week of April 5, 1957 be proclaimed as Cheltenham Township Art Centre Week, and that the Governor of the Commonwealth of Pennsylvania is hereby requested to issue a proper proclomation to this effect.

Referred to the Committee on Rules.

By Messrs. STROUP, MOSCRIP, GIBSON and NAUGLE.
(Concurrent) RESOLUTION No. 47.

In the House of Representatives, March 6, 1957.

The Federal Highways Act of 1956 has stimulated the greatest road-building program in the history of the Commonwealth, by providing through additional taxation, large sums of money to be matched by State funds in the construction of highways.

This gigantic highway program in which Pennsylvania will participate as one of forty-eight states will be of immense importance to the future economic welfare of the Commonwealth, its political subdivisions and all citizens.

All areas of the Commonwealth are contributing to this program through new taxes and all vitally concerned with the fair and equitable distribution of Federal Highway Aid in Pennsylvania.

It is necessary to have definite and detailed information concerning the long-range objectives of the highway construction program in Pennsylvania in order for the General Assembly to meet its obligations and responsibilities with respect to pertinent legislation.

It is practically impossible for the General Assembly to appropriate funds or to cooperate with existing State agencies in the formulation of a long-range highway pro-

gram until it is fully acquainted with plans of the Department of Highways; therefore be it

Resolved (the Senate concurring), That the Chairman of the Committee on Highways of the House of Representatives appoint seven members of said committee and the Chairman of the Committee on Highways of the Senate appoint seven members of the said committee who, together shall constitute a joint committee to make a survey of the highway construction program proposed by the State Department of Highways as it relates to the Federal Highways Act of 1956, on a continuing basis and shall:

1. Prepare and compile, from the records of the State Department of Highways, a comprehensive list of highway construction projects under consideration in Pennsylvania, together with the scheduled times for completion of the various phases of this program.

2. Formulate a sound policy for the adoption of a well-integrated highway construction program, designed to serve most fully the long-range economic interests of the entire Commonwealth and all its political subdivisions.

3. Develop a construction and improvement schedule covering the period of years of the Federal aid program, to be revised and extended each biennium, which the Legislature can use as a basis for developing its decisions on appropriations.

4. Consult with the Secretary of the Department of Highways to secure his suggestions and any information which may be available concerning immediate construction projects and those planned on a long-range basis for the future.

5. Ascertain from all available surveys and data now existing or later presented, the economic effects of extensive relocations of major arteries of travel upon the communities and areas affected, and the Commonwealth as a whole; to the end that this highway program may be carried out in a way which will not endanger or disrupt the business life of existing facilities or communities.

6. Review the proposed expansion program with particular reference to those State highways designated by the Department of Highways which shall be included in the Federal Highway System and those which shall be included in the Primary Road Construction Program; and be it further

Resolved, That the said committee shall be authorized to use the facilities and personnel of the State Department of Highways and that the State Department of Highways shall lend its cooperation when requested to assist in the completion of the within study and in the preparation of reports; and be it further

Resolved, That the committee shall also be authorized to conduct hearings, if necessary, and to call upon such other departments of State government as is necessary to complete said study and that the departments called upon shall render such cooperation as is deemed necessary to assist in the successful completion of the herein project; and be it further

Resolved, That the committee make a report of its findings and recommendations to the General Assembly as soon as possible.

Referred to the Committee on Rules.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House, Mr. Chester H. Gross, a former Member and the father of a present Member, the gentleman from York, Mr. Gross.

The Chair also notes the presence in the Hall of the House of a formenr Member, Mr. Bart Richards, of Lawrence County, who served in this House in 1927.

CHAMBER OF COMMERCE EXECUTIVES WELCOMED

The SPEAKER. The Chair is happy to welcome to the Hall of the House today local Chamber of Commerce Executives and businessmen from all sections of Pennsylvania, who are here to attend the reception and dinner which the Pennsylvania State Chamber of Commerce and its local chamber members are tendering the General Assembly tonight.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence No. 224.

Amended House Bill returned for concurrence No. 76.

The SPEAKER. In accordance with the provision of the Act of 1929, (P. L. 177) as amended by the Act of 1945, (P. L. 1398) and 1951, (P. L. 491) the Speaker appoints as a member of the Pennsylvania Historical Commission Mr. Wood, vice Mr. Haudenshield.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House Mr. Clair H. Peifly who was a Member of this House during the 1953-1955 session.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 11, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 18, 1957, at four o'clock p.m. EST, and when the House of Representatives adjourns this week, it reconvene Monday, March 18, 1957, at four-thirty o'clock p. m. EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. P. G. Murray for Mr. ROYER because of illness.

Mrs. Beatrice Z. Miller for Mr. POMEROY because of an automobile accident.

Mr. Agnew for Mr. GIBB for today because of death in the family.

SENATE TO SUPPLY CERTIFIED COPY OF SENATE BILL No. 35

Mr. BLAIR. Mr. Speaker, I move that the Chief Clerk be directed to request the Senate to furnish for the Municipal Corporations Committee of the House of Repre-

sentatives a certified duplicate copy of Senate Bill No. 35, Printer's No. 30, entitled:

"'An Act amending the act of May 21, 1943 (P. L. 571) entitled, as amended, 'The Fourth to Eeighth Class County Assessment Law,' imposing certain temporary restrictions on the taxing authorities of political subdivision affected by the provisions of said act."

to be substituted for the lost original copy thereof, which was referred to the Committee on Municipal Corporations. of the House on February 20, 1957.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. BRUCKER from the Committee on Cities—Counties First—Second and Second Class A, reported as amended, House Bill No. 381, entitled:

An Act fixing fees to be received by the prothonotary in counties of the first class; and providing for the time of payment.

Mr. HARVEY P. MURRAY from the Committee on Highways, reported as amended, House Bill No. 579, entitled:

An Act requiring the Pennsylvania Turnpike Commission to change the names of certain interchanges on the Pennsylvania Turnpike.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 253, entitled:

An Act amending the act of June 24 1895 (P. L. 212) entitled "An act to establish an intermediate court of appeal regulating its constitution * * *" increasing the term of office of Superior Court judges to twenty-one years and limiting them to one term with certain exceptions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 315, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the borough of Kingston and Plains Township both situate in Luzerne County.

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 384, entitled:

An Act authorizing and directing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Chester River in Delaware County between Twenty-second Street and Upland Avenue in the Borough of Upland * * * and making an appropriation therefore.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 553, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Clarion River * * *.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING POSTPONED

Mr. JOHNSON. Mr. Speaker, I call up on page 6 of today's calendar, Bills on Second Reading Postponed, House Bill No. 204.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. Johnson.

The House resumed the consideration on second reading of House Bill No. 204, entitled:

An Act amending the "Public Utility Law" of May 28, 1937 (P. L. 1053), excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children to and from school sponsored extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle.

The first section was read.

On the question,

Will the House agree to the section?

Mr. O'BRIEN. Mr. Speaker, am I correct in considering that the bill now before the House is House Bill No. 204, Printer's No. 70?

The SPEAKER. The gentleman is correct.

MOTION TO RECOMMIT

Mr. O'BRIEN. Mr. Speaker, I notice that this is a bill amending the Public Utility Law and I note that the bill was reported from the Committee on Education, I therefore move that this bill be recommitted to the Committee on Public Utilities for study and consideration.

On the question,

Will the House agree to the motion?

Mr. STROUP. Mr. Speaker, the bill having been referred to the Education Committee, in my considered opinion, has been referred to the proper committee.

The intent of the bill and the provisions set forth therein are concerned almost entirely with the field of education. It moves into the field of public utilities merely because of a change or restriction in the definition between omnibus and a commercial motor vehicle.

The whole purpose of the bill and the effects of the bill pertain to the educational system in the Commonwealth of Pennsylvania, particularly to the third and fourth class school districts.

For that reason, Mr. Speaker, I call upon the Members of this House to vote against the motion made by the gentleman from Philadelphia to recommit this bill to the Committee on Public Utilities.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. O'Brien and Taylor and were as follows:

YEAS—56

Amarando,	Duffy,	Krakow,	Phillips,
Anderson, M. S.,	Eilberg,	Leonard,	Polaski,
Anderson, S. A.,	Farabaugh,	Lovett,	Scarcelli,
Andrews,	Fflo,	Maxwell,	Schwartz,
Boles,	Fineman,	McGee,	Sherman,
Boory,	Flynn,	McKeever,	Shields,
Breth,	Frascella,	Mills,	Silverman,
Bucchin,	Gelfand,	Muldowney,	Taylor,
Carson,	Hamilton,	Mullen,	Toll,
Cianfrani,	Heavey,	Munley,	Verona,
Comer,	Holt,	Musto,	Walsh,
Dalrymple,	Jim,	O'Brien,	Wargo,
Devlin,	Jones, G. E.	Pashley,	Welsh,
Dougherty,	Kamyk,	Petrosky,	Williams,

NAYS—138

Adams,	Fox,	Lippincott,	Seltzer,
Agnew,	Gailey,	Lopresti,	Smith,
Ashton,	Garlock,	Lutty,	Snare,
Auker,	George,	Magee,	Snider,
Barton,	Gibson,	Mahan,	Spray,
Bell,	Goldstein,	Markley,	Steckel,
Blair,	Goodling,	Marsh,	Stevens,
Bower,	Goodrich,	McCann,	Stimmel,
Bowman,	Gramlich,	McInroy,	Stone,
Brand,	Gross,	Merry,	Stoner,
Breisch,	Guthrie,	Metz,	Strausser,
Brennan,	Haudenshield,	Mikula,	Stroup,
Brenninger,	Heffner,	Miller, B. Z.,	Stuart,
Breon,	Henzel,	Miller, H. G.,	Thompson,
Brown,	Hocker,	Moody,	Tompkins,
Brucker,	Horst,	Moscrip,	Trusio,
Buchanan,	Ide,	Moyer,	Ujobai,
Cleveland,	Isaacs,	Murphy,	Varner,
Cooper,	Jenkins,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Wall,
Curwood,	Johnston,	Naugle,	Weidner,
Davis,	Jones, T. H.,	O'Dell,	Wescott,
DeLong,	Jump,	Ogilvie,	Wheeler,
Dengler,	Kehler,	Parry,	Whittaker,
Dennison,	Keller,	Piper,	Willard,
Dietterick,	Kernaghan,	Post,	Willaredt,
Donahue,	Knecht,	Price,	Wilt,
Down,	Kooker,	Pursley,	Wood,
Dunn,	Kornick,	Ragot,	Worley,
Edwards,	Korns,	Readinger,	Wyatt,
Erb,	Lafore,	Renwick,	Wynd,
Eshleman,	Lee, A. M.,	Rigby,	Yatron,
Ewing,	Lee, K. B.,	Rovansek,	Zimmerman,
Fetterolf,	Light,	Rudisill,	Helm,
Foster,			Speaker

NOT VOTING—15

Capano,	Gibb,	Mihm,	Reidenbach,
Cioffi,	Limper,	Miller, W. H.,	Royer,
Donaldson,	McCormack,	Monroe,	Schuster,
Floyd,	McLaughlin,	Pomeroy,	Varallo,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. GOODRICH offered the following amendments:

Amend Sec. 1 (Sec. 2), page 5, line 10, by inserting brackets before and after "between their homes and school" and inserting immediately thereafter: for school purposes.

Amend Sec. 1 (Sec. 2), page 7, line 13, by inserting brackets before and after "between their homes and school" and inserting immediately thereafter: for school purposes.

On the question,

Will the House agree to the amendments?

Mr. STROUP. Mr. Speaker, I rise to make a brief statement of explanation in behalf of the amendments offered by the gentleman from Potter, Mr. Goodrich.

The purpose of the amendment to line 10 on page 5 is to bring that particular line in conformity with the phraseology contained in lines 5 and 6. Lines 5 and 6 pertain to district-owned buses. Line 10 pertains to school contract buses. This is purely a technical amendment so that we have identical language.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 18, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 24, entitled:

An Act for the establishment of uniform standards of time throughout the Commonwealth and repealing certain laws inconsistent therewith.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STIMMEL. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 97, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), permitting certain county offices to be closed on Saturday.

The first section was read and agreed to.

Mr. VAUGHAN offered the following amendment:

Amend Bill, page 2, by inserting after line 9 Section 2. This act shall take effect immediately.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 98, entitled:

An Act amending the "Second Class County Code" approved July 28 1953 (P. L. 723) permitting the prothonotary to appoint a solicitor and prescribing a means for paying the cost of prothonotary's litigation.

The first section was read and agreed to.

Mr. VAUGHAN offered the following amendment:

Amend Bill, page 2, by inserting after line 16, Section 2. This act shall take effect immediately.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 205, entitled:

An Act repealing section 502.1 act of May 1 1929 (P. L. 905) removing limitations upon the operation of commercial motor vehicles for carriage of passengers.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 259, entitled:

A Supplement to the act of June 12 1931 (P. L. 588) entitled "An act authorizing the Department of Property and Supplies to acquire lands in Harris Township, Centre County for the use of the Department of Military Affairs * * *" transferring the control supervision and management of the lands to the Penna Historical and Museum Commission requiring the commission to complete the "Twenty-eighth Division Shrine" thereon * * *.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 266, entitled:

An Act amending "The Third Class City Code" approved June 23 1931 (P. L. 932) permitting city council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 269, entitled:

An Act amending "The Second Class Township Code" approved May 1 1933 (U. L. 103) further providing for the employment of a certified public accountant and the duties of the township auditors.

The first section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. McCANN offered the following amendments:

Amend the title, page 1, line 4 of the title, by striking out "and"

Amend the title, page 1, line 5 of the title by inserting after "auditors" and further regulating appropriations.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 282, entitled:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

And said bill having been read at length the second and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 326, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendment:

Amend Section 1 (Section 4308), page 2, line 14, by inserting after "time" excluding therefrom any period of time during which the member was not employed by the police force.

On the question,

Will the House agree to the amendment?

Mr. JOHNSON. Mr. Speaker, I believe the gentleman from Berks, Mr. Readinger, should make a short explanation of these amendments.

Mr. READINGER. Mr. Speaker, this bill, to which the amendments have been offered, would permit officers of police forces of third class cities to obtain from the fund money which they have contributed if they leave the service of the third class city police force prior to becoming eligible for retirement.

This bill also permits such an individual who has served for some period of time and then decides to take up another occupation to come back into the fund after a period of time by putting back into the fund the money he had withdrawn previously.

These amendments simply spell out the fact that that person does not get credit concerning his eligibility to retire at a later date for the years during which he has not been a member of the police force.

For example, a man might be on the police force for eight years, then take another job, a private job. He might be away for six years and then decide to become a policeman again with the same police force. In some cities you can retire after 20 years of service; in others, 25 years of service.

These amendments simply spell out the fact that during the six-year period the man was not working for the police force, and in that event he would not get credit against those 20 years or those 25 years.

In other words, if he works for the police force for 20 years or 25 years, whether it is continuous or broken,

he would still be entitled to return and come back in the pension fund.

Mr. BOWMAN. Mr. Speaker, from what Mr. Readinger has stated, I am in sympathy with the objects to be obtained by this amendment. However, I have not had an opportunity to review it from a technical point of view.

If this is permissive, may I ask that this be deferred for a few moments?

BILL LAID ON TABLE

Mr. READINGER. Mr. Speaker, I think the gentleman is entitled to more than to study these amendments, and I move that the bill together with the amendments be laid on the table.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 369, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing for the creation of capital reserve funds for capital expenditures.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 370, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) providing for the creation of capital reserve funds for capital expenditures.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 371, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) providing for the creation of capital reserve funds for capital expenditures.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 444, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing council to provide for the closing of city offices on Saturday.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 521, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) further regulating ordinances opening changing or vacating roads and highways.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 564, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) providing penalties for violation of rules governing State Parks State Forest Picnic Areas State Forest Monuments and State Historical Parks.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 566, entitled:

Ann Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Forests and Waters to grant rights of way over State park lands.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 29, entitled:

An Act ameding the act of May 9, 1949 (P. L. 908) entitled * * * authorizing county controllers to destroy or dispose of certain records and papers.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LOPRESTI offered the following amendment:

Amend Sec. 1 (Sec. 6.1), page 3, line 1, by inserting after "may" "with the approval of the court of common pleas."

It was agreed to.

The Section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended * * * providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard.

The first section was read.

On the question,

Will the House agree to the section?

Mr. WHEELER offered the following amendment:

Amend Section 1 (Section 702.1), page 3, line 13, by striking out "Ten" and inserting "thirty."

It was agreed to.

The Section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 100, Printer's No. 17

was passed over at the request of Mr. LOPRESTI.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 122, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" permitting borough council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 161, Printer's No. 64

was passed over at the request of the SPEAKER.

BILL ON SECOND READING POSTPONED

Mr. STRAUSSER. Mr. Speaker, I call up on page 6 of today's calendar, Bills on Second Reading Postponed, House Bill No. 317.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. Strausser.

The House resumed the consideration on second reading of House Bill No. 317, entitled:

An Act amending the act of May 1, 1913 (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" further regulating the letting of such contracts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 10, Printer's No. 96,

House Bill No. 165, Printer's No. 89 and

House Bill No. 268, Printer's No. 75

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 293, entitled as follows:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to Reference and Arbitration" increasing the amount in controversy which may be referred to arbitration.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Farabaugh,	Light,	Rovansek,
Agnew,	Fetterolf,	Lippincott,	Rudisill,
Amarando,	Filo,	Lopresti,	Scarcelli,
Anderson, M. S.,	Fineman,	Lovett,	Schwartz,
Anderson, S. A.,	Flynn,	Lutty,	Seltzer,
Andrews,	Foster,	Magee,	Sherman,
Ashton,	Fox,	Mahan,	Shields,
Auker,	Frascella,	Markley,	Silverman,
Barton,	Gailey,	Marsh,	Smith,
Bell,	Garlock,	Maxwell,	Snare,
Blair,	Gelfand,	McCann,	Snider,
Boles,	George,	McCormack,	Spray,
Boory,	Gibson,	McGee,	Steckel,
Bower,	Goldstein,	McInroy,	Stevens,
Brand,	Goodling,	McKeever,	Stimmel,
Breisch,	Goodrich,	Merry,	Stone,
Brennan,	Gramlich,	Metz,	Stoner,
Brenninger,	Gross,	Mikula,	Strausser,
Breon,	Guthrie,	Miller, B. Z.,	Stuart,
Breth,	Hamilton,	Miller, H. G.,	Taylor,
Brown,	Haudenshield,	Mills,	Thompson,
Brucker,	Heavey,	Moscrip,	Toll,
Bucchin,	Heffner,	Moyer,	Tompkins,
Buchanan,	Henzel,	Muldowney,	Trusio,
Capano,	Hocker,	Mullen,	Ujobai,
Carson,	Holt,	Munley,	Varallo,
Cianfrani,	Horst,	Murphy,	Varner,
Cleveland,	Ide,	Murray, H. P.,	Vaughan,
Comer,	Isaacs,	Murray, P. G.,	Verona,
Cooper,	Jenkins,	Musto,	Wall,
Cummins,	Jim,	Naugle,	Walsh,
Curwood,	Johnson,	O'Brien,	Wargo,
Dalrymple,	Johnston,	O'Dell,	Weidner,
Davis,	Jones, G. E.	Ogilvie,	Welsh,
DeLong,	Jones, T. H.,	Parry,	Wescott,
Dengler,	Jump,	Pashley,	Wheeler,
Dennison,	Kamyk,	Petrosky,	Whittaker,
Devlin,	Kehler,	Phillips,	Willard,
Dietterick,	Keller,	Piper,	Willaredt,
Donahue,	Kernaghan,	Polaski,	Williams,
Dougherty,	Knecht,	Post,	Wilt,
Down,	Kooker,	Price,	Wood,
Dunn,	Kornick,	Pursley,	Worley,
Edwards,	Korns,	Ragot,	Wyatt,
Eilberg,	Krakow,	Readinger,	Wynd,
Erb,	Lafore,	Reidenbach,	Yatron,
Eshleman,	Lee, A. M.,	Renwick,	Zimmerman,
Ewing,	Leonard,	Rigby,	Helm, Speaker

NAYS—5

Bowman,	Lee, K. B.,	Moody,	Stroup,
Duffy,			

NOT VOTING—12

Cioffi,	Gibb,	Mihm,	Pomeroy,
Donaldson,	Limper,	Miller, W. H.,	Royer,
Floyd,	McLaughlin,	Monroe,	Schuster,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 301, Printer's No. 76

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 453, entitled as follows:

An Act transferring money from the Banking Departmen Fund to the General Fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adams,	Farabaugh,	Light,	Rovansek,
Agnew,	Fetterolf,	Lippincott,	Rudisill,
Amarando,	Filo,	Lopresti,	Scarcelli,
Anderson, M. S.,	Fineman,	Lovett,	Schwartz,
Anderson, S. A.,	Flynn,	Lutty,	Seltzer,
Andrews,	Foster,	Magee,	Sherman,
Ashton,	Fox,	Mahan,	Shields,
Auker,	Frascella,	Markley,	Silverman,
Barton,	Gailey,	Marsh,	Smith,
Bell,	Garlock,	Maxwell,	Snare,
Blair,	Gelfand,	McCann,	Snider,
Boies,	George,	McCormack,	Spray,
Boory,	Gibson,	McGee,	Steckel,
Bower,	Goldstein,	McInroy,	Stevens,
Bowman,	Goodling,	McKeever,	Stimmel,
Brand,	Goodrich,	Merry,	Stone,
Breisch,	Gramlich,	Metz,	Stoner,
Brennan,	Gross,	Mikula,	Strausser,
Brenninger,	Guthrie,	Miller, B. Z.,	Stroup,
Breon,	Hamilton,	Miller, H. G.,	Stuart,
Breth,	Haudenshield,	Mills,	Taylor,
Brown,	Heavey,	Moody,	Thompson,
Brucker,	Heffner,	Moscrip,	Toll,
Bucchin,	Henzel,	Moyer,	Tompkins,
Buchanan,	Hocker,	Muldowney,	Trusio,
Capano,	Holt,	Mullen,	Ujobai,
Carson,	Horst,	Munley,	Varallo,
Cianfrani,	Ide,	Murphy,	Varner,
Cleveland,	Isaacs,	Murray, H. P.,	Vaughan,
Comer,	Jenkins,	Murray, P. G.,	Verona,
Cooper,	Jim,	Musto,	Wall,
Cummins,	Johnson,	Naugle,	Walsh,
Curwood,	Johnston,	O'Brien,	Wargo,
Dalrymple,	Jones, G. E.	O'Dell,	Weidner,
Davis,	Jones, T. H.,	Ogilvie,	Welsh,
DeLong,	Jump,	Parry,	Wescott,
Dengler,	Kamyk,	Pashley,	Wheeler,
Dennison,	Kehler,	Petrosky,	Whittaker,
Devlin,	Keller,	Phillips,	Willard,
Dietterick,	Kernaghan,	Piper,	Willaredt,
Donahue,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm,
Ewing,			Speaker

NAYS—0

NOT VOTING—12

Cioffi,	Gibb,	Mihm,	Pomeroy,
Donaldson,	Limper,	Miller, W. H.,	Royer,
Floyd,	McLaughlin,	Monroe,	Schuster,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 479, entitled as follows:

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1, page 1, line 1, by striking out "one" and inserting "six."

Amend Section 1, page 1, line 2, by striking out "($1,100,000)" and inserting "($1,600,000)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Lancaster, Mr. Wood.

The SPEAKER. Will the gentleman from Lancaster, Mr. Wood, permit himself to be interrogated?

Mr. WOOD. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether the Appropriations Committee of the House did not reduce this bill from $1.6 million to $1.1 million before reporting it out?

Mr. WOOD. That is correct, Mr. Speaker.

Mr. READINGER. Mr. Speaker, may I ask the gentleman whether he believes that amount will be sufficient for the balance of the biennium for the purpose for which the appropriation is intended?

Mr. WOOD. I do, Mr. Speaker. Taking their own figures, that is what we figured out it would come to.

Mr. READINGER. May I ask whose figures?

Mr. WOOD. The Department's own figures.

Mr. READINGER. The Department of Labor and Industry?

Mr. WOOD. That is correct.

Mr. READINGER. Mr. Speaker, may I ask the gentleman whether he is going to support the amendments I have just offered?

Mr. WOOD. I am not, no.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, I was not being facetious in asking the gentleman that last question, but I have a rather lengthy letter from the Acting Secretary of the Department of Labor and Industry bearing on this amendment, which I must read in view of the gentleman's declination of support.

This letter was written under date of March 6th by Milton Weisberg, the Acting Secretary of Labor and Industry, to me as Minority Leader. It reads as follows:

> "The request of the Department of Labor and Industry for $1,600,000 deficiency appropriation for Occupational Disease claims has the effect of being mandated monies provided for in the amendments passed by the Occupational Disease Bill in the last session of the Legislature.
>
> "When the budget figures for the current biennium were arrived at, it was almost impossible to determine, in advance, the amount of money which would be needed for these claims, since there was no accurate barometer for determining how many cases there would be. At the present time there are 3,131 cases actively on the rolls and 300 cases which have not been processed to total completion.
>
> "These occupational disease claims are claims

of individuals who are totally disabled as a result of silicosis and other occupational diseases. As a result of the passage of the amended legislation in the last session of the Legislature, the Legislature undertook this obligation to these people. The following is the information regarding the present status of the Occupational Disease Fund:

"Appropriation 1955-57 $7,000,000.

"Deficiency Appropriation 1955-57 $1,600,000.

"Total Funds to be Available $8,600,000."

Expenditures from June 1, 1955, until February 28th of this year, $6,628,940;

Biweekly payments for the week of March 19, 1957—I presume he means up to March 19th of this year—$163,717;

Biweekly payments from April 2, 1957, to May 28, 1957, five payments at $178,017 each, a total of $893,585;

Initial and biweekly payments for 543 cases awarded and 160 cases awarded and in the legal department, 703 cases at $1,300, a total of $913,900; totalling, $8,600,142.

"The amendment which is presented, to restore $500,000 to this appropriation, will mean that the deficiency appropriation will amount to $1,600,000. There is absolutely no possibility, on the basis of the Department of Labor and Industry's estimates, that $1,100,000 will be sufficient to complete the biennium on May 31, 1957.

"What we have involved in this deficiency appropriation is the promise of the Legislature that silicosis and other occupational diseases will be taken care of. If this appropriation is cut to $1,100,000, the claimants can conceivably have a long period of waiting for their compensation to be paid and, because these are 100 per cent disability cases, we may be depriving them of the very basic needs for existence."

Mr. Speaker, I do not know when the figures were compiled upon which Mr. Wood is relying in saying that the Department's own figures indicate a need for only $1.1 million, but obviously the Secretary of the Department is not going to send a letter of this kind asking that the deficiency be fixed at $1.6 million if he does not have very good reason to believe he will need it, or the Department will need it.

I am pleading with you today to pass these amendments so that we do not run into a situation in Pennsylvania where some of these people whom the Department says are already entitled to money, or the cases are being processed, will be deprived of the money. I know that you do not want that, either.

Obviously, if the total amount is not necessary, or part of it is not necessary, it will not be spent. This money is only paid out to cases which have been properly adjudicated or processed, so we are not losing any money, we cannot possibly lose any money, by passing this amendment today raising the amount to what the Department says it needs.

On the other hand, if we defeat the amendment, some people may go to bed hungry, and we do not want that to happen.

Mr. WOOD. Mr. Speaker, the Department is asking for a deficiency of $1,600,000, but we believe, on the basis of the Department's own figures, that $1,100,000 in additional funds will be sufficient.

Here is the reason why: first, the Department had at the end of February a balance of $371,060 from the original appropriation, which added to the deficiency appropriation of $1,100,000, would come to $1,471,000 for a total of two and one-half months. There are only two and one-half months left to pay these claims.

The Department says it will pay $1,057,302 to present and additional claimants added to its roll from now until the end of the biennium, May 31st. This will leave a balance of $414,000 to pay what is called initial claims during the next ten weeks.

The Department informed the Appropriations Committee that initial claims averaged between $600 and $800 each, and information supplied for the next biennium shows that these claims are expected to amount to no more than $95,000 in June and $100,000 a month until next December. This means that the cost of initial claims for two and one-half months will be $235,000.

In addition to this, the Department informed the Committee it has 150 cases pending since last December and has estimated the initial cost of these claims, with back payments at $1300, will amount to $195,000. Together these amounts would be $430,000. However, not all of these claims can possibly be processed in the remaining time, nor will the maximum amount of initial claims be paid in every case.

In view of these facts and the further fact that the Department, starting March 13, plans tighter screening of applications so that 98 percent of the approved claims will no longer fall entirely on the Commonwealth $1,100,000 is entirely ample. Especially is this true when we are providing the department with the same amount of money for three months as were paid in 24 months only two years ago.

For these reasons I ask the Members to vote these amendments down.

Mr. READINGER. Mr. Speaker, I presume I am as completely confused as the rest of the Members. I tried to follow the figures given by the gentleman from Lancaster, yet I cannot possibly reconcile them with the one statement which I have read from this letter which probably no one heard.

I will read it again.

"Initial and biweekly payments for 543 cases awarded and 160 cases awarded and in the legal department."

I have no break down on how many are in the legal department and how many of those are awarded, but the total of them is 703 cases at $1300. I believe the gentleman from Lancaster, Mr. Wood, used that figure of $1300 also in connection with a smaller number of cases, but the total of those items is $913,900.

These figures are right up to March 6, 1957. I do not know to what date Mr. Wood's figures are computed but I am of the opinion that we should take the latest set of figures given by the Department as the basis upon which we decide whether we should give them this deficiency appropriation now or not. Frankly, if these amendments are voted down and some people are not paid during this biennium for cases which have been adjudicated, and to which moneys they are entitled, I know where to place the blame and I know they will know where to put the blame also.

On the question recurring,

Will the House agree to the amendments?

A division was called for, eighty-one Members having voted in the affirmative and one hundred and fifteen in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. LOVETT. Mr. Speaker, I do not rise to oppose this bill, but I would like to ask the Majority Leader a few questions which possibly pertain to this bill.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman if he knows whether the State Workmen's Insurance Fund in Pennsylvania makes a profit?

Mr. JOHNSON. Mr. Speaker, I believe the theory back of the State Workmen's Insurance Fund is that they will just charge enough premiums on the policies each year to break even on workmen's compensation.

The reason we have the fund is so it will be sort of a measure to determine what fair and reasonable workmen's compensation rates should be charged by other insurance companies doing the same business. So, technically, they do not and should not make a profit.

Mr. LOVETT. Mr. Speaker, may I further ask the gentleman, in case there is a dividend declared whether it goes back to the policyholders? Is that correct?

Mr. JOHNSON. I would say that is correct. In that respect it is a mutual fund insurance company, although it is controlled by our Commonwealth.

Mr. LOVETT. Mr. Speaker, I thank the gentleman.

Mr. Speaker, while the gentleman's statement is true in regard to our State Workmen's Insurance Fund, I feel, since we have the burden of carrying this enormous debt in regard to disease which we cannot put under workmen's compensation, that we should have some changes in our Workmen's Compensation Act whereby we could derive a profit and possibly the state could take care of some of the responsibilities we now have under acts like this.

Mr. O'BRIEN. Mr. Speaker, I move that this House reconsider the vote by which the amendments offered by the gentleman from Berks, Mr. Readinger, were defeated.

Mr. JOHNSON. Mr. Speaker, I believe the motion is out of order, the gentleman not having voted on the prevailing side.

As I understand the Rule, in order to make a motion to reconsider, you must have voted on the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia, Mr. O'Brien, vote?

Mr. O'BRIEN. I voted in the majority.

The SPEAKER. The Chair has been informed that the gentleman voted for the amendments.

Mr. O'BRIEN. In what way can you prove it, Mr. Speaker?

The SPEAKER. The Chair observed the gentleman standing when the vote was taken on the amendments.

Mr. O'BRIEN. Mr. Speaker, there was no record of the vote, was there?

The SPEAKER. There was not a record vote. It was a division. How did the gentleman vote?

Mr. O'BRIEN. I voted in the majority.

The SPEAKER. Will the gentleman state he had voted in the affirmative on the amendments?

Mr. O'BRIEN. I stood up and then sat down.

The SPEAKER. Will the gentleman state whether he voted in the affirmative or in the negative on the question on the amendments?

Mr. O'BRIEN. I voted in the majority on the final vote.

The SPEAKER. Does the gentleman state he voted in the negative on the vote on the amendments?

Mr. O'BRIEN. Yes, sir.

The SPEAKER. The Chair thanks the gentleman.

The SPEAKER. The gentleman states he voted with the prevailing side on the question of adopting the amendments. Is the request for a reconsideration seconded?

Miss DUFFY. Mr. Speaker, I second the motion.

The SPEAKER. How did the lady from Philadelphia, Miss Duffy vote?

Miss DUFFY. Mr. Speaker, I am afraid I did not vote with the prevailing side.

The SPEAKER. The lady states she did not vote with the prevailing side.

POINT OF ORDER

Mr. McCORMACK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Mr. Speaker, under Rule 50 of the House entitled, "Reconsideration," I quote:

> "A motion to reconsider shall be made by two Members who voted on the prevailing side on the original question, or in case of voice vote by any Member."

Would you interpret that, Mr. Speaker, in support—

The SPEAKER. The vote on the amendments was no a voice vote, but a division, a rising vote.

Mr. McCORMACK. It was first a voice vote, was i not, Mr. Speaker?

The SPEAKER. A division was called for and that vot was taken.

Is the motion seconded? The Chair hears no second.

Mr. TAYLOR. Yes, Mr. Speaker. I second the motion.

The SPEAKER. How did the gentleman vote?

Mr. TAYLOR. With the prevailing side.

The SPEAKER. Will the gentleman state he voted i the negative? Will the gentleman take the microphon and inform the House how he voted?

Mr. TAYLOR. I voted on the "no" side.

The SPEAKER. The gentleman states that he vote "no" on the question of the amendments?

Mr. TAYLOR. That is right.

Mr. JOHNSON. I would like to interrogate the gentl man.

The SPEAKER. Will the gentleman from Philadelphi Mr. Taylor, permit himself to be interrogated?

Mr. TAYLOR. I shall, Mr. Speaker.

Mr. JOHNSON. Mr. Speaker, would the gentleman s he was one of the lone persons on that side voting "n on those amendments?

Mr. TAYLOR. Yes.

Mr. JOHNSON. Are there some gentlemen around hi

who will vouch for the fact that the gentleman stood up and voted "no."

Mr. TAYLOR. Well, I suppose they would if some of them noticed it.

The SPEAKER. The gentleman states he voted "no."

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. O'BRIEN and BOIES and were as follows:

YEAS—71

Amarando,	Farabaugh,	McCann,	Scarcelli,
Anderson, M. S.,	Filo,	McGee,	Schuster,
Anderson, S. A.,	Fineman,	McKeever,	Schwartz,
Andrews,	Flynn,	Mikula,	Sherman,
Boies,	Frascella,	Mills,	Shields,
Boory,	Gailey,	Muldowney,	Silverman,
Brennan,	Gelfand,	Mullen,	Smith,
Breth,	Hamilton,	Munley,	Snider,
Bucchin,	Heavey,	Musto,	Stevens,
Capano,	Holt,	O'Brien,	Toll,
Cianfrani,	Jim,	Pashley,	Varallo,
Comer,	Jones, G. E.	Petrosky,	Walsh,
Cummins,	Kamyk,	Polaski,	Wargo,
Curwood,	Krakow,	Post,	Welsh,
Devlin,	Leonard,	Readinger,	Wheeler,
Dougherty,	Lovett,	Reidenbach,	Williams,
Duffy,	Lutty,	Renwick,	Yatron,
Dunn,	Maxwell,	Rovansek,	

NAYS—117

Adams,	Ewing,	Korns,	Ragot,
Agnew,	Fetterolf,	Lafore,	Rigby,
Ashton,	Foster,	Lee, A. M.,	Rudisill,
Auker,	Fox,	Light,	Seltzer,
Barton,	Garlock,	Lippincott,	Snare,
Bell,	George,	Lopresti,	Spray,
Blair,	Gibson,	Magee,	Stone,
Bower,	Goldstein,	Mahan,	Stoner,
Bowman,	Goodling,	Markley,	Strausser,
Brand,	Goodrich,	Marsh,	Stroup,
Breisch,	Gramlich,	McCormack,	Stuart,
Brenninger,	Gross,	McInroy,	Taylor,
Breon,	Guthrie,	Merry,	Thompson,
Brown,	Haudenshield,	Metz,	Ujobai,
Brucker,	Heffner,	Miller, H. G.,	Varner,
Buchanan,	Henzel,	Moody,	Vaughan,
Carson,	Hocker,	Moscrip,	Wall,
Cleveland,	Horst,	Moyer,	Weidner,
Cooper,	Ide,	Murphy,	Wescott,
Dalrymple,	Isaacs,	Murray, H. P.,	Whittaker,
Davis,	Jenkins,	Murray, P. G.,	Willard,
DeLong,	Johnson,	Naugle,	Willaredt,
Dengler,	Johnston,	O'Dell,	Wilt,
Dennison,	Jones, T. H.,	Ogilvie,	Wood,
Dietterick,	Jump,	Parry,	Worley,
Donahue,	Kehler,	Phillips,	Wyatt,
Down,	Kernaghan,	Piper,	Wynd,
Edwards,	Knecht,	Price,	Zimmerman,
Erb,	Kooker,	Pursley,	Helm,
Eshleman,			Speaker

NOT VOTING—21

Cioffi,	Keller,	Mihm,	Royer,
Donaldson,	Kornick,	Miller, B. Z.,	Steckel,
Eilberg,	Lee, K. B.,	Miller, W. H.,	Stimmel,
Floyd,	Limper,	Monroe,	Tompkins,
Gibb,	McLaughlin,	Pomeroy,	Trusio,
			Verona,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCORMACK. Mr. Speaker, if I am in order I feel the Chair has made an error in interpreting Rule No. 50 in light of the comment which follows that rule.

I would like to read to the Chair the comment which clearly indicates that any Member, so long as a record vote is not had, can make a motion to reconsider. I quote:

> "Comment: To old Rule 81 is added a provision, that any Member may make a motion to reconsider where there has been no record vote."

Mr. Speaker, is a division a record vote?

The SPEAKER. The Chair would like to read for the information of the gentleman and the Members of the House Rule 50:

> "A motion to reconsider shall be made by two Members who voted on the prevailing side on the original question, or in case of voice vote, by any Member."

The Chair has already ruled this was not a voice vote but a division. The Chair thinks that the ruling made was correct.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adams,	Fetterolf,	Lippincott,	Rudisill,
Agnew,	Filo,	Lopresti,	Scarcelli,
Anderson, M. S.,	Fineman,	Lovett,	Schuster,
Anderson, S. A.,	Flynn,	Lutty,	Schwartz,
Andrews,	Foster,	Magee,	Seltzer,
Ashton,	Fox,	Mahan,	Sherman,
Auker,	Frascella,	Markley,	Shields,
Barton,	Gailey,	Marsh,	Silverman,
Bell,	Garlock,	Maxwell,	Smith,
Blair,	Gelfand,	McCann,	Snare,
Boies,	George,	McCormack,	Snider,
Boory,	Gibson,	McGee,	Spray,
Bower,	Goldstein,	McInroy,	Steckel,
Bowman,	Goodling,	McKeever,	Stevens,
Brand,	Goodrich,	Merry,	Stimmel,
Breisch,	Gramlich,	Metz,	Stone,
Brennan,	Gross,	Mikula,	Stoner,
Brenninger,	Guthrie,	Miller, B. Z.,	Strausser,
Breon,	Hamilton,	Miller, H. G.,	Stroup,
Breth,	Haudenshield,	Mills,	Stuart,
Brown,	Heavey,	Moody,	Taylor,
Brucker,	Heffner,	Moscrip,	Thompson,
Bucchin,	Henzel,	Moyer,	Toll,
Buchanan,	Hocker,	Muldowney,	Tompkins,
Capano,	Holt,	Mullen,	Trusio,
Carson,	Horst,	Munley,	Ujobai,
Cianfrani,	Ide,	Murphy,	Varallo,
Cleveland,	Isaacs,	Murray, H. P.,	Varner,
Comer,	Jenkins,	Murray, P. G.,	Vaughan,
Cooper,	Jim,	Musto,	Verona,
Cummins,	Johnson,	Naugle,	Wall,
Curwood,	Johnston,	O'Brien,	Walsh,
Dalrymple,	Jones, G. E.	O'Dell,	Wargo,
Davis,	Jones, T. H.,	Ogilvie,	Weidner,
DeLong,	Jump,	Parry,	Welsh,
Dengler,	Kamyk,	Pashley,	Wescott,
Dennison,	Kehler,	Petrosky,	Wheeler,
Devlin,	Keller,	Phillips,	Whittaker,
Dietterick,	Kernaghan,	Piper,	Willard,
Donahue,	Knecht,	Polaski,	Willaredt,
Dougherty,	Kooker,	Post,	Williams,
Down,	Kornick,	Price,	Wilt,
Duffy,	Korns,	Pursley,	Wood,
Dunn,	Krakow,	Ragot,	Worley,
Edwards,	Lafore,	Readinger,	Wyatt,
Eilberg,	Lee, A. M.,	Reidenbach,	Wynd,
Erb,	Lee, K. B.,	Renwick,	Yatron,
Eshleman,	Leonard,	Rigby,	Zimmerman,
Ewing,	Light,	Rovansek,	Helm,
Farabaugh,			Speaker

NAYS—1

Amarando,

NOT VOTING—11

Cioffi,	Gibb,	Mihm,	Pomeroy,
Donaldson,	Limper,	Miller, W. H.,	Royer,
Floyd,	McLaughlin,	Monroe,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING PASSED OVER

The SPEAKER. Without objection, all other bills on today's calendar will be passed over. The Chair hears none.

RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, the order of business of resolutions will be passed over. The Chair hears none.

PERMISSION TO INTERROGATE

Mr. ANDREWS asked and obtained unanimous consent to interrogate the Majority Leader.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, some weeks ago, the Majority Leader was shedding political tears about the deserving Republicans who had been summarily dismissed from the payroll without due process of law or anything else, and I requested at that time that the gentleman supply a list for the record of those Republicans who were eminently fitted for the jobs they had, but who were displaced.

Has the gentleman prepared such a list? Is he ready to file now, or will he be able to file it later?

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman, I did ask the Members on our side to bring into my office the names of various persons in their districts who had been summarily dismissed and the reasons for their dismissal, if any.

We are gradually getting names from Members and we were accumulating a list. It will not be a list of all of those who have been dismissed, but it will be quite a formidable list. As soon as it is prepared we are going to have it mimeographed and released as requested.

It will probably take another two weeks before we have it ready.

Mr. ANDREWS. I thank the gentleman.

A further question. I have in my hand a copy of a newspaper story, "Unfavorable Tax Situation Costs State Big Steel Plant. Universal—Cyclops Selects Ohio After Two Years Search In State.."

Is it the opinion of the Majority Leader that the facts justify the movement of this Universal-Cyclops organization from this state to Ohio? Does the Majority Leader agree that the tax situation in Pennsylvania is unfavorable so far as corporations and industries are concerned?

Mr. JOHNSON. Mr. Speaker, I believe I have made my position clear on that particular subject.

I would say that if I were in charge of a large corporation intending to locate in Pennsylvania, I would thoroughly scan, first of all, the corporate net income tax, which is six percent and is figured on the same income you report to the Federal Government.

I cannot say that any corporation probably could find too much fault with that particular tax, because it is an exemption from their Federal income and, if they are in the 30 percent bracket, they are saving, of course, 30 percent of six percent.

But when a corporation, a manufacturing corporation, in addition to the tax on their earnings, must also pay the capital stock tax, which tax places them at the mercy of the taxing officials of the state in that they cannot accurately, to the satisfaction of the Department, in the first instance, compute their valuation, and then when it is figured at five mills tax on top of the other tax, the corporate net income tax, in view of the figures we get from other states I would have to say that large corporation would be justified in going elsewhere.

Mr. Speaker, I hate to say that here on the floor of this House. I mean it is a sad commentary on our state when we have a double-bitted tax program which undoubtedly has driven corporate wealth out of Pennsylvania.

I believe I have given you my answer.

Mr ANDREWS. One further question.

When does the distinguished Majority Leader and the majority party propose doing something in the way of taxation for the relief of business?

Mr. JOHNSON. Mr. Speaker, I believe we have said here on the floor of this House that we are going to permit the manufacturers' exemption to go into full force and effect on January 1, 1958, as planned.

In other words, there is not a bill in committee right now which denies the manufacturers that exemption as of January 1, 1958. So on January 1, 1958, the manufacturers' exemption will be restored to manufacturing corporations only in accordance with legislation presently on the books.

Today we are introducing, co-sponsored by the minority, the other recommended bills to free industry, one bill being to relieve them of the initial bonus tax on foreign and domestic corporations, relieving them of the corporate loans tax report and removing the tax on the issuance or transfer of their shares, which is a nuisance tax.

Mr. ANDREWS. I thank the gentleman.

Mr. Speaker, I gather from the gentleman's remarks that the answer is "yes," they propose soon to reward business in a dribble by abolishing the bonus, and in the meantime our industries are supposed to live on promises so far as tax exemption is concerned.

Mr. JOHNSON. Mr. Speaker, I did not say any such a thing.

Relieving manufacturing corporations of the capital stock tax in Pennsylvania is a monumental thing. It is taking $43 million out of this budget and, as I say, that is a tremendous boom to business.

I grant you those other three little things are small, they are just nuisance taxes, and probably if we did not do anything about it business would not care because they are so small.

But I say the capital stock tax, giving that exemption, is a tremendous bite out of our budget and that standing alone, should be an invitation for business to come into this state.

I say this, if we get back into power and are running things, we will do as President Eisenhower is doing down

in Washington, we will restore confidence in Pennsylvania in the business communities. There will not be the quick decisions in government on various things such as have been going on.

Does the gentleman have any further inquiry?

Mr. ANDREWS. I thank the gentleman.

I simply want to comment that the accomplishment he boasts about I think is inherited from the present administration.

I think the termination date of the tax he is so proudly proclaiming will end is already fixed in the law. He is simply approving something from the past and is offering nothing whatsoever for the present situation.

PERMISSION TO ADDRESS HOUSE

Mr. McCANN asked and obtained unanimous consent to address the House.

Mr. Speaker, a few minutes ago the Governor signed into law Act No. 2. This particular bill is effective immediately with respect to what we knew as House Bill No. 140, Printer's No. 83 dealing with the election of school directors and changes the 1949 law.

The reason I have come here today to speak on this is through no fault of our own. Because of the fact that it took a good many weeks for this to get to the Governor's desk, we find ourselves in a very peculiar position today. This is now law for the coming primary election even though the Election Code directs the board of elections in each county to place a legal notice as to who is entitled by office to be elected.

If you will read the election law carefully, tomorrow is the last day for legal notice to be placed by the election board in the election of these various offices within each given county.

Today we passed a law and the Governor signed it. We all concurred in the passage of this law, starting January 29. Then as the legal notices have been placed in the papers directing the election of the school board directors under the previous law, this law is not now in effect. Therefore, the legal notice in many counties is illegal.

The question I raise, which I hope the newspapers will help to disseminate to the citizens of Pennsylvania and particularly to the election boards, is that they meet tomorrow and change their legal advertisement which is required by law in the election of these various vacancies which they have placed already in the papers.

If this information should not get to them, and for some reason the legal advertisement should continue to stand—which in my county would be a complete change and in many other counties—in one particular merged school district, the people who would file their petitions seeking those positions would be illegal in the election. Should they be elected and should the notice not be legally posted, the election to those positions could be taken to court and invalidated for not having the official legal notice.

I bring this up because it is serious enough on the grounds that we consumed a little over two and a half months in getting this bill completed. We should have really completed it in a matter of about 15 days before we did. But since it is now law as of a few moments ago, I would hope the various counties who have directors to be elected under the change in the law will get in touch with their election boards and request them to call the Secretary of the Commonwealth for a clarification because I believe it would be impossible to have this printed and disseminated to the county election boards by tomorrow which is the last day for the legal filing of this notice.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 140

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, March 11, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 140, Printer's No. 83, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' providing representation on the board of directors of union and merged school districts."

GEORGE M. LEADER.

PROOFS OF SERVICE OF SPECIAL ELECTION WRITS

The SPEAKER The Speaker directs that the Proofs of Service of Special Election Writs to fill the vacancy in the membership of the House in the County of Montour be printed in full in the Legislative Journal.

Commonwealth of Pennsylvania } ss:
County of Dauphin }

J. Earl Price being duly sworn according to law, says that he resides at Ashland, Schuylkill County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Honorable James A. Finnegan, Secretary of the Commonwealth of Pennsylvani, on the 7th day of March 1957, at 11 o'clock A M., at his office in the Capitol Building, in Harrisburg, a writ for a special election for the office of Representative in the General Assembly for the Legislative District of the County of Montour by command of the Honorable W. Stuart Helm, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

J. EARL PRICE,
Sergeant-at-Arms.

Sworn and subscribed to before me this 7th day of March, 1957.

Helen F. F. Klinepeter
Notary Public

Commonwealth of Pennsylvania } ss:
County of Dauphin }

J. Earl Price being duly sworn according to law, says that he resides at Ashland, Schuylkill County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Board of Elections of Montour County, on the 8th day of March, 1957 at 10:18 o'clock, A. M., at its office in Danville, a writ for a special election for the office of Representative in the General Assembly for the Legislative District of the County of Montour, by command of the Honorable W. Stuart Helm,

Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

J. EARL PRICE,
Sergeant-at-Arms.

Sworn and subscribed to before me this 8th day of March, 1957.

Clara H. VanKirk
Recorder of Deeds etc.

COMMITTEE MEETINGS

AGRICULTURE & DAIRY INDUSTRIES, Mr Light, Chairman, Room 331, Tuesday, March 12, at 11:15 A.M.

COUNTIES, Mr. Erb, Chairman, Room 323, Tuesday, March 12, at 11:00 A.M.

EDUCATION, Mrs. Markley, Chairman, Room 324, Tuesday, March 12, at 11:30 A.M.

FISHERIES, Mr. Stoner, Chairman, Room 331, Tuesday, March 12, at 10:30 A.M.

JUDICIARY, Mr. Tompkins, Chairman, Room 145, Tuesday, March 12, at 11:00 A.M

PROFESSIONAL LICENSURE, Mr. Wall, Chairman, Room 521, Tuesday, March 12, at 10:30 A.M.

REPORT OF COMMISSION ON GOVERNMENTAL REORGANIZATION

The SPEAKER laid before the House the report of the Commission on Governmental Organization dated March 11, 1957 which was read by the Clerk as follows:

The Adjutant General
Annville RD 2, Penna.

11 March 1957

To The Honorable, The President of the Senate and Speaker of the House of Representatives:

Gentlemen:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Fiscal Affairs.

Respectfully,

A. J. DREXEL BIDDLE, JR.
Chairman
Governmental Reorganization Commission

COMMISSION ON GOVERNMENTAL REORGANIZATION

COMMONWEALTH OF PENNSYLVANIA

To the Honorable the Members of the General Assembly of the Commonwealth of Pennsylvania:

Pursuant to the Act of 1955, July 7, P. L. 256, the Commission on Governmental Reorganization is pleased to submit for your consideration forty-three recommendations. In addition, we are making twelve recommendations to the Governor, relating to changes which can be made without legislative action.

The Commission was organized in May, 1956. Twelve members were appointed by the Governor, of whom, ten served. The names of those who participated in the deliberations of the Commission, with the officers and staff, follow:

Anthony J. Drexel Biddle, Jr., Adjutant General, Chairman
George N. Wade, Senator from Cumberland County, Vice-Chairman
Genevieve Blatt, Secretary of Internal Affairs
Leonard P. Fox, Executive Director, Pennsylvania State Chamber of Commerce (now retired)
Albert W. Johnson, Representative from McKean County
William J. Keefe, Professor of Political Science, Chatham College
Henry B. Leader, Governor's Legislative Secretary
Albert S. Readinger, Representative from Berks County
John S. Rice, Secretary of Property and Supplies
Paul H. Wueller, Associate Director in charge of Research and Statistics, Joint State Government Commission

James C. Charlesworth, President, American Academy of Political & Social Science, served as Executive Director, and Stephen B. Sweeney, Director of the Institute of Local and State Government, University of Pennsylvania, acted as principal consultant.

Early in the summer of 1956 the Commission engaged the services of twelve persons having skills in the field of State government, who prepared reports during the summer months. Among these are several state employes who received no additional compensation for their services. The names of these authorities and the subjects of their reports follow:

Harold F. Alderfer—Local Governments
A. David Bouterse—Public Hospitals; Correction; Public Assistance
Robert A. Christie—Labor and Industry; Professional Licensure
James A. Crabtree—Public Health
Charles B. Cranford—Recreation
John H. Ferguson—Agriculture; Milk; Public Utilities
Roy A. Helton—Public Information
C. Herschel Jones—Personnel Administration
Albert B. Martin—Records and Secretarial Functions
M. Nelson McGeary—Public Education; Public Works
William F. Schulz, Jr.—Conservation of Natural Resources
Randall S. Stout—Fiscal Administration

Members of the Commission individually studied these reports and other materials bearing upon pertinent activities of the State government, and the Commission met from early October until March to discuss each proposal. The Commission wishes to thank the officers of the Senate for making the Conference Room available for these meetings.

The General Assembly is doubtless interested in whether the recommendations made by the Commission, if adopted, will save money. An exact estimate of savings cannot be made, but the Commission is confident that its proposals will not only improve government but reduce the total charge on the taxpayer. Savings of the magnitude of millions of dollars per year are definitely indicated in lowered interest payments, improved personnel, closer auditing practices, and elimination of administrative duplications.

Our recommendations to the General Assembly are classified under seven headings, as follows:

1. Fiscal Affairs
2. Personnel Administration
3. Administrative Organization; Public Buildings
4. Conservation of Natural Resources
5. Public Welfare
6. Public Health
7. Public Instruction; Labor

Proposals relating to these separate subjects will be submitted at short intervals. This present submittal relates to

Fiscal Affairs

1. Designate the Joint State Government Commission as the staff agency of the General Assembly for the purpose of assembling and analyzing budget information. Direct executive agencies to make available to the Commission information relative to estimated financial needs to carry on existing programs and to meet statutory mandates, during the period of the preparation of the budget and to make available to the Commission similar information on new and expanded programs after such programs have been approved by the Governor.

The fiscal problem is the Commonwealth's most pressing problem. Both the Executive and the Legislative branches must bear responsibility for its solution. But if the General Assembly is to contribute its proper share of this joint effort it must first of all be adequately informed.

In making this recommendation the Reorganization Commission does not intend to diminish the role of the Governor in preparing the budget. We believe that the executive type of budget is the best. Our purpose is to enable legislators to know in advance of the release of the printed document the general lines of its development, so that they may begin early to weigh alternatives and to plan for needed revenues.

Another reason for bringing the two branches closer together in fiscal affairs is the heavy emphasis on subsidies. If the state budget covered only the expenses of operating the executive departments, the General Assembly might well assume that the duty of accurately measuring needs could be appropriately left to the Chief Executive. But since such a large part of state expenditure consists of subsidies rather than of execution of state programs, it is proper that both of the policy making branches be equally aware of the reasons for expanding programs.

2. Create an independent tax appeal board, consisting of one lawyer, one accountant, and one member familiar with tax matters, serving full-time. This agency would resettle tax cases presently handled by the Board of Finance and Revenue, and make cash refunds. Also, time limitations now imposed by the Fiscal Code should be revised.

The Board of Finance and Revenue now labors under certain limitations, as follows:

a. It consists of part-time ex-officio members representing some departments that are not concerned with tax functions, whereas other members sit on appeals from the administrative actions of their own departments.

b. It does not codify its rulings or legal recognitions.

c. It is usually understaffed.

d. There is poor interdepartmental liaison.

e. There is no tenure, and no proper qualifications for its staff.

f. It cannot by statute grant tax cash refunds.

g. It is not an independent appellate group in the strict sense of this term.

h. Time limitations imposed by the Fiscal Code are in some instances unrealistic in terms of conditions.

3. Create a permanent tax and fiscal research agency, which would bring together pertinent activities in the Legislative and Executive branches. This agency should be composed of equal numbers of designees of the Governor and of the General Assembly, and should be adequately staffed. It should report annually and on special request to either the Governor or to the General Assembly or to both of them. For administrative purposes, the agency should be attached to the Joint State Government Commission.

An adequate fiscal research program is necessary in order that the public, the Governor, and members of the General Assembly may be properly informed concerning the nature of the tax structure, the expenditure programs, and revenue requirements for financing them. Research is essential for the formulation of a state's fiscal policies and long-term programs. In spite of recurring fiscal crises, Pennsylvania has never had adequate fiscal research facilities. Further evidence of this serious defect in the Commonwealth's fiscal programs is indicated by the numerous legislative and special emergency tax study committees which have been set up within the past decade in order to provide the General Assembly and the Governor with adequate facts. At present, the General Assembly has a special committee to "get the facts" concerning the Commonwealth's tax burdens and their effects on industrial development and migration.

The responsibility for tax research should be jointly assumed by the Executive and the Legislative branches. This inter-branch unit should be given regular budget status, should be headed by a director, and should be adequately staffed and equipped. It should carry on continuous research concerning the nature, effects, and operations of the tax system; it should prepare the official revenue estimates, and should prepare adequate annual and special reports designed to give taxpayers an understanding of the operation of the State's tax system and its needs for revenue.

4. Provide for annual sessions of the General Assembly.

The principal reason for this recommendation is the fiscal situation. In a rapidly moving economy, and with the close interrelationship between government finance and the general economic well-being of the Commonwealth, two years is now too long to project budget and tax needs.

The General Assembly may wish to restrict the session in even-numbered years to consideration of fiscal matters.

5. a. Amend the Constitution, to allow the General Assembly to fix the state debt limit for capital purposes by joint resolution passed by a two-thirds vote.

b. Abolish all state authorities and place future projects in appropriate departments of the state government. Refund authority indebtedness, at a favorable market date, with money obtained through the issue of general obligation bonds.

c. Raise constitutional school district and other local

government debt limits, so that the device of local authorities need not be resorted to.

It is believed that these proposals, if adopted, will save the citizens of Pennsylvania many millions of dollars, since it is generally recognized that the interest rate on state general obligation bonds is usually lower than on authority and other "revenue" bonds.

The question readily suggests itself: If this is so, why were the authorities created in the first place? The answer is that the authority device was the most expedient one to finance improvements promptly without resorting to time-consuming procedure for submitting a constitutional amendment to popular vote.

It has been felt in certain circles that the citizens of the state are not willing to depend upon an adequate sense of restraint in the General Assembly, when it comes to incurring debt. This opinion warns against allowing the General Assembly to open the floodgates of irresponsible spending and of passing on our burdens to the next generation. But we are nonetheless incurring huge debts, in the semi-public, semi-private, financial operations of authorities. The members of the Reorganization Commission feel that the time has come to make a forthright accounting to the citizens of Pennsylvania on how much they owe, both directly through state government bonds and indirectly through authority bonds. We further believe that indirection should be avoided in the future, and that the people should be currently and fully informed on state borrowings.

The national debt limit is fixed by a vote of Congress, where an alert public opinion enforces a salutary degree of restraint. We believe that a similar arrangement will function satisfactorily in Pennsylvania.

In the case of limits on local debt, we believe that here, too, the General Assembly should be given the responsibility of fixing the ceiling for units of local government by classes.

The possibility of savings on interest payments by local school districts is an immediate concern of the General Assembly. School district subsidies need not be so large if savings can be effected in the cost of financing our school building program.

ADJOURNMENT

Mr. MOYER. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 12, 1957 at 1:00 p.m.

The motion was agreed to, and (at 6:41 p.m.) the House adjourned

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, MARCH 12, 1957. No. 23.

SENATE

TUESDAY, March 12, 1957

The Senate met at 4:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, The Reverend JOHN W. FITZGERALD, Rector of St. Peter's Episcopal Church, Butler, offered the following prayer:

Let us pray.

Almighty God, our Heavenly Father, the Ruler of the Universe, Who hast delivered into the hands of men the government of this world, bless this Senate we pray Thee and the families that they represent.

Give unto them clear minds and a quickening conscience to Thy Holy Word. Grant that their deliverations may be just, that they may pass such legislation to the welfare of this Commonwealth and, finally, that we may glorify Thy Holy Name, through Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECAN and Mr. ELLIOTT, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF REVEREND JOHN K. STOUDT AS A MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS' COLLEGE

March 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 22, 1957, for the appointment of Rev. John K. Stoudt, Leesport, Berks County, as a member of the Board of Trustees of Kutztown State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Dr. Samuel E. Rager, Kutztown, whose term expired.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUDGE OF THE MUNICIPAL COURT OF THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA, COMPOSED OF THE CITY AND COUNTY OF PHILADELPHIA

March 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward A. Kallick, 5905 Warrington Avenue, Philadelphia, Philadelphia County, for appointment as Judge of the Municipal Court of the First Judicial District of Pennsylvania, composed of the City and County of Philadelphia, until the first Monday of January 1958, vice Hon. Leonard M. Propper, deceased.

GEORGE M. LEADER

JUSTICE OF THE PEACE

March 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arling Reagle, R. D., Flicksville, Northampton County, for appointment as Justice of the Peace in and for the Township of Washington, Northampton County, to serve until the first Monday of January 1958, vice J. Arling Weaver, resigned.

GEORGE M. LEADER

JUSTICE OF THE PEACE

March 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Frances L. Toplisek, 124 Clarksville Street, Greenville, Mercer County, for appointment as Justice of the Peace in and for the Borough of Greenville, Mercer County, to serve until the first Monday of January 1958, vice Evelyn P. Neighbour, resigned.

GEORGE M. LEADER

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 31, 32 and 87.

March 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 31, Printer's No. 8, entitled "An Act amending the act of June 25, 1941 (P. L. 159) entitled 'An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws' defining the records to be kept by the department and authorizing the disposal of unneeded material relative to existing records."

GEORGE M. LEADER

March 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 32, Printer's No. 9, entitled "An Act amending the act of August 9, 1955 (P. L. 323) entitled 'An act relating to counties of the third four fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto' fixing the status of the law librarian and making him eligible for membership in the county employes retirement plan."

GEORGE M. LEADER

March 12, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 87, Printer's No. 23, entitled "An Act reenacting certain parts of the act of May 1, 1929 (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' clarifying provisions relating to magistrates sending notices by registered or certified mail."

GEORGE M. LEADER

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., March 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

State Government in the mid-Twentieth Century has become an incredible complex instrument for serving people.

Each day it is called upon to provide hundreds upon hundreds of widely varied services—services that people want, people need, and people pay for with their tax dollars.

If we are to provide these services properly, we must have skilled men and women trained to do technical and professional jobs, and do them well.

We must have engineers of all sorts, draftsmen, architects, foresters, landscapers, biologists, nurses, business machine operators, medical administrators, physical therapists, psychiatrists, and dozens of other specialists.

The Commonwealth of Pennsylvania, like every other state in the Union, faces this problem:

How can we attract technical and professional people to career jobs in State Government?

The only answer is to make career jobs attractive.

This is easier said than done. The Nation's supply of these skilled people is limited, and the demand for them increases every day.

The Commonwealth must, therefore, compete for their services, like any other would-be-employer. It must compete with private employers and with the governments of other states and the Federal Government.

In this competition, Pennsylvania consistently runs behind the field.

For although we offer, in a majority of cases, salaries comparable to those of the market place, we offer no job security and, therefore, no chance for the applicant to build a continuous career in government service.

As a result, we frequently fail to get the people we want, and we often lose the people we have.

Some 65,000 people are employed by the Commonwealth. For much too long a time we have depended almost exclusively on the patronage system to supply the vast majority of them.

But the patronage system fails in the very area of our greatest need: with technical and professional people,

whose services are in unremitting demand all over the Country.

In our complex technological society, it is impossible to administer the Government of Pennsylvania without trained people, selected by merit and protected in their careers.

For these career public servants are the hard core of continuing good government.

At present, our Civil Service laws cover 14,000 people.

We believe they must be extended to cover approximately 10,000 more—all of them persons whose skills are in wide demand and whose services we badly need.

We do not advocate extending Civil Service coverage to State employes on the policymaking level, who are appointed under the Administrative power and must necessarily reflect the policies of succeeding Administrations.

Nor do we contemplate an extension of Civil Service to cover those whose jobs require only routine training.

Our primary concern is with the hard-to-get specialists.

Let me give you a few examples of our difficulty in recruiting them.

We employ 210 psychiatrists in the Department of Welfare, but we need 480; we have 1300 psychiatric nurses and need twice that number; we have 78 psychologists and need 120; we have 130 psychiatric social workers and need 400; we have slightly more than half the 700 activities program technicians we need.

Our Department of Highways needs 1500 professional engineers and engineering assistants. At present, we have less than a third of the men we need.

These jobs go begging because we can't hire qualified people to fill them. Yet we offer them salaries on a par with those paid by competing agencies.

Remembering that it is difficult to get these people anyway, I feel sure you can understand how that difficulty is multiplied by lack of job security. Quite understandably, these people see no reason why they should accept jobs limited to the life of an administration. Nor will they accept the uncertainty of such jobs, knowing that merit system protection is easy to get in other states or with other governmental agencies.

Furthermore, these people know that short-staffed Pennsylvania agencies, trying to do their jobs, must frequently throw away the time-clocks and settle down to chronic overwork.

If we could offer job security, along with fair salaries, we could get some of the trained people we need. But even with Civil Service protection, we will predictably recruit an insufficient number of skilled personnel.

Michigan, for example, extends Civil Service coverage to all State employes with the exception of department heads and their deputies. And Michigan has been conducting an intensive recruiting program.

Yet Michigan can only manage to hire 100 to 120 engineers a year.

Pennsylvania, offering no job security at the present time, must obviously fare worse.

We have done what we could to remedy this situation. We have conducted an aggressive recruiting program. But we have found that the absence of job tenure among most of our technical and professional Commonwealth employes has discouraged a high percentage of desirable applicants.

We are now faced with the need to place 10,000 more professional and technical jobs under Civil Service protection.

Since September 10, 1956, this Administration, by Executive Board action, brought nearly that number under our merit system.

But what one Executive Board can do, another can undo.

Consequently, this Administration now seeks legislation confirming the Executive Board's action and bringing Civil Service protection—by statute law—to the essential career personnel of the Commonwealth.

The bill we propose would accomplish that end. It would also bring a number of our eight Civil Service systems under the jurisdiction of a single act, and make several technical changes in the existing law.

We think this bill reflects an up-to-date approach to the most immediate problem confronting governmental administration: the problem of getting qualified men and women into the technical and professional slots of career government service.

By passing this measure and making it law, the General Assembly will be taking a giant stride forward in the direction of more modern, more efficient and more effective State Government.

For it is to these specialists, skilled in technology and the professions, that government must look for its hard core of competence, its unbroken continuity over the years.

I cannot urge too strongly that the General Assembly take early action on this critically important legislation!

GEORGE M. LEADER

The PRESIDENT. This communication from the Governor will be printed in the Legislative Journal and for the information of the Members of the Senate, copies of this communication have been placed on the Members' desks.

GENERAL COMMUNICATION

REPORT OF THE COMMISSION ON GOVERNMENTAL REORGANIZATION, DEALING WITH FISCAL AFFAIRS

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

(SEAL)

THE ADJUTANT GENERAL
ANNVILLE RD 2, PENNA.

11 March 1957

To the Honorable,
The President of the Senate
and Speaker of the House
of Representatives:

Gentlemen:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Fiscal Affairs.

Respectfully,

/s/ A. J. DREXEL BIDDLE, JR.
A. J. DREXEL BIDDLE, JR.
Chairman
Governmental Reorganization
Commission

encl.

The PRESIDENT. This communication will be printed in Legislative Journal and the report will be printed in

the Appendix. For the information of the Members of the Senate, copies of this report were placed in each Members' mailbox last evening.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced. informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, March 11, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 18, 1957, at four o'clock, p.m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, March 18, 1957, at four-thirty o'clock, p.m., E.S.T.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 293, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to Reference and Arbitration" increasing the amount in controversy which may be referred to arbitration.

Which was committed to the Committee on Judiciary General.

House Bill No. 453, entitled:

An Act transferring money from the Banking Department Fund to the General Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 479, entitled:

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. EHRGOOD, from the Committee on Judiciary General, reported as amended, Senate Bill No. 81, entitled :

An Act concerning gifts of securities to minors; providing for custodians of such gifts and their powers and duties; defining the effect of the gifts on guardians of minors or their estates; conferring jurisdiction on orphans' courts and absolving agents dealing with securities from certain responsibilities.

BILLS INTRODUCED AND REFERRED

Messrs. MAHANY, PECHAN, WALKER, LANE, DENT and SEYLER read in place and presented to the Chair Senate Bill No. 350, entitled :

An Act authorizing employees or the designated representatives of employees engaged in health care activities to proceed by injunction to restrain or obtain affirmative relief from the refusal by an employer to recognize and collectively bargain with such representatives on behalf of employees in a unit appropriate for such purposes or the commission of unlawful acts as enumerated in this act; authorizing employers to enjoin or obtain affirmative relief when health care employees commit unlawful acts; and providing for an appeal to the Supreme Court.

Which was committed to the Committee on Public Health and Welfare.

Mr. WOLFE read in his place and presented to the Chair Senate Bill No. 351, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Veihcle Code," permitting motor vehicles used in delivering United States mail to be equipped with certain warning lights and sign.

Which was committed to the Committee on Highways.

Mr. ELLIOTT read in his place and presented to the Chair Senate Bill No. 352, entitled:

An Act amending the act of June 24, 139 (P. L. 872) entitled "The Penal Code," defining imprisonment in relation to the crime of prison breach.

Which was committed to the Committee on Judiciary General.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 353, entitled:

An Act amending the act of December 5, 1936, (1937 P. L. 2897) entitled "Unemployment Compensation Law," making further provision for the lien of unemployment compensation contributions.

Which was committed to the Committee on Labor and Industry.

Messrs. PROPERT and BERGER read in place and presented to the Chair Senate Bill No. 354, entitled:

An Act amending the act of June 24, 1939 (P. L. 748), entitled as amended "The Pennsylvania Securities Act," providing for the exemption from registration of certain transactions for the sale of securities.

Which was committed to the Committee on Banking.

Messrs. WADE and KESSLER read in place and presented to the Chair Senate Bill No. 355, entitled:

An Act amending the act of December 5, 1936 (1937, P. L. 2897), entitled "Unemployment Compensation Law," further regulating employer's contributions and experience rating, the establishment and maintenance of employer's reserve accounts, and changing qualifications for receiving compensation.

Which was committed to the Committee on Labor and Industry.

Mr. HARNEY read in his place and presented to the Chair Senate Bill No. 356, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," changing a route in Chester County.

Which was committed to the Committee on Highways

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, yesterday I made a pre-

liminary statement about my intention to submit a bill which deals with the Board of Pardons.

It seems that the Board of Pardons today is the theme center of what is purporting to be an investigation. To me, it smells more of the days of the inquisition. Some of these people and their methods remind me of the great inquisitor, who was known as Torquemada—T-o-r-q-u-e-m-a-d-a. Anyway, this carping criticism is not my topic today. I want to offer some constructive legislation.

Whenever I appear before the Pardons Board, my cup of gall overflows when I listen to those young district attorneys. They appear there and know nothing about the case and, yet, they have the audacity, arrogance and impudence to come and venture an opinion when we are dealing with the life of a person.

For this reason, Mr. President, I feel that the members of the Board should not depend upon opinions of the district attorneys or the judge. I do not say that they do depend on those opinions but, at least, there may be a modicum of influence. For this reason, I feel that the Board of Pardons should have an independent branch, upon which it can depend, of skillful investigators who could investigate and bring a thorough, searching report to the members of the Board.

Therefore, Mr. President, I am presenting this bill.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 357, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," creating a Bureau of Evaluation in the Department of Justice; prescribing its powers and duties and making an appropriation.

Which was committed to the Committee on Judiciary General.

Messrs. BARR and MAHANY read in place and presented to the Chair Senate Bill No. 358, entitled:

An Act providing a method whereby mutual insurance companies, other than mutual life companies, incorporated under the laws of the Commonwealth of Pennsylvania, may establish and be required to maintain for a period of at least one year thereafter a minimum surplus for the purpose of qualifying as sole corporate surety on bonds and other undertakings required or permitted by the laws of the United States.

Which was committed to the Committee on Insurance.

They also read in place and presented to the Chair Senate Bill No. 359, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921," requiring certain mutual casualty insurance companies to maintain a surplus over all liabilities.

Which was committed to the Committee on Insurance.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, the bill that I am about to present to the Senate deals with the reallocation of liquid fuel taxes to the municipalities of the Commonwealth of Pennsylvania. This bill proposes a change in the formula for distribution from four and one-half cents to five and one-half cents. This legislation will be permanent if this bill passes the House and Senate.

Therefore, Mr. President, on behalf of Senator Dent, Senator Barr and myself I am presenting this bill.

BILLS INTRODUCED AND REFERRED

Messrs. LANE, DENT and BARR read in place and presented to the Chair Senate Bill No. 360, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; . . . ," increasing the amount of appropriation to municipalities for road purposes.

Which was committed to the Committee on Local Government.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 361, entitled:

An Act amending the act of June 9, 1911 (P. L. 756), entitled "Bituminous Coal Mining Law," regulating the use of electrically operated automotive mining, loading and conveying machinery in and about bituminous coalmines and defining the term "automotive."

Which was committed to the Committee on Mines and Mining.

He also read in his place and presented to the Chair Senate Bill No. 362, entitled:

An Act amending the act of June 9, 1911 (P. L. 756) entitled "Bituminous Coal Mining Law," requiring motormen and operators of portable mining machines to have an attendant and an assistant and prohibiting the use of the machines unless equipped with standard permissible lighting systems.

Which was committed to the Committee on Mines and Mining.

He also read in his place and presented to the Chair Senate Bill No. 363, entitled:

An Act amending the act of December 28, 1951 (P. L. 1801) entitled "An act regulating the use of machinery powered by internal combustion engines or motors in coal mines," prohibiting the use of machinery powered by internal combustion engines or Diesel motors in coal mines.

Which was committed to the Committee on Mines and Mining.

He also read in his place and presented to the Chair Senate Bill No. 364, entitled:

An Act amending the act of June 9, 1911 (P. L. 756), entitled "Bituminous Coal Mining Law," changing the provisions relating to the visiting of mines by foremen or their assistants.

Which was committed to the Committee on Mines and Mining.

Messrs. DERK, DENT and HAYS read in place and presented to the Chair Senate Bill No. 365, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

Which was committed to the Committee on Highways.

Messrs. YOSKO, WATSON, DENT and BARR read in place and presented to the Chair Senate Bill No. 366, entitled:

An Act providing for a referendum to determine the will of the electorate in regard to horse racing with legal wagering within the State.

Which was committed to the Committee on Law and Order.

Messrs. YOSKO and DENT read in place and presented to the Chair Senate Bill No. 367, entitled:

An Act amending the act of May 29, 1945 (P. L. 1107), entitled 'An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes; . . .," removing the limitation on the number and modifying the limitations on the cost of roadside rests.

Which was committed to the Committee on Highways.

Messrs. DENT, MAHANY, PECHAN and LANE read in place and presented to the Chair Senate Bill No. 368, entitled:

An Act amending the act of June 3, 1911 (P. L. 639), entitled as amended, "Medical Practice Act," further regulating the inspection and appraisal of medical schools and the rights of graduates thereof.

Which was committed to the Committee on Public Health and Welfare.

Messrs. DENT and McMENAMIN read in place and presented to the Chair Senate Bill No. 369, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the possession or use of motion picture films which are obscene or tend to corrupt morals or cause a public disorder; authorizing searches and seizures; and prescribing penalties.

Which was committed to the Committee on Judiciary General.

Messrs. DENT and MAHANY read in place and presented to the Chair Senate Bill No. 370, entitled:

An Act amending the act of May 28, 1956 (P. L. 1761), entitled "An act amending the act of March thirty-one, one thousand nine hundred forty-nine (P. L. 372), entitled 'The General State Authority Act of 1949' increasing the power of Authority to borrow money and issue evidences of indebtedness therefor, allocating the proceeds of the increased borrowing and unexpended money previously borrowed," further allocating proceeds of the increased borrowing capacity.

Which was committed to the Committee on State Government.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., March 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

By Resolution of the Senate dated February 12, 1957, you had requested that I furnish to you information pertaining to advisors engaged to counsel the Sales and Use Tax Bureau.

The report of the advisors engaged by this Administration in January 1957, pertaining to the Sales and Use Tax Bureau, has been delivered to me and is transmitted herewith. It is an objective analysis prepared at my request which analyzes—without fear or favor—the problems confronting the Commonwealth with respect to this Bureau, and the steps which have been taken, and are being taken, to enforce a difficult law effectively and to administer it efficiently.

You will recall the Selective Sales and Use Tax Act became effective March 7, 1956, the day after its passage by the Legislature. It was substantially amended on May 24, 1956, by the same Legislature and bears little similarity to other Sales and Use Tax Acts enacted by thirty-two other states. Tentative regulations were immediately prepared, and were issued in printed form, after diligent work and legal research, on July 16, 1956.

Knowing the difficulties experienced by the Department of Revenue in securing adequate personnel for this Bureau, I allowed that Department approximately 120 days for initial organization and administrative preparation. In the latter part of September, on the advice of management and tax officials of this Administration, I insisted that the organization of the Bureau and its enforcement activities be accelerated and took steps to correct many of the problems encountered.

The consultants' report clearly delineates the principal problems, namely, the need for highly skilled personnel to enforce and administer the Act, the ambiguity of many of the provisions of the Act, and the inability of the Commonwealth to do in nine months what many states have only been able to do over as many years.

My views on the technical and professional skills required by the Commonwealth are well known. Historically the Commonwealth has been compelled to operate a billion dollar business in a manner which frequently would not do credit to the operation of a small store. I requested the Legislature in the 1955-56 Session to enact a Civil Service law, covering technical and professional employes, since it was evident that few people in these categories can be expected to seek State employment without either job tenure or pay commensurate with that which they can readily obtain elsewhere.

When the Legislature failed to enact such legislation, I urged the Executive Board to establish Civil Service by resolution for the accountants, auditors, and other technical personnel required to enforce our complex and difficult Selective Sales and Use Tax Act. It is urgent that the General Assembly assure prospective applicants for these positions that the Civil Service instituted by Executive Board action will continue in effect. This can be done by amending our Civil Service Act to cover these positions.

An independent report of the Pennsylvania Economy League dated July 6, 1954, made during a prior Administration, indicated that the lack of trained auditors and accountants in the Bureau of Sales and Use Tax at that time equally impaired effective collection of the tax.

My views on tax administration and my insistence on honest, competent performance are well known to all Pennsylvanians. In many areas of taxation, the Department of Revenue has done an excellent job in both the collection and enforcement of taxes, considering the handicap of having no career service. This is particularly true with respect to corporate taxes.

The report states "progress has been made in improving the operation of the Bureau of Sales and Use Tax" in the past four months. The Bureau is currently assessing and collecting taxes in excess of those admitted by taxpayers to the extent of $350,000.00 per month. Regardless of the progress made, I know that a difficult and unique tax act such as the Selective Sales and Use Tax cannot be properly administered and enforced unless my request for Civil Service status for skilled auditors and technical employes by legislative enactment is granted.

It is significant that it is now generally agreed—on a bipartisan basis—that the original estimates of revenue yield from the Selective Sales and Use Tax Act were both high and unrealistic.

It is imperative that a method be found which will permit the General Assembly and the Governor to arrive at accurate and honest revenue estimates. An agency properly staffed with technical personnel should develop objective and realistic revenue estimates which would be binding both on the General Assembly and the Governor. Only by such a device can both branches of government avoid the perennial temptation to overstate revenue yields as a means of balancing the budget.

The consultants' report confirms enforcement targets set by officials of this Administration as early as October 1956. These difficult targets can be met only by a sustained effort and effective recruitment of trained personnel. The Legislature has a co-equal responsibility with me to provide the means and facilities to do the job. This Commonwealth has had many devoted, able employes over the years, but it has never had a continuous corps of skilled tax technicians and professional people to carry out the mandates of the Legislature.

The report transmitted herewith was prepared by McKinsey and Company, one of the two agencies which conducted the survey of the Sales and Use Tax Bureau. McKinsey and Company was paid the sum of $13,205.00 for work done to date, and will be paid an estimated additional sum not to exceed $14,000.00 for services rendered subsequent to the date of the original payment.

Cooperating with McKinsey and Company were representatives from the Institute of Public Administration. Their services during the survey cost $5,980.00. We are not committed to the Institute for any further service, although it is our hope that at least one of these experts will be available for a few days on a per diem basis in connection with the future work of McKinsey and Company.

GEORGE M. LEADER.

The PRESIDENT. This communication from the Governor will be printed in the Legislative Journal, and the report entitled "Improving the Administration of the Bureau of Sales and Use Tax, Commonwealth of Pennsylvania," dated February 1957, will be printed in the Appendix to the Journal.

For the information of the Members of the Senate, copies of this communication have been placed on each Member's desk.

LEGISLATIVE CORRESPONDENTS' GRIDIRON DINNER

The Chair wishes to make a very important announcement.

Reservations for the Newspaper Correspondents' Gridiron Dinner, to be held on April 23 at the Penn-Harris Hotel, are now being taken in the News Room. See Morrie Swartz; first come, first served.

CONSIDERATION OF CALENDAR

Mr. MAHANY. Mr. President, I ask unanimous consent that the Senate take up consideration of the Calendar at this time.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE BILL No. 478 CALLED UP

Mr. MAHANY. Mr. President, I call up, from Page 3 of today's Third Reading Calendar, House Bill No. 478, Printer's No. 140.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 478, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-seven

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 15, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" clarifying provisions relating to certain limitations of prosecutions.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 17, entitled:

An Act amending the act of July 12, 1935 (P. L. 677) entitled "An act to fix the status of officers and employes of the Commonwealth and political subdivisions thereof . . ." including members of the United States Coast Guard Reserve.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 70, Printer's No. 69; and

Senate Bill No. 71, Printer's No. 39.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehilce Code" authorizing courts to revoke or suspend operating privileges in certain cases

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. SCHMIDT. Mr. President, I would like to ask that this bill go over. I would also like to have a chance to explain to the sponsor that this bill, if passed, would absolutely conflict with the Motor Vehicle Code in the condition in which the Code now exists.

In order to avoid this confusion, I ask that this bill go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 216, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" empowering the chairman of the Board of Finance and Revenue to appoint a secretary and making certain rules and regulations

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I do not intend to go into a long discussion or debate on Senate Bill No. 216. I believe I discussed its demerits last week when the bill was on second reading. However, I wish to discuss it enough to say that when the Calendar says "216 (Pink)," it should remove the "216" and say "27 (Pink)," because certainly there will be a slight discoloration of the normal faces of the Members of the Republican Senate when they vote for this bill.

This bill changes the make-up of the Board of Finance and Revenue. What it does is rip out the present authority of the board and turn it over to the Chairman of the Board who is automatically the State Treasurer For many years, the Democrats controlled the fiscal offices in Pennsylvania and th Republicans controlled the administrative offices and, under that setup, the administrative offices were in control of the Board. Now, by the grace of God, for the first time in some twenty years, the Democrats have the administrative offices and the Republicans have the fiscal offices and, therefore, they are going to change the rules in the middle of the game because there happen to be seventeen jobs over there which they want to take. It might interest you all to know that eleven of the seventeen jobs are holdovers. In so far as job selection is concerned, unless they want to fire their own people, they will not make much of a capital gain.

However, Mr. President, I am interested in this. Throughout the years that this act has been in existence, since 1929, now am I to believe that from that period to this, you have suddenly discovered something so radically wrong with this act that it has to be changed at this time?

In order not to carry this debate on any further, I might suggest to the Republicans that they vote softly "yes." We will vote loudly "no," and I will carry the message to the Governor and ask him to veto it.

Mr. MAHANY. Mr. President, I would say to the Senator from Westmoreland that my face is usually pink. That is my natural complexion; I cannot do very much about that. However, it is not because of the voting on this bill that would cause the color of my complexion.

It seems that for many years this Board got along very well, even though prior to eight years ago there was a Democratic Treasurer. They did not allow politics to interfere with it until quite recently when Attorney General Cohen advised the Chairman of the Board that he did not have the power of appointment. As a consequence of that ruling, on April 6, 1956, a man who had been Secretary of the Board for many years, a Mr. Elmer Graham, who had become quite expert in the affairs of the Board and the business of the Board, was discharged or was asked to resign .He was then replaced by a man by the name of Julius Brenner who, evidently, is presently acting as Secretary of the Board. Therefore, they did allow politics to creep into the business and the personnel of this Board by getting rid of Mr. Graham, who was an expert, and getting a man by the name of Julius Brenner who evidently did not know very much about it until he took over.

Why the Leader Administration is always stating for the newspapers and for public consumption that they are interested in keeping on experts and putting them under civil service and all that sort of thing, and then fire a man who was certainly an expert in his field in order to replace him by one of their own choosing is more than I can understand.

I also want to point out to Senator Dent, and also through Senator Dent to the Governor, that the personnel of this Board is paid out of the budget which we give to the State Treasurer. It seems to me that if it is paid out of the budget of the State Treasurer, then the State Treasurer should be allowed to decide who he wants as to personnel. That is no more than fair.

I feel that this bill is a very fair bill and, therefore, with a very rosy-colored complexion and also with the knowledge that I am doing right, Mr. President, I expect to vote "aye" when the roll is called.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DENT. Do you believe that every person who has been on the payroll for a number of years should always stay on the payroll?

Mr. MAHANY. It all depends on the person. I would say that if he were a good man and was doing his job propertly and if I were the fellow who was hiring him, I would keep him on the payroll.

Mr. DENT. Will you tell me whether you agree with the President of the United States when he announced in the New York Times on Sunday that he was going to ask for some 60,000 jobs to be taken from civil service in order that the right of selection be given to the party which won office? Do you agree with that?

Mr. MAHANY. I usually like to agree with my President in all things. I cannot quite understand, though, that statement, because for many years he has been of the notion that he should keep on Democratic holdovers. As a matter of fact, he even appointed Democrats. It seems that down in Washington, the President appoints Democrats and up here in Harrisburg, our Governor appoints Republicans.

Mr. DENT. I thought he was going to stutter that one out.

Senator Mahany, do you then disagree with the so-called patronage system of political government?

Mr. MAHANY. I do to a certain extent, yes. However, where you have certain career jobs that are of an expert nature, people who have worked in their jobs for many years and have gained knowledge through their experience, I do not think we should deprive the people of the State of Pennsylvania from the benefit of that experience by putting politics into it.

Mr. DENT. Then, do you believe that every Senator who served as long as you and I have should always be re-elected?

Mr. MAHANY. I have worked on that notion for the last couple of Sessions. However, ours is an elective office, as you know, and that is up to the people to decide whether they want to have the benefit of our experience. That is not the case with these employees. Where we try to get engineers and that caliber of person into Harrisburg and attract them away from private industry, and put them on the public payroll and they bring their families in here, and they buy or rent houses and make the change, I think in those cases we should give them some job security.

Mr. DENT. Mr. President, I am happy to hear the gentleman over there endorse the Governor's civil service bill, the analysis of which is laying on your desks today. I am glad that he agrees, by his statement, with the position taken by the Governor. However, Mr. President, I cannot help but feel that political parties have a responsibility.

If you will remember in the 1954 campaign, George Leader, as a candidate, went out over the State and said that there was something wrong in this Board. He said that there was too much favoritism being displayed and that certain interests were able to get favors out of this Board which meant a great deal of money to the Commonwealth. Is it not true that as the Governor then, was he not in the position that if his administration was to control that Board, they had the right to present to the people the kind of employees who would, in the main, adhere to the so-called policies and beliefs of the Governor? Is it not true that millions upon millions of dollars have been recaptured by the action of this Board under this new setup? If that is not true, then, Mr. President, perhaps Senator Mahany's premise is right. However, I do not believe, just because a political follower of the Republican Party was appointed a few years ago, or ten years ago or twenty years ago, this makes him any better a public servant than a Democratic follower of a political party who was appointed as near as two years ago, or three years ago.

I remember, if you care to recollect with me, that in 1936, 1937, 1938, we moved quite a few Republicans from the payroll, for which we were lambasted because we were firing career people. Some of our administrative

leaders at that time became very much alarmed over the criticism and, therefore, they left on the payroll thousands upon thousands of Republican Party supporters. When the Earle Administration was defeated at the polls, Governor James came into office and within thirty days this Capitol looked like the base of the exodus. Every Democrat who was put on the payroll was fired within thirty days and there was no hue and cry about that.

I refuse to believe, Mr. President, that there is a job on this Hill, or anywhere in this Commonwealth, that a Democrat cannot fill any more than I refuse to believe that there is not a job in Washington that a good Republican cannot fill. There are Democratic engineers, Democratic doctors and Domocratic psychiatrists. If you want to give job security to them, all right, give it to them. I never have seen any party hire an engineer to do a psychiatric job.

I think this Country has come a long, long way and I do not believe that we are in any danger so long as people are selected for the jobs who can do them. Certainly, you will have a couple bad ones. I remember some in your own administrations. I do not believe that this ripper can be called anything except a political ripper from A to Z.

Mr. MAHANY. Mr. President, I was about to assure Senator Dent that if this bill were passed and signed by the Governor, I would see to it that the Republicans on the Board kept Mr. Brenner on the job in order to take advantage of the experience which he has gained over the past year or so. However, I have just been handed a statement that Mr. Brenner resigned today. Therefore, we cannot take advantage of his experience.

Mr. DENT. That is right, and I can tell you why he resigned, too.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Harney,	Pechan,	Wagner,
Blass,	Kessler,	Propert,	Walker,
Chapman,	Kopriver, Jr.,	Scott,	Watkins,
Ehrgood,	Kromer,	Stevenson,	Watson,
Elliott,	Madigan,	Taylor,	Whalley,
Flack,	Mahany,	Van Sant,	Wolfe,
Fleming,	Mallery,	Wade,	

NAYS—23

Barr,	Hays,	Miller,	Seyler,
Camiel,	Kalman,	Mullin,	Silvert,
Dent,	Lane,	Murray,	Stiefel,
Derk,	McCreesh,	Ruth,	Weiner,
DiSilvestro,	McGinnis,	Sarraf,	Yosko,
Donolow,	McMenamin,	Schmidt,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 222 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 253, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" deleting the requirement that shareholders be given sixty days notice of proposed amendments to increase authorized capital.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 260, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" authorizing game to be hunted caught taken wounded or killed with auto-pistols.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Kessler,	Murray,	Van Sant,
Camiel,	Kopriver, Jr.,	Pechan,	Wade,
Chapman,	Kromer,	Propert,	Wagner,
Dent,	Lane,	Ruth,	Walker,
Derk,	Madigan,	Sarraf,	Watkins,
DiSilvestro,	Mahany,	Schmidt,	Watson,
Donolow,	Mallery,	Scott,	Weiner,
Ehrgood,	McCreesh,	Seyler,	Whalley,
Elliott,	McGinnis,	Silvert,	Wolfe,
Flack,	McMenamin,	Stevenson,	Yosko,
Fleming,			

NAYS—1

Hays,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 266, entitled:

An Act amending the act of May 21, 1956 (P. L. 1642) entitled "Commonwealth Mental Health Research Foundation Act" further defining the powers and jurisdiction of the Foundation.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Miller,	Stiefel,
Berger,	Kalman,	Mullin,	Taylor,
Blass,	Kessler,	Murray,	Van Sant,
Camiel,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,	McMenamin,	Stevenson,	Yosko,
Harney,			

NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 273, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" increasing the aggregate amount of loans which the bank or bank and trust company may make upon the security of real property.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of al lthe Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 274 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 280, entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 281, (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 287, entitled:

An Act abolishing the Pennsylvania Tunnel Commission assuming its obligations and appropriating money from the Motor License Fund

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 322, entitled:

An Act making certain bridges in the Commonwealth toll free providing for the payment of certain bond issues requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 29, Printer's No. 84;
House Bill No. 130, Printer's No. 49;
House Bill No. 143, Printer's No. 139;
Senate Bill No. 159 (Pink);
Senate Bill No. 200 (Pink); and
Senate Bill No. 265 (Pink).

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 267, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" permitting township commissioners to hold their organization meeting the day after a holiday.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 291, entitled:

An Act designating the counties responsible for the upkeep of certain convicts in penal or correctional institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 315, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" changing or deleting a certain route and adding a certain new route.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

AMENDMENTS TO BILLS ON SECOND READING

Mr. MAHANY. Mr. President, I expressed yesterday to Senator Dent that if he wanted House Bill No. 330 to go over, I would go along with his request as there are certain amendments that would be offered to some of these bills. Therefore, if any of the Senators have amendments as we go through the Calendar, I would like to have them present them.

Mr. KESSLER. Mr. President, Senator Schmidt has some amendments to offer to House Bill No. 331, at the bottom of page 5, and I have some amendments to offer to House Bill No. 334 and House Bill No. 337 on page 6.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 330, Printer's No. 61, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 331, entitled:

An Act reenacting and amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act" extending the provisions of the act for a further limited period of time.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SCHMIDT, on behalf of Messrs. SILVERT and SCOTT, offered the following amendment:

Amend Sec. 1 (Sec. 2), page 3, line 18, by inserting after "premises": "or transfer to a trustee for the express purpose of holding title in trust as security for a debt contracted at the time of the transfer and the retransfer to the grantor-borrower upon the repayment of the debt."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

An said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 331, Printer's No. 62, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 332, Printer's No. 63; and

House Bill No. 333, Printer's No. 137.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 334, entitled:

An Act reenacting and amending the act of May 16, 1935 (P. L. 208) entitled as amended "Corporate Net Income Tax Act" imposing the tax permanently and amending the definition of net income.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 1 (Sec. 2), page 9, line 2, by inserting after "situated": "The term "tangible property" as used in this subsection shall not include the security interest of any corporation as seller or lessor in personal property sold or leased under a conditional sale, bailment lease, chattel mortgage, or other contract providing for the retention of a lien or title as security for the sales price of the property."

Amend Sec. 1 (Sec. 7), page 30 by inserting between lines 14 and 15: "(e) The provisions of this section shall apply to every corporation which was doing business in Pennsylvania in the year for which the Federal income has been changed, irrespective of whether or not such corporation has thereafter merged, consolidated, withdrawn or dissolved. Any clearance certificate issued by the department shall be conditioned upon the requirement that, in the event of a change in Federal income for any year for which taxes have been paid to the Commonwealth, the corporation or its successor or its officers or its directors shall file with the department a report of change and pay any additional State tax resulting therefrom."

On the question,

Will the Senate agree to the amendments?

Mr. DENT. Mr. President, it certainly appears from listening here that the amendments do not fit the bill—not that I want to save them—but the trouble is that it is Printer's No. 136 that is before us, and I believe the Senator happens to have an old printer's number.

AMENDMENTS WITHDRAWN

Mr. KESSLER. Mr. President, I desire to withdraw these amendments in order to check the printer's number. We will hold them until tomorrow or until the bill comes up again.

And the question recurring,

Will the Senate agree to the section?

BILL OVER IN ORDER

Mr. KESSLER. Mr. President, I ask unanimous consent that House Bill No. 334, Printer's No. 136, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I have also been informed that there are others who have amendments to offer to these bills. Therefore, in order not to go through a lot of different printings, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 335, Printer's No. 66;

House Bill No. 336, Printer's No. 67; and

House Bill No. 337, Printer's No. 138.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 443, entitled:

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 478

The Clerk of the House of Representatives, being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 478, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-seven.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 478, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-seven.

Whereupon,

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I have passed out, as far as they have been able to get around with them, a certain preliminary analysis of House Bill No. 337, which is known as the "Sales Tax," and hope that the Members who receive these copies will read them in relationship to the bill itself and try to come up with some answers between now and Monday as to the affect of the amendments placed in the bill by the Senate Committee on Finance.

One of the most serious things, and one which I think opens up a complete new record of treasury rating, is contained in the feature that now makes refunds retroactive. First we established the refund as a right, which I am not too much opposed to if a person has overpaid his tax or there has been an error in the estimate and the assessment of his tax. I think that person or taxpayer is entitled to a refund as a right. When you realize what the amendments in this bill do, you then see one of the worst types of raids over perpetrated on the public treasury. I do not say this with any sense of bitterness, but simply as a matter of criticism in government.

Here we have had a tax bill on the statute books since July 7, 1956. That tax bill had certain provisions which required the collection of certain taxes on certain items that were labeled as taxable items. Here we come along with amendments that exempt certain items from the tax bill starting May 31, 1957 and then, lo and behold, we put in the retroactive refund feature which will allow the items that are being exempted after May 31, to be exempted as of the original date of passage of the Act in March 1956.

The income and revenue for this State for this biennium was based upon a specific tax law. During the period of this tax collection, I have heard a great deal of criticism about the inability of the department to collect the taxes. I, too, probably have joined in some of the criticism. However, when I took time to make a search, I found that there was some reason for criticism and cause for criticism in the fact that regulations had as yet not been put out as rapidly as they should have been. When this retroactive feature for refund was placed in this bill, I went further into this study to find out why we have been unable to collect this tax.

I found that those who have representatives either on the scene in Harrisburg, or in law offices in the various cities, have advised their clients, throughout the taxing year, not to pay the tax; that they would be able to amend the tax bill and make retroactive the features that were in contest in so far as their interpretation of the act was concerned.

Now, I am not going to select at this time the industries, the specific taxpayers, because when I do I want to be accurate in my statements. Sufficient to say that we are now passing, when we do—and I understand that the order of the day is "rush" and to accept no Democratic amendments which I hope to have ready on Monday. The order of the day is to push the bills through as amended.

What will happen to the estimates for 1955 to 1957? We have upped the estimates beyond the known collection of the tax to $18,500,000, which was somewhere near $3,000,000 more than the Tax Study Commission estimated the return to be, because they were using the actual returns. However, the department, knowing that thousands upon thousands of taxpayers and millions upon millions of dollars had not been returned to the treasury, was, of course, of the belief that before the end of the biennium they would be able to reach out and get the taxes that were applicable under the Act of 1956, but by this amended bill, lo and behold, we are forgiving that tax on items that were already taxable under an old bill or the bill that is now in existence.

We can safely assume, without too much arithmetic, and I want to say to all of you that I have been at it pretty much all day trying to work out, with my limited capabilities and with the help that I can get from the various departments and accountants, an estimate of the loss in revenue. Sufficient to say, industry itself estimated the tax on industrial machinery. Manufacturing machinery would be, under a three per cent sales tax in a period of fourteen and one-half months, $40,000,000. Now this bill not only relieves the manufacturing machinery, which, incidentally, the Republican Party would not relieve under the Fine Tax Bill, but under the Governor Fine one cent tax bill, industrial manufacturing machinery was taxed. As a concession to industry, we took out manufacturing machinery, but what do these amendments do? These amendments now exempt any machinery whether it is used in the process of manufacturing or not,

just so it is machinery that is in the hands or in the employment of that manufacturer from the time the process of manufacturing starts until the produce is ready on the platform for transmittal to a consumer. This means that the balance of the $40,000,000, which the industry spokesmen themselves gave me as their facts, will be lost to the Commonwealth. Therefore, using their own figures, this refund retroavtice feature will cost the taxpayers, the little taxpayers in Pennsylvania, this biennium $20,000,000. Going from there into the next biennium will take a little longer study, but I assure you that you are not being favorable to industry when you try this kind of legislation.

Do you know that there are more words of amendment added to this bill to protect shipbuilding and ship repairing than all of the other industries in the Commonwealth, although you may be able to get some tax in some field of manufacturing because the word "direct" is still left in the act as it pertains to manufacturing? When it comes to shipbuilding and ship repair, they have removed entirely from that particular section any possibility of collecting any tax whatsoever from anybody that is in the shipbuilding or repairing field. That means that hand tools and screwdrivers and other items that were taxable under the old act will only be taxed to people and not to anyone else.

I sat in this Senate and fought sales taxes. I fought them for many years because of this very thing. The records will show that I contended all along that if you pass a broad base tax, and you include all the people as they do in California and collect in California some $680,000,000 a year, why then perhaps you could say that you had a broad base tax. However, in Pennsylvania, because of the power and persuasion of certain individuals who represent certain interests which at times may be considered predatory—but I would not use the term as my own—these people have seen to it from the very beginning that they are exempted from the Act.

Now in this exemption, are we arguing that the exemption is good for the future, or are we saying that we are going to go back and refund to those who have already paid moneys into the Treasury under the old Act? We are going to make refunds to persons who have already paid taxes in Pennsylvania because we have an automatic retroactive feature in the Act for refunds.

Then if you go on into the administrative end of the Act, you find where you have made it very attractive for those who do not want to pay the tax and find it more convenient to file but not pay, because in the reassessment feature of the Act you have removed the requirement of a bond. So if a person is delinquent, either deliberately or even accidentally and a reassessment is made against that taxpayer, the burden is put upon the department, mind you, to specify in detail the items of delinquency.

When that reassessment is made, the taxpayer so assessed puts no bond up to require the payment but can if he so desires, and I am not afraid to assume that some will find it convenient to change the corporate entity of their particular business. This will not, of course, strike at big business because it will not change its entity, but there are those who will, and then where do their appeals go? Straight to the Board of Finance and Revenue.

Now is that tied up in any way with the bill that they are trying to pass where all of the employees and all of the powers of the Board of Finance and Revenue are going to be put in the hands of the State Treasurer, contrary to the law as it has been since 1929? Is there any connection between skipping and bypassing the department, which are the only ones who will have the facts and the only ones who will have the details, and going before a purely argumentative board which has no research department, has nothing that they can employ or no one they can employ to make a study to find out whether the findings are those of fact or the findings of argument alone, based upon persons and personalities?

These are important issues for the people. Yes, we have a broad base tax and the people are going to pay it, but let us not get to the point as to be so caustically casual as to forget our responsibilities to the people, the whole people of the Commonwealth. I do not want to sit here and overburden any industry in this Commonwealth or any business in this Commonwealth but, by the same token, I do not believe that any of you want to overburden the individual citizens of the Commonwealth, the taxpayers.

If this bill goes through as it is amended, what will be the percentage of tax paid by people and what will be the percentage of tax paid by property? A rough estimate may be made for your own analysis. A rough estimate, Mr. President, is this; that when this government had an appropriation total for its budget of $285,000,000, some eighty per cent of that was paid by industry and business. That was overbalanced and it was wrong. Today, with the budget stretching up to one billion five hundred odd millions of dollars, industry will pay about twenty-seven per cent and the people will pay seventy-three. That, too, is an overbalance, and it is wrong because the people are not the only ones who demand the refinements and services of government. I have repeated it too many times to say today that although industry is the great life-giving and job-giving asset in a community, it is also true that those who are employed mean just as much to the welfare of the community and the industry itself as the industry.

We have a great number of arguments that we could produce. However, go down the line, starting on page 3, line 18, and you will find that the exemptions include manufacturing, mining, shipbuilding and research; exemptions to include all equipment used from the first production stage until the final packaging of the item to be transferred to another.

Then go on down in the printing. We were willing to admit that we thought there was some small error in our judgment and we were willing to amend the bill to include printing of periodicals, newspapers and so forth, but what do you do now? All printing is removed; all the accessories of printing, all of the materials that they buy except the materials that little peoples buy.

Now go to page 4, line 11. The shipbuilding exemption is technically broadened by including rebuilding and every other phase of ship repair and ship rebuilding, and all of these items are completely eliminated from any of the tax.

I do not want to appear to be against all taxation for the simple purpose of being against. I think that if you will look through the records, I voted for the bill the last time. I voted for many tax bills in my position as Floor Leader, to accept the responsibility of my Party and

stand up and vote for measures that I was against, but here we are now, here we are now, and I say I want you to take this analysis, from page 3 on down to line 9 on page 8, where the limitation of the productive exemption is rewritten in such a way as to exempt from tax, trailers and semi-trailers used to move materials from one corporation plant to another corporation plant. We are getting into the position where no one will pay tax except the people themselves.

If it is a broad base tax, then that is one thing, but if it is not a broad base tax then it is just as proper to say in this, mind you, it is just as proper to say if a manufacturer, an industry or a shipbuilder buys cigarettes or he buys liquor to entertain his friends and it is a cost of doing business because he is entertaining possible consumers or purchasers of his product, that you ought to exempt him from the tax on cigarettes and the tax on liquor because it is a costly item in some industries. You might as well exempt him from all sales taxes and that is what the liquor tax is; that is what the sales tax is on cigarettes or any other of these items. So, exempt him from all of the taxation and see what we will do in the manner of return.

Now people can pay taxes and people are willing to pay taxes, but we cut them out of the machinery tax in local districts. We said that industry should not pay real estate tax on machinery. That is the first big drive. Second, we come along and we are going to remove manufacturers from the capital stock tax. That is another big drive, because if the estimates are correct, anywhere near correct, then you lose $95,000,000 in the next biennium following the 1957-1959 biennium from that particular tax rebate alone to industry. If you lose the additional $40,000,000 from machinery not used in manufacturing processes, why there is another $40,000,000, or somewhere near $135,000,000, that you have reduced from the tax load. We know that we are going to require at least, and without even the hesitation of a guess, between $150,000,000 and $160,000,000 in the next biennium from mandated increases in the cost of government.

Now where are you going to get it? Will we come back again and further exempt other items that some other person want exempted? For instance, here is one. How many of you know that now you are going to exempt the foundation of buildings in manufacturing or utilities? You are going to exempt the foundations of the buildings, but is it not just as important to have the foundation or the roof or vice versa? Without a roof over the head of the machinery, the machinery would corrode and be useless in the process of manufacturing, so without the foundation, you cannot establish the machinery.

Now where do we stop? Where do we end? We will have to exempt the sides of the building next, because if you do not, the wintry winds will come in and it is necessary to manufacturing to have the sides to the building. How far can we go? Are we exempting the furnace that goes into the home of the individual that builds a house? Are we exempting the extra footers that have to go in because he may put a chimney in the place? Oh no, but he cannot put a furnace in without the chimney, without the foundation. Now where do we stop? That person who builds that home has to pay tax on every item that goes into the production of that home, and then has to pay a sales transfer tax for the home when he picks it up off of the builder.

These things are very serious. Now in exempting all of the items, they exempted as much as they could for industry, the utilities, the shipbuilders, but did they exempt the building materials for churches and schools? On no, no. If there was to be an exemption, what about churches and schools? Was that a proper exemption to ask for or was it not a proper exemption?

I am not going to take any more time going through the list. I have handed out to each of you, as far as I could, an analysis of the amendments as they appear in the bill. You can answer the analysis. If I am wrong, I certainly will take the position that I was wrong, but between now and Monday it behooves every citizen of Pennsylvania to read with care the amendments put into this Act to see who is getting hurt. In my opinion, we, the people, are being hurt.

BILL INTRODUCED AND REFERRED

Mr. BARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. BARR, WATKINS and CAMIEL read in place and presented to the Chair Senate Bill No. 371, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein a distinct and separate court of common pleas designated court of common pleas number eight; and providing for the appointment and election of judges for the court.

Which was committed to the Committee on Local Government.

REPORTS FROM COMMITTEES

Mr. WOLFE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOLFE, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 249, entitled:

An Act to authorize military leaves of absence for employees of the Commonwealth, or its departments, boards, bureaus, commissions, agencies and offices, and employees of counties, municipalities, townships, authorities, or other political subdivisions of the Commonwealth who are drafted into the military service of the United States at any time or who enlist therein in time of war or armed conflict; and providing reemployment, seniority and retirement rights.

Mr. WHALLEY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Highways, reported as amended, Senate Bill No. 68, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," fixing an annual registration fee for public school buses.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 69, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," further regulating the use of commercial motor vehicles.

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 227, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) "Reference and Arbitration Law," making awards upon approval by the court, judgments of the court and giving them the dignity of judicial proceedings.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, many years ago a sailing vessel, which went around the Horn to come into the Pacific Ocean, became becalmed and it was becalmed for several days. The crew began to get a little restless and, finally, this New England captain, known for his economy, became so extravagant as to take a shilling and toss it into the ocean and say, "God, give us a shilling's worth of wind." Within a few minutes, they were involved in a terrific hurricane and the ship's crew became a little disturbed. The captain remarked by saying, "If I had known wind was so cheap, I would not have bought a shilling's worth."

Mr. President, it seems to me if I would have known that these amendments were going to bring forth so much wind, perhaps I would not have introduced them. However, Mr. President, I would like to go back to last year, just for a minute. I have always had a very high regard for the memory of the Senator from Westmoreland. He amazes me with his figures and facts which he can pull out of that mind of his, and I marvel at it.

I recall very distinctly, however, in our discussions that were held, some in Senator Mahany's office and some in the Attorney General's office, a division of the manufacturing operation into four parts. The first part was the receipt of the raw materials and their storage. The second part was the manufacturing process itself, where these raw materials are compounded or fabricated. The third stage was the storage and the shipping of the finished product. The fourth section of manufacturing was that over-all administration feature, the supervision and the so-called general offices that go with manufacturing, such as record keeping.

It was agreed in our discussions that the manufacturing itself was the only portion that we wanted to exempt. There was no difference of opinion among Democrats or Republicans, or even among the Attorney General's office, that we intended to tax the storage and the handling of any equipment that might be used in connection with raw materials. We intended to exempt from the beginning of the processing to the end of the processing, and then we wanted to tax the shipping and the storage facilities again and the over-all administration expense. What has happened?

Just to give you one example as to how the intent of the General Assembly has been distorted, in the canning industry, for example, the vegetables are brought into the canning plant. After washing and blanching, which is necessary I understand to kill the bacteria that might exist, the vegetables are placed in cans or jars. The cans are then sealed and they finally go into a pasteurization process or heat treating process to preserve them. From that point, they go to the labeling machines and the carton-filling machines.

The Administration in its rulings—and I have some letters on my desk which I can show you that quote the regulations—says that the blanching of the vegetables is exempt and the machinery in connection with that, but the filling of the containers and the sealing of the containers is ruled to be not a part of the manufacturing process. You pick up the manufacturing process again as soon as you get to the pasteurization process.

Mr. President, that was not our intent and I am sure Senator Dent will have to agree with me that that was not our intent. We figured that when the vegetables get in the plant and the processing starts to the point where the cans are ready to go into the cartons, that was the manufacturing process.

Let me just clear up a few other misunderstandings that Senator Dent has mentioned.

Senator Dent talked about the shipyards. Please recognize, Senator Dent, that the ships which we are referring to are clearly spelled out as over fifty tons or more. The Administration, and all of us here, are anxious to keep industry in Pennsylvania. We have one large shipbuilding concern in this Commonwealth and that is down on the Delaware River in Marcus Hook or Chester, I believe. Right across the river, in New Jersey, is the New York Shipbuilding Yard. There is nothing which will bring ship owners to Pennsylvania to have their ships built if they can get it done better or cheaper across the river in New Jersey. We believe that the shipbuilding industry is valuable to Pennsylvania. It was our intent, and it still is our intent, to exempt that shipbuilding industry.

It is true that the tools and supplies that are used in manufacturing—and shipbuilding is considered manufacturing—are not taxed. However, just remember that the products which these people sell, with the exception of ships, are taxed when they are sold at retail.

Printing is manufacturing. It is changing the form and process of a commodity. All we are saying in these amendments is that printing is manufacturing. It is true that the printing presses, the printing supplies and so forth are exempt. However, when the printer goes to sell his product, that is a sale at retail and is taxed, except for the exemptions which we have written into the bill so far as newspapers and informational matter is not taxed.

Mr. President, there are many things which I think a study of this bill, over the week end, will bring home to you that we are not doing the drastic things which Senator Dent says we are doing.

I would just like to go back and point out to you one of the first things that Senator Dent said about the refunds. Do you, Senator Dent, realize that under the present Act, the only way a person can get a refund is if the Board of Finance and Revenue says so? If they turn him down, he has no way of appeal. All we are trying to do is to make it possible for a man to get a refund. The only way he can get a refund today is if the Department of Revenue assesses him, and if he has made an overpayment, they certainly are not going to assess him again. At least, I hope not.

Mr. President, I am sure we will have many more discussions on these proposed amendments before the week is over, but I did just want to bring some of these things to Senator Dent's attention. I am sure that if he takes time to study this bill, he will find that the charges he has made and many of the statements, as I read them here, are erroneous.

We are not trying to reduce the revenue. We are simply trying to say that this is what we intended to do when the bill was passed.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, if Senator Kessler will take a look at the brief which I handed him, he will find that we just took the pages and the amendments as they appeared. The amendments are written into the Act, the page number is given, the line number is given and it changes the character of the bill. For instance, I am not objecting to the refund as a right. I think I prefaced my remarks by saying that I believe it is a fundamental right. I did say that I disagreed that refunds should be retroactive.

For instance, Senator Kessler mentioned that shipbuilding now is exempt from the tools that they use in shipbuilding, but they were not exempt in the original bill. The shipbuilding company, as Senator Kessler mentioned, has not paid a cent of tax. If it waits for this amendment to be made retroactive it will not have to pay the tax. This is a second thing that might be seriously considered.

In this bill we are now allowing contractors to be exempt from tax from what they say are the worn parts of their machinery which they use during a contract, when they have paid the tax on the machinery and its life extends beyond the contract. However, any parts that are worn out, you now have made that retroactive. We, the Pennsylvania citizens, have paid for millions of dollars of contracts on a fixed price base. If that particular contractor or a group of contractors come in and say they wore out $2,000,000 worth of tires, bulldozer blades and nippers for other equipment, will they become eligible—they are under this Act—and are they going to get a refund retroactively? Will they pay us the three per cent that they charged us on a fixed contract base, the people of Pennsylvania, plus thousands of other contracting jobs that were done in Pennsylvania?

I am saying that the retroactive feature is an unusual feature. It is one that I have never experienced, where you make the tax already paid retroactively refundable. That is the only thing that I think needs a great deal of study. If I am wrong on it, I will stand corrected. However, I did get this from the Department of Justice.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, this discussion just shows how we are in error in discussing bills when they are not before us. I hope Senator Dent does not do that in the future. The time to discuss bills is when we have them before us on the Calendar. Then each side has a chance to debate the bills.

These bills right now are in their formative stage. We only passed them on first reading and, no doubt, tomorrow if we get to them on second reading, we will have an opportunity to debate them. However, to put out one side of the thing after asking for permission to make a presentation, and then have that side get into the newspapers and have it timed so that his time is about expired at the hour of six o'clock, when we have used that hour, as a rule, to adjourn for the evening, I think is wrong. I think Senator Dent takes advantage of us, either consciously or unconsciously. I feel that he has been taking advantage of our willingness to give him the floor under this order of business. I hope that Senator Dent does not take advantage of that situation again.

Let us debate the bills when they are before us in an orderely process. Then we may hear both sides and the newspapers can report both sides of the argument. I have had several Senators here who wanted to take the floor to differ with Senator Dent on some of the statements he made. I note, however, that the hour is growing late and we have tried to adjourn here around the hour of six o'clock.

Unless Senator Dent has something else to say, I would like to proceed to the consideration of Bills on First Reading.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 68, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," fixing an annual registration fee for public school buses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 69, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," further regulating the use of commercial motor vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 81, entitled:

An Act concerning gifts of securities to minors; providing for custodians of such gifts and their powers and duties; defining the effect of the gifts on guardians of minors or their estates; conferring jurisdiction on orphans' courts and absolving agents dealing with securities from certain responsibilities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 227, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) "Reference and Arbitration Law," making awards upon approval by the court, judgments of the court and giving them the dignity of judicial proceedings.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 249, entitled:

An Act to authorize military leaves of absence for employees of the Commonwealth, or its departments, boards, bureaus, commissions, agencies and offices, and employees of counties, municipalities, townships, authorities, or other political subdivisions of the Commonwealth who are drafted into the military service of the United States at any time or who enlist therein in time of war or armed conflict; and providing reemployment, seniority and retirement rights.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE CONCURRENT RESOLUTION

Memoralizing Congress to provide for approval under Title 10 of the Social Security Act, of the Commonwealth of Pennsylvania's plan for Federal financial matching for aid to the blind without regard to the existence of the Commonwealth's program of pensions to blind persons financed entirely by the State.

Mr. YOSKO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. YOSKO, KOPRIVER, JR., MALLERY, MAHANY, DENT and BARR offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 12 1957.

Whereas, the Federal Social Security Law was amended in 1950 to permit Pennsylvania to secure Federal matching in payments made to Blind Pension cases which could be classified as "needy," and

Whereas, this amendment was extended in 1954, to expire June 30, 1957, and

Whereas, Pennsylvania has chosen to have a pension program for the blind that is more liberal than Federal regulations permit, and

Whereas, payments are made to certain blind persons who have income and resources beyond the limits approved by the Federal Government as within the scope of the Aid to the Blind Program specified in the Social Security Act, and

Whereas, at the present time there are about 17,400 persons in Pennsylvania receiving a Blind Pension and federal matching is available on about 7,500 of these cases which are classified as needy persons under the provisions of the present amendment to the Social Security Law, which results in Pennsylvania receiving about $300,000 a month in Federal funds to help finance this program, and

Whereas, the receipt of an estimated $7,200,000 in the fiscal biennium 1957-59 will be jeopardized if the amendment to the Social Security Act is not extended beyond the previously designated expiration date of June 30, 1957.

Now therefore, be it resolved, and it is hereby

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania in the name of the people of Pennsylvania, hereby memoralize the Congress of the United States to further amend the Social Security Law so that Pennsylvania's fine program for helping blind persons need not be jeopardized by the withdrawal of funds which the Commonwealth is accustomed to receive from the Federal Government, and be it further

Resolved, That appropriate legislation receive favorable and early consideration since the present amendment is due to expire June 30, 1957, and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of Health, Education and Welfare, the Speaker of the House of Representatives, the Chairman of the Committee on Finance of the Senate, the Chairman of the Committee on Ways and Means of the House of Representatives, and each Senator and Representative from Pennsylvania in the Congress of the United States.

RULE 39 SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

Mr. STIEFEL. Mr. President, at this late hour, I am not going to hamper the efforts of the Senators, but I just want to make a casual observation.

Whenever I introduce a resolution dealing with Federal relations, Senator Mahany always says, "Why bother the Federal Government? They ahave plenty on their hands."

Now it is about time to realize that what is good for the gander is good for the goose.

The PRESIDENT. Does the Senator from Philadelphia, Mr. Stiefel, object?

Mr. STIEFEL. Mr. President, I have no objection.

The PRESIDENT. The Chair hears no objection.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

REFERRED TO COMMITTEE

DIRECTING THE DEPARTMENT OF PROPERTY AND SUPPLIES TO INSTALL AND MAINTAIN MARKERS DESIGNATING THE LOCATION OF STATE BUILDINGS IN THE CITY OF HARRISBURG

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WALKER, MAHANY, WHALLEY and DENT offered the following resolution which was twice read and referred to the Committee on State Government:

In the Senate ,March 12, 1957.

Inability to find State buildings and various State agencies located therein is the cause of much loss of time and irritation to persons on the Capitol grounds seeking to accomplish or settle official business with State officers and employes; therefore be it

Resolved, That the Department of Property and Supplies is requested to install and maintain markers designating State buildings and departments, bureaus, and other agencies occupying the buildings, and to make vailable to the public at various places in the main Capitol building and other State buildings within the City of Harris-

burg, drawngs with legends and sketches of locations of the various State buildings, departments, bureaus and agencies.

INTERROGATION

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. LANE. Senator Mahany, during the course of the discourse here today I, believe we understood you to say that we were going to debate the tax bills tomorrow. Is that statement correct and are we going to do so?

Mr. MAHANY. Mr. President, I said we would have an opportunity to debate them tomorrow. I do not know whether or not we will debate them tomorrow. If we have them passed over in order, of course, then we will not debate them. I have not as yet made out the plan as to what we are going to do definitely tomorrow. I do not expect though to have a very long Session tomorrow, if that may be any tip-off to you.

Mr. LANE. Well, I do not think that we of the Minority Party care too much about tip-offs. What we would like to know is whether or not we are expected to be prepared to have our amendments in order and ready to debate them tomorrow. If so, why we plan on working tonight.

I would like a definite answer, because I understand there are quite a few who thought possibly they could get away this evening. We do not want them to leave if we are going into a full dress affair tomorrow, even with amendments.

Mr. MAHANY. Senator Lane, for your information. I discussed this somewhat with Senator Dent earlier this afternoon and we did not come to any definite conclusion, but I think there was more or less of an understanding that if he did not have his amendments ready tomorrow, we would let the bills go over until Monday.

Mr. LANE. Just a moment now. We will see about these definite conclusions, because I do not think Senator Dent is too definite about it here.

Mr. MAHANY. Well he seems to be. He is trying to tell you.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, while we were talking, I also informed the gentleman from Titusville that I was going to have an analysis of the tax bill and intended to hit the floor with it this afternoon. I understood I was reprimanded a little because someone said I took advantage of the situation. I think he was fully aware of the fact that I was going to, but the choosing of the time was not mine. I cannot turn the clock ahead or forward. It just happens that when you meet at 4:00 o'clock it gets near 6:00 o'clock before you are ready to do things.

Now, Senator Mahany, I understood from you that I would have a little time on the amendments, and I thought you understood that I would not be able to have them tomorrow. However, you said we could debate them on second reading tomorrow, and I was just afraid that I would be left out in the cold with the amendments that I hope will be presented to the Senate. If we still have the same understanding as we had before you reprimanded me, let us say, why then everything is all right.

BIRTHDAY PRESENTATION TO SENATOR JOHN H. DENT

Mr. MAHANY. Mr. President, I would like to say this to Senator Dent. It is a pleasure to reprimand the Senator because he comes up with a smile and so that he will not feel too bad, I have a birthday present left over from the other night that I would like to present to him, on behalf of my Republican colleagues and myself. We wish him every happy return of the day and many more to come.

I also want to say to him that every bit of that particular package has had the sales tax paid on it.

Mr. DENT. You know, you are making me ashamed for raising my voice. I think that all of us understand this,—and I want this for the record,—that when we debate here, we debate on what we believe to be the issues and that we never intend to strike a personal blow at anybody.

I am eternally and, indeed, grateful for the fine gesture on the part of the Republican Senators.

PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I do not want to prolong the Session, but I have before me here an address that was delivered before the National Association of Fiscal Officers of the United States, and it deals with the Federal Highway Program. It is very informative. It explains every detail of the Federal Highway Act. I am not going to take the time to read it. I talked to Senator Mahany about it and he suggested that I ask for permission to have it incorporated in the Journal of today's proceedings, and I so request.

PERMISSION TO ADDRESS SENATE

The PRESIDENT. The Senator from Northampton, Mr. Yosko, requests that the article be printed in the Legislative Journal. Are there any objections? The Chair hears no objection, and orders the article to be printed in the Legislative Journal.

FEDERAL FUNDS FOR HIGHWAYS

Text of talk by J. C. Allen, Deputy Commissioner for Finance and Management, Bureau of Public Roads, Department of Commerce, prepared for delivery at the Annual Convention of the National Association of State Auditors, Comptrollers, and Treasurers, Las Vagas, Nevada, December 8, 1956, at 9 a. m.

Federal aid to the States for highway construction is not new. The first appropriation was $5 million for the fiscal year ending June 30, 1917. By contrast, the amount authorized by the Federal-Aid Highway Act of 1956 for the fiscal year 1958, beginning next July 1, is $2 billion, $550 million. There were, of course, increasing annual amounts authorized between 1917 and 1958. Following World War II the authorizations averaged approximately $500 million annually until the fiscal year 1956 when the amount was increased to $875 million. As you see, the program authorized by the Federal-Aid Highway Act of 1956 is not a new activity, but it has grown many times larger.

FEDERAL-AID FISCAL PROCEDURES REVIEWED

Fiscal procedures developed over the past 40 years of Federal-aid operations are applicable to all Federal-aid projects, including those to be built under the provisions of the 1956 Act. Following congressional authorization and apportionment by the Secretary of Commerce of the authorized funds to the States, the funds are available for commitment to individual projects. The States initiate Federal-aid projects and submit them for approval to Public Roads. The States make the surveys and prepare the detailed plans, specifications, and estimates. They also advertise for bids, award contracts, and supervise the construction. As Federal-aid projects are advanced through these stages they are reviewed and approved by Bureau of Public Roads district office representatives who cooperate closely with the State highway departments in supervising the Federal-aid program. As construction progresses the State makes progress payments to the contractor and vouchers the Bureau for reimbursement of the Federal share of the cost of this work. Upon completion of a project, the State submits a final voucher requesting payment of the balance of any Federal funds not yet paid. A detailed audit is made of the State's claim and final payment is made.

BASIC PRINCIPLES OF FEDERAL-AID CONTINUED

The Congress, in adopting in 1916 the policy of aiding the States in highway development, laid down certain wise principles that have withstood the test of time. The first of these was that each State must have a highway department, with adequate powers, and suitably equipped and organized to direct and supervise the highway activities in the State. This provision has permitted the Bureau to deal with one single agency of a State rather than with the many counties, municipalities and other political subdivisions of a State. The cooperation through the years of the Federal Bureau of Public Roads and the State highway departments has been an outstanding example of good Federal-State relationships.

The second principle, that came in 1921 after previous experience had shown the need, was that Federal funds should be expended only in the improvement of selected systems of highways. Everyone has his own idea of the most important road in the world—it is probably the one that passes his front door. The vast mileage of roads in existence and the limited funds available for their improvement made it imperative that the most important roads be identified and efforts concentrated on improving them first. This principle of giving priority to the most important roads now channels the Federal funds into the improvement of two principal Federal-aid highway systems: the primary system which includes the Interstate System and the secondary system. All are selected by the State highway departments in cooperation with the Bureau of Public Roads.

The primary system consists of the principal interstate and intrastate highways. Initially limited to rural sections of the system, Federal aid was extended during the 1930's to cover improvements in urban areas as well.

Also in the 1930's the Congress extended Federal aid to the improvement of a limited number of secondary roads. This led to the establishment of the secondary system which consists of principal secondary and feeder roads following in importance those roads in the primary system.

The Interstate System was established pursuant to the Federal-Aid Highway Act of 1944. It is a network of the most important interstate portions of the primary system limited by law to 41,000 miles. The National System of Interstate and Defense Highways is so located as to connect, by routes as direct as practicable, the principal metropolitan areas, cities, and industrial centers, to serve the National Defense, and to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico. When completed, it is estimated that this system (designated Intersetate System, for short) will carry 20 percent of all traffic, although it comprises only 1.2 percent of the total road and street mileage. It serves 90 percent of all cities of over 50,000 population and 42 of our State capitals. (A map showing the approximate location of approved Interstate System routes is attached.)

Still another principle of Federal-aid is that the States shall maintain with their own funds highways constructed with Federal aid. Thus, it is seen that Federal-aid funds are available only for construction.

As an acknowledgment of the States' interest in Federal-aid work, the Congress set Federal participation at 50 percent, with the States paying the balance. This has been the normal participating ratio through the years. The 50-50 ratio has been continued in the 1956 Act for the continuing regular Federal-aid funds; i.e., primary, secondary and urban funds. However, because of its importance to the national defense and in view of the Federal interest in the standards and the desirability of early and systematic completion of the Interstate System, Congress raised the Federal participation of Interstate System funds from 50 to 90 percent.

APPORTIONMENT FORMULAS

Another aspect of Federal-aid that has withstood the test of time has been the formulas used in apportioning funds between the States. The three factors used are: area, population, and mileage of rural delivery and star mail routes in each State. These factors are used either singly or in combination in apportioning the various classes of funds. Specifically, the formulas used in apportioning or allocating Federal-aid funds are as follows for each class of fund:

Primary—one-third according to area, one-third according to total population, and one-third according to mileage of rural delivery and star routes;

Secondary—one-third according to area, one-third according to rural population, and one-third according to mileage of rural delivery and star routes;

Urban—according to the population of municipalities and other urban places of 5,000 or more.

Urban funds, like primary funds, may be expended on sections of the 41,000-mile portion of the primary system that is designated the Interstate System. However, because of the less favorable matching ratio, it is anticipated that regular Federal-aid funds will seldom be used on the Interstate System as long as Interstate funds are available to pay 90 percent of the cost.

Interstate. In general terms, the Interstate System

funds are apportioned on the basis of two-thirds population, one-sixth area, and one-sixth rural delivery and star routes. Specifically, the Federal legislation provides two formulas for apportioning these funds. One-half of the funds are apportioned according to the same formulas used for primary funds; that is, one-third according to area, one-third according to total population, and one-third according to mileage of rural delivery and star routes. The other half of the interstate funds is apportioned according to total population.

These formulas for interstate apportionments apply to the funds authorized by the 1956 Act for the fiscal years 1957 through 1959. Interstate funds authorized for the fiscal years 1960 through 1969 are to be apportioned among the States according to the estimated cost of completing the Interstate System as determined by studies that will be reported to Congress in subsequent years.

1956 ACT PROVIDES LONG-TERM PROGRAM

The Federal-Air Highway Act of 1956 charts a new course in the Federal-State cooperative highway program. It departs from the practice of authorizing specific amounts for a 2- or 3-year period by providing a 13-year program aimed at completing the Interstate Highway System to standards adequate for traffic estimated in 1975. Federal authorizations for improvement of the Interstate System start with $1.175 billion for the fiscal year 1957 and go to $1.7 billion for 1958, $2 billion for 1959, and $2.2 billion for each of the fiscal years 1960 through 1967, ending with authorizations of $1.5 billion for 1968 and $1.025 billion for 1969. Thus, a total of $24.825 billion of Federal funds are authorized over the coming 13 years.

Continuation of the regular Federal-aid program is also provided by the 1956 Act for the fiscal years 1957 through 1959, with authorizations for these three years of $825 million, $850 million, and $875 million, respectively. These funds are divided among the three programs in the usual proportions of 45 percent primary, 30 percent secondary, and 25 percent urban.

(A statement is attached showing in detail by States the apportionments for the fiscal years 1957 and 1958.)

The 1956 Act continued the programs for Federal domain roads in amounts that are increased over the amounts for prior years. For each of the fiscal years 1958 and 1959 the Federal domain authorizations are $30 million for forest highways, $27 million for forest development roads, $16 million for park roads and trails, $16 million for parkways, $12 million for Indian reservation roads and $2 million for public lands highways, making a total annual program of $103 million.

The Federal-aid highway funds for any given fiscal year become available immediately upon apportionment and remain available through the fiscal year for which authorized and the two following fiscal years. Thus, the authorizations for the fiscal year ending June 30, 1958, became available upon their apportionment on August 1, 1956, and will remain available for contracting through June 30, 1960, or a total of 47 months.

ADVANCE OF FUNDS

In order to facilitate the acquisition of right-of-way for projects on the Interstate System, the 1956 Act provides for advance of Federal funds to the States for purchase of right-of-way for projects for future construction. Previous legislation authorized advance of Federal funds to the States but only for the purpose of expediting actual construction. Since the 1956 Act increases Federal highway authorizations fourfold and Federal participation on Interstate System projects to 90 percent, it is expected that the States will find it necessary to make more use of this provision of the legislation.

Federal funds are advanced upon application by the State highway department and approval by the Commissioner of Public Roads. Since the advance is treated as a revolving trust fund, the amount of the advance is limited to the anticipated obligations which will mature during a period of two months. The funds are advanced to the order of the State official designated as Custodian of Funds who deposits the funds in a special account in a financial institution within the State. Prior to acceptance of deposit, the institution must have agreed to accept the account and to furnish the Bureau certification of balance whenever requested, and to permit audit of the account by the Bureau. It is understandable that in the operation of a trust account of this nature the Federal advance cannot be deposited to any existing State fund account or otherwise comingled with funds of the State. The funds in the trust account may be disbursed solely upon vouchers approved by the State highway department for rights-of-way which have been or are being acquired, and for construction which has been performed. Reimbursement to the revolving trust account is made upon presentation of vouchers to Public Roads covering rights-of-way or construction disbursements from the trust account.

HIGH DESIGN STANDARDS PROVIDED FOR INTERSTATE ROUTES

Since design standards directly affect both highway capacity and the safety and efficiency of traffic movement, high standards have been adopted for the Interstate System, as required by the 1956 Act. They were formulated by the American Association of State Highway Officials and approved by the Bureau of Public Roads. They call for incorporation of all known safety features to provide for safe, relaxed driving and maximum economy of vehicle operation. The designs will be based on requirements for estimated 1975 traffic volumes, almost 20 years hence. The rights-of-way width will be from 150 to 300 feet wide, depending upon the terrain, the type of country, and the number of lanes involved. Traffic lanes will have a minimum width of 12 feet, and all-weather shoulders will be from 6 to 10 feet wide. Medians on the multilane sections will be at least 36 feet in rural areas and no less than 4 feet wide in built-up urban areas. Current estimates indicate that 28,000 miles of the new system will be 4 lanes and that 5,000 to 6,000 will be more than 4 lanes. Only 7,000 miles, in sparsely settled rural areas, will be 2 lanes.

Control of access is one of the most important features that will distinguish the Interstate Highway System from most of our present-day roads. Control of access means planned access whereby every vehicle entering or leaving the highway will do so on facilities designed for safe and efficient merging with and emerging from the through traffic streams. Studies have shown that the accident rate can be reduced about two-thirds by controlling access.

Widespread economic benefits are expected to

follow in the wake of controlled access roads. Even though the New York Thruway, a controlled access highway is not yet fully completed and portions have not been opened to traffic for very long, more than $150 million worth of new industrial plants have been erected along this route. These plants are estimated to employ 30,000 persons, with an annual payroll exceeding $100 million. Expressways in many other localities tell a similar story.

There are many other provisions of the 1956 Act which should be mentioned. The Act specifies that provisions of the Davis-Bacon Act are made applicable to projects financed from the new interstate funds. This involves a predetermination of prevailing wage rates for similar work in the immediate locality, determined by the Secretary of Labor in advance of advertising for bids. The wage rates so determined are made applicable to interstate projects.

For the first time Alaska is made eligible for Federal-aid for highways—primary, secondary, and urban. Only one-third of its land area is used in applying the regular formulas to calculate Alaska's apportionments.

Section 111 of the 1956 Act makes provisions for Federal funds to participate with State funds in the cost of relocation of utility facilities necessitated by the construction of a Federal-aid improvement. This provision merely reaffirms our present practices in this regard.

HIGHWAY TRUST FUND CREATED

Title II of the 1956 Act is known as the Highway Revenue Act of 1956. It places the Federal share of this vast work program on a pay-as-you-go basis. It provides for earmarking and channeling into a special trust fund revenues estimated to reach $38.5 billion in the 16-year period beginning July 1, 1956. About two-thirds of this amount are estimated to come from highway-user taxes that already were in effect and one-third will come from new taxes and increases provided by the new legislation.

STATE ACCOUNTING PROCEDURES OUTLINED FOR FEDERAL-AID PROJECTS

There may be some question with respect to the accounts and records which should be maintained for the accounting of costs of the expanded Federal-aid highway construction program. As a general rule, it is not expected that Public Roads would require the maintenance of such accounts beyond the scope which the State itself would maintain under established and accepted accounting procedures. The recording of costs by distribution of charges to project accounts is standard practice and is necessary for fiscal management and control purposes as well as for the determination of claims made against Federal funds. The accounts themselves are, of course, only one record of interest to both the State and Public Roads, with a second primary interest being the records maintained in support of costs recorded in the accounts. Here again Public Roads will ask for no more in the way of records than could be expected to be maintained in the normal course of operating a large business, such as the highway construction program.

MODERNIZED ACCOUNTING SYSTEMS NEEDED

The sudden expansion in the highway construction program will produce many problems, some of which will affect auditors and accountants. Vigilance by all public officials will be required to insure proper expenditure of public funds. I have one suggestion to make: review carefully your accounting systems to see if they provide you with adequate controls for the greatest public works project ever undertaken by a Nation in recorded history.

It has been estimated that expenditures for the construction of Federal-aid highways over the next 15 years will equal the cost of 29 Panama Canals, plus 29 Grand Coulee Dams, plus 29 St. Lawrence Seaways. When it was apparent that the Congress would authorize huge sums for highway purposes we, in the Bureau, asked the accounting staff of the Department of Commerce and the Accounting Systems Division of the General Accounting Office to cooperate with us in making a comprehensive survey of our accounting system. The Bureau has expended over $8 billion since 1916 without a breath of scandal, but we did not believe it advisable to rest on our laurels. Rather, with expenditures being increased fourfold, we considered it imperative to have the best accounting system that could be devised. I recommend such action by each of you.

Federal-Aid Highway Apportionments

Fiscal Years 1957 and 1958

(Millions of Dollars)

	Fiscal Year 1957			Fiscal Year 1958		
	Primary, Secondary & Urban Funds ($825.0)	Interstate System Funds ($1,175.0)	Total ($2,000.0)	Primary, Secondary & Urban Funds ($850.0)	Interstate System Funds ($1,700.0)	Total ($2,550.0)
Alabama	$16.7	$23.9	$40.6	$17.0	$34.5	$51.5
Arizona	10.2	13.4	23.6	10.2	19.5	29.7
Arkansas	12.3	17.0	29.3	12.7	24.7	37.4
California	44.1	66.8	110.9	45.7	96.9	142.6
Colorado	12.9	16.0	28.9	13.4	23.2	36.6
Connecticut	7.6	11.3	18.9	7.9	16.4	24.3
Delaware	3.5	7.3	10.8	3.6	10.6	14.2
Florida	13.7	19.9	33.6	14.0	28.9	42.9
Georgia	19.2	27.4	46.6	19.6	39.6	59.2
Idaho	8.2	11.9	20.1	8.3	17.2	25.5
Illinois	36.5	55.3	91.8	37.9	80.2	118.1
Indiana	19.8	28.6	48.4	20.3	41.4	61.7
Iowa	18.0	24.0	42.0	18.4	34.7	53.1
Kansas	17.2	21.3	38.5	17.4	30.9	48.3
Kentucky	14.8	22.0	36.8	15.3	31.9	47.2
Louisiana	13.1	19.3	32.4	13.5	28.1	41.6
Maine	6.2	9.4	15.6	6.3	13.7	20.0
Maryland	8.8	14.1	22.9	9.3	20.4	29.7
Massachusetts	15.0	25.0	40.0	15.8	36.3	52.1
Michigan	28.2	42.2	70.4	29.2	61.1	90.3
Minnesota	20.0	26.5	46.5	20.2	38.3	58.5
Mississippi	13.3	18.6	31.9	13.6	27.0	40.6
Missouri	23.2	31.8	55.0	23.7	46.0	69.7
Montana	13.1	16.8	29.9	13.5	24.4	37.9
Nebraska	13.6	16.8	30.4	14.1	24.4	38.5
Nevada	8.1	12.2	20.3	8.2	17.8	26.0
New Hampshire	3.7	7.3	11.0	3.8	10.6	14.4
New Jersey	15.4	25.7	41.1	16.2	37.2	53.4
New Mexico	10.9	14.2	25.1	10.9	20.6	31.5
New York	52.0	83.1	135.1	54.2	120.5	174.7
North Carolina	19.9	29.9	49.8	20.5	43.3	63.8
North Dakota	9.7	13.0	22.7	9.7	18.8	28.5
Ohio	32.7	50.2	82.9	34.0	72.8	106.8
Oklahoma	15.9	21.0	36.9	16.2	30.4	46.6
Oregon	12.5	15.9	28.4	12.7	23.1	35.8
Pennsylvania	38.9	62.8	101.7	41.0	91.1	132.1
Rhode Island	4.5	7.3	11.8	4.7	10.6	15.3
South Carolina	10.6	15.8	26.4	10.8	22.9	33.7
South Dakota	10.4	13.6	24.0	10.3	19.7	30.0
Tennessee	17.3	25.1	42.4	17.9	36.4	54.3
Texas	50.2	67.4	117.6	51.3	97.7	149.0
Utah	8.0	11.4	19.4	8.1	16.6	24.7
Vermont	3.4	7.3	10.7	3.5	10.6	14.1
Virginia	15.8	23.7	39.5	16.4	34.4	50.8
Washington	13.4	18.8	32.2	13.8	27.3	41.1
West Virginia	9.0	14.0	23.0	9.3	20.3	29.6
Wisconsin	18.9	26.7	45.6	19.4	38.7	58.1
Wyoming	8.0	12.1	20.1	8.3	17.7	26.0
Hawaii	3.7	....	3.7	3.9	....	3.9
District of Columbia	4.8	7.3	12.1	5.0	10.6	15.6
Puerto Rico	5.7	....	5.7	5.9	....	5.9
Alaska	1.9	....	1.9	13.1	....	13.1
Total	814.5	1,172.4	1,986.9	850.0	1,700.0	2,550.0

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, March 13, 1957, at 12:00 o'clock, meridian, Eastern Standard Time.

Mr. MURRAY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:27 o'clock, p. m., Eastern Standard Time, until Wednesday, March 13, 1957, at 12:00 o'clock meridian, Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, March 12, 1957

The House met at 1:00 p. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Ernest N. Bauer, Pastor of the Zion Lutheran Church, Hollidaysburg, guest Chaplain, offered the following prayer:

Gracious God, our Heavenly Father we make our earnest prayer that Thou wilt keep the United States in Thy holy protection, and that Thou wilt incline the hearts of our citizens to cultivate the spirit of obedience to Thy holy laws.

Bless this commonwealth that it may be a blessing to our Country and to the world. Grant that our ideals and aspirations may be in accordance with Thy will. Help us to see ourselves as others see us. Grant us sound government and simplicity and justice in all our relations to one another. Above all we ask Thee, dear Lord, to grant us a spirit of servcie which will abolish all pride of place and inequality of opportunity.

Gracious God, endow all the members of this House of Representatives with right understanding, pure purpose, and sound speech. Enable them to rise above self seeking and party zeal into the larger sentiments of public good and human brotherhood.

Bless these Thy servants with good health and the good sense to preserve it. Bless their loved ones, the members of their families. May they commit all to Thy care that no leaden anxiety keep any one from doing his best work.

Help us to be good men and women that we may become good leaders. As we are confronted with decisions make us willing to ask, "What would Jesus do?" Then give us the courage and the grace so to act. We ask it in His precious name. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, March 4, 1957? If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, March 11, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. MAHAN, HOCKER and STROUP.
HOUSE BILL No. 736.

An Act regulating the collection of rents or fees on copyrighted music and radio and television programs.

Referred to the Committee on Judiciary Special.

By Mr. LAFORE. HOUSE BILL No. 737.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), requiring the notation on certificates of title of the use of motor vehicles for rental purposes in certain cases; and prescribing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. LOPRESTI. HOUSE BILL No. 738.

An Act repealing the act of May 1, 1907, (P. L. 147), entitled "An act to require corporations owning, leasing, or operating steam or electric railways, and engaged in the business of carrying freight or passengers, within this State, to report to the Secretary of Internal Affairs the number of statute miles of lines so operated; * * *."

Referred to the Committee on Railroads and Railways.

By Mr. ESHLEMAN (By Request).
HOUSE BILL No. 739.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting assessors, or their servants or employes from selling or soliciting certain types of property insurance.

Referred to the Committee on Judiciary Special.

By Mr. LOPRESTI. HOUSE BILL No. 740.

An Act amending the act of April 4, 1919, (P. L. 44), entitled "An act making the Secretary of Internal Affairs the custodian of all deeds, contracts, * * * relating to the titles to real estate owned or hereafter to be acquired by the Commonwealth," providing for notice to the Secretary of Internal Affairs of conveyances or other disposition of Commonwealth land.

Referred to the Committee on State Government.

By Messrs. STUART, EWING and JOHNSTON.
HOUSE BILL No. 741.

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), providing that the compensation of county policemen shall not be diminished in certain cases.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. READINGER and GUTHRIE.
HOUSE BILL No. 742.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), known as the "Public Assistance Law," by defining "resident" and further regulating eligibility for assistance.

Referred to the Committee on Welfare.

By Mr. TOLL. HOUSE BILL No. 743.

An Act amending the "Pennsylvania Board of Parole Law" approved August 6, 1941 (P. L. 761), removing the ceiling on salaries of the secretary of the board and of district supervisors.

Referred to the Committee on State Government.

By Mr. RENWICK. HOUSE BILL No. 744.

An Act amending "The Administrative Code of 1929," approved April 9, 1929, (P. L. 177), authorizing the Department of Forests and Waters to use moneys from performance bonds to correct unsatisfactory conditions caused by failure of contracting party to comply with contract provisions.

Referred to the Committee on State Government.

By Messrs. LIMPER and LEONARD.
HOUSE BILL No. 745.

An Act amending the "Elevator Regulation Law" approved May 2, 1929 (P. L. 1518), regulating the repairing

and renovating of elevators requiring permits and fixing fees, permits and inspections.

Referred to the Committee on Labor Relations.

By Mr. GAILEY. HOUSE BILL No. 746.

An Act amending the act of July 29, 1953 (P. L. 956), entitled "An act to fix the number of Representatives in the General Assembly of the State; * * *," regulating election of representatives in territory annexed to certain cities.

Referred to the Committee on State Government.

By Messrs. VARNER and DENNISON.
HOUSE BILL No. 747.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the reversion of territory upon abolition of an independent school district.

Referred to the Committee on Education.

By Mrs. DONAHUE and Mr. BREON.
HOUSE BILL No. 748.

An Act amending "The County Code" of August 9, 1955 P. L. 323), authorizing the closing of court houses and other county offices on Wednesday afternoons.

Referred to the Committee on Counties.

By Mr. MAXWELL and Mrs. MARKLEY.
HOUSE BILL No. 749.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing an increase in the personnel of the State Police Force.

Referred to the Committee on State Government.

By Mr. ADAMS. HOUSE BILL No. 750.

An Act amending "The Vehicle Code," approved May 1929 (P. L. 905), providing the Secretary of Revenue to establish minimum standards of quality for brake fluid sold in the Commonwealth; and fixing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. TAYLOR and Mrs. MUNLEY.
HOUSE BILL No. 751.

An Act requiring employers who pay employes by check or draft to provide certain facilities for the cashing thereof, providing penalties, and imposing duties on the Department of Labor and Industry.

Referred to the Committee on Labor Relations.

By Mr. DUNN. HOUSE BILL No. 752.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), making aliens having resided in the Commonwealth twenty years or more eligible to receive assistance.

Referred to the Committee on Welfare.

By Mr. MURPHY. HOUSE BILL No. 753.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), prescribing method for codification of ordinances.

Referred to the Committee on Cities—Third Class.

By Messrs. WESCOTT, WOOD, WHEELER and McCANN. HOUSE BILL No. 754.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), providing a procedure for changing the name of a township.

Referred to the Committee on Townships.

By Messrs. McCANN and WHITTAKER.
HOUSE BILL No. 755.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), providing a separate allocation of reimbursable construction for classrooms for handicapped children.

Referred to the Committee on Education.

By Messrs. PETROSKY and WHEELER.
HOUSE BILL No. 756.

An Act to further amend the act, approved the twenty-first day of May, one thousand nine hundred thirty-one, (P. L. 149), entitled, as amended, "An act imposing a State Tax payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are practically, and commercially suitable for use in internal combustion engines for the generation of power; * * *" extending the additional taxes on liquid fuels and consolidating such additional taxes with the permanent tax thereon.

Referred to the Committee on Ways and Means.

By Messrs. AUSTIN M. LEE and GELFAND.
HOUSE BILL No. 757.

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to Reference and Arbitration" authorizing arbitration before the Municipal Court of Philadelphia.

Referred to the Committee on Judiciary.

By Messrs. TOLL and AUSTIN M. LEE.
HOUSE BILL No. 758.

An Act amending the act of July 12, 1913, (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; * * * and providing for the expenses thereof," enlarging the jurisdiction of the municipal court.

Referred to the Committee on Judiciary.

By Messrs. TAYLOR, HAMILTON and DALRYMPLE. HOUSE BILL No. 759.

An Act requiring employers to pay medical examination fees of certain employes where such examination is a condition of employment; providing penalties; and imposing duties on the Department of Labor and Industry.

Referred to the Committee on Labor Relations.

By Mr. WORLEY (By Request). HOUSE BILL No. 760.

A Supplement to the Public School Employes Retirement Law, of July 18, 1917 (P. L. 1043), permitting former contributors who have become State employes, and members of the State Employes' Retirement Associoation to restore membership in the Public School Employes' Retirement Association and authorizing the transfer of monetary credits in the Public School Employes' Retirement Association to the State Employes' Retirement Association under certain conditions.

Referred to the Committee on Education.

By Messrs. TAYLOR and WELSH.

HOUSE BILL No. 761.

An Act regulating payment of wages for services in certain private employments establishing pay days, conferring powers and duties on Department of Labor and Industry * * * imposing penalties and providing for collection and disposition for violations.

Referred to the Committee on Labor Relations.

By Mr. WORLEY (By Request). HOUSE BILL No. 762.

A Supplement to the "State Employes' Retirement Law" approved June 27, 1923 (P. L. 858) permitting any State employe as a contributor under the provisions of the State employes' retirement system and who was an employe under the public school system of the Commonwealth and make contributions to the Public School Employes' Retirement Fund * * *.

Referred to the Committee on State Government.

By Messrs. BLAIR and GUTHRIE.

HOUSE BILL No. 763.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), authorizing volunteer firemen to attach an emblem, including a blue warning light, to their automobiles; and providing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. BOWER and READINGER.

HOUSE BILL No. 764.

An Act amending the "State Employes' Retirement Law," approved June 27, 1923 (P. L. 858) defining the rights under the retirement system of former members of the General Assembly who after retirement accept employment by the State and subsequently retire again.

Referred to the Committee on State Government.

By Messrs. DAVIS, KELLER and McCANN.

HOUSE BILL No. 765.

An Act amending the act of July 18, 1917, (P. L. 1043), entitled "An act establishing a public school employes' retirement system, etc. . . ." by providing credit for retirement purposes for private school and institution service in certain instances.

Referred to the Committee on Education.

By Mrs. HENZEL and Mr. MOSCRIP.

HOUSE BILL No. 766.

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts.

Referred to the Committee on Education.

By Mr. STRAUSSER. HOUSE BILL No. 767.

An Act amending the "Public School Code of 1949" (P. L. 30), prescribing the minimum annual salary of janitors and maintenance men in school districts of the fourth class.

Referred to the Committee on Education.

By Messrs. BUCCHIN, KELLER and MERRY.

HOUSE BILL No. 768.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further regulating contracts for construction, reconstruction, repairs and work of any nature.

Referred to the Committee on Education.

By Messrs. AGNEW and ADAMS.

HOUSE BILL No. 769.

An Act relating to labor organizations, defining its powers duties and obligations and those of its officers and agents in relation to the rights and privileges of its members.

Referred to the Committee on Labor Relations.

By Messrs. AGNEW and ADAMS.

HOUSE BILL No. 770.

An Act regulating certain activities of labor organizations and its officers; requiring certain of their records to be public records; limiting the use of money derived from initiation fees; * * * imposing penalties; prescribing certain rights of members imposing duties on the Department of Labor and Industry and the Labor Relations Board.

Referred to the Committee on Labor Relations.

By Messrs. AGNEW and SELTZER.

HOUSE BILL No. 771.

A Supplement to the "Department of Banking Code," approved May 15, 1933 (P. L. 565), providing for the registration, examination and supervision of employe welfare funds by the Secretary of Banking; and making an appropriation.

Referred to the Committee on Labor Relations.

By Messrs. AGNEW and ADAMS.

HOUSE BILL No. 772.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) making it unlawful to agree to deprive a member of a labor organization of his rights.

Referred to the Committee on Labor Relations.

By Messrs. LIGHT and POLASKI.

HOUSE BILL No. 773.

An Act to amend the act approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; * **," by changing the provisions relating to suspension and revocation of licenses and the penalties for summary offenses.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. STRAUSSER. HOUSE BILL No. 774.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the election of school directors in school districts of the third and fourth classes by nonpartisan ballots.

Referred to the Committee on Education.

By Messrs. STIMMEL and BOIES.

HOUSE BILL No. 775.

An Act amending the "Optometrists' Licensure Law" approved March 30, 1917 (P. L. 21) further regulating the refusal, cancellation, revocation and suspension of licenses; providing for rules and regulations and eliminating repealed provisions.

Referred to the Committee on Professional Licensure.

By Mr. REIDENBACH and Mrs. KERNAGHAN
HOUSE BILL No. 776.

An Act amending the "Public School Code of 1949", approved March 10, 1949, (P. L. 30), providing for the employment of a local superintendent in place of a supervising principal.

Referred to the Committee on Education.

By Mr. McCANN, Miss DUFFY, Messrs. WESCOTT and HAUDENSHIELD. HOUSE BILL No. 777.

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051) making eligible for assistance certain aged disabled and other persons who are inmates of certain public institutions.

Referred to the Committee on Welfare.

By Messrs. VARNER and AGNEW.
HOUSE BILL No. 778.

An Act amending the act of Jan. 14, 1952 (P. L. 2015), entitled "A supplement to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled 'An act establishing a public school employes' retirement system, * * *'" by extending certain benefits heretofore granted to school employes entering the armed forces of the United States to certain other similarly qualified school employes," extending the period within which school employes who entered the armed forces may apply for credit for retirement purposes.

Referred to the Committee on Education.

By Messrs. WILT and GOLDSTEIN.
HOUSE BILL No. 779.

An Act to regulate nominations and elections for offices of judge of a court of record; providing for nonpartisan nominations and elections for said offices; * * *

Referred to the Committee on Judiciary.

By Messrs. HAUDENSHIELD, LOPRESTI and MOYER. HOUSE BILL No. 780.

An Act authorizing and directing the Governor, on behalf of the Commonwealth of Pennsylvania, to execute an interstate compact concerning mental health and for related purposes.

Referred to the Committee on Welfare.

By Messrs. LOVETT and WOOD.
HOUSE BILL No. 781.

An Act to amend the act, approved the twenty-second day of August, one thousand nine hundred fifty-three (P. L. 1373), entitled "Authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land comprised of three smaller tracts, together with the improvements thereon, erected in Susquehanna Township, Dauphin County, Pennsylvania, consisting of approximately seven acres, for use of the State Farm Products Show Commission; and making an appropriation." by increasing the appropriation.

Referred to the Committee on Appropriations.

By Mr. ROVANSEK. HOUSE BILL No. 782.

A Supplement to the act of June 25, 1931, (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; * * * and making an appropriation," authorizing the Governor to enter into a supplement compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey; * * *

Referred to the Committee on State Government.

By Messrs. PETROSKY and WHEELER.
HOUSE BILL No. 783.

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; conferring powers and imposing duties on local officers and the Department of Highways; and making an appropriation out of the Motor License Fund; and repealing existing legislation, "increasing the amount of appropriation to municipalities for road purposes.

Referred to the Committee on Highways.

By Messrs. MULDOWNEY and CARSON.
HOUSE BILL No. 784.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

Referred to the Committee on Appropriations.

By Messrs. PETROSKY and WHEELER.
HOUSE BILL No. 785.

An Act to further amend the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1107), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes; providing for the acquisition of interests in land by gift, purchase or condemnation; granting powers to, and imposing upon, the Department of Highways, the Secretary of Highways, the Governor and the Department of Property and Supplies; authorizing rules and regulations; and providing penalties for violations thereof; and making an appropriation," by removing the limitation on the number and modifying the limitations on the cost of roadside rests.

Referred to the Committee on Highways.

By Messrs. BLAIR, POLASKI, DALRYMPLE and BELL. HOUSE BILL No. 786.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire seventy-eight acres more or less of land in Washington Township * * * for the use of the Edinboro State Teacher's College and making an appropriation.

Referred to the Committee on State Government.

NEWPORT HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Newport High School of Perry County under the supervision of their teachers, Mr. Wiser and Mr. Kipp. They are the guests of the gentleman from Perry, Mr. Barton.

MAYOR OF BRADFORD WELCOMED

The SPEAKER. The Chair has just been informed that we have the privilege of having in our midst today Dr.

Hugh J. Ryan, Mayor of the city of Bradford, McKean County. He is the guest of the gentleman from McKean, Mr. Johnson.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 224.

An Act requiring that all meetings of legislative bodies of all political subdivisions including school districts and of all meetings of boards commissions and authorities created by or operating as agencies of political subdivisions including authorities created by or operating as agencies of the Commonwealth shall be open to the public.

Referred to the Committee on Municipal Corporations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. BROWN. RESOLUTION No. 48.

In the House of Representatives, March 11, 1957.

The Lutheran Church of Our Saviour, Coatesville, Pennsylvania was established on May 5, 1907, with a mere fifty members. On this year of its Fiftieth Anniversary the church membership numbers in excess of 600 persons, having more than doubled itself in size within the past six years. Through the untiring efforts of the pastor and the congregation it has now become evident that the existing edifice will not accommodate the increasing throngs of people seeking out the Lutheran Church of Our Saviour to worship God and plans are now materializing for the erection of a new and larger church.

The benefit to mankind which flows forth from this place of worship is indeed immeasurable, for who can say how many souls have been saved and how many deeds of kindness and charity have been instigated by the word of God and the fellowship and communion derived from the sanctuary.

The celebration of this half century of progress which will be held for a full week beginning on May 5, 1957, has deep significance, and even though we cannot all be present we wish to join with the Church in celebrating this milestone; therefore be it

Resolved, That the House of Representatives congratulate Reverend Robert S. Nagle, his predecessors and all the parishioners of the Evangelical Lutheran Church of Our Saviour on their Fiftieth Anniversary and for their faithful and industrious service in the name of God, and be it further.

Resolved, That a copy of this resolution be transmitted to The Reverend Robert S. Nagle, pastor of the Evangelical Lutheran Church of Our Saviour, Coatesville, Pennsylvania.

Referred to the Committee on Rules.

By Mr. UJOBAI. RESOLUTION No. 49.

In the House of Representatives, March 11, 1957.

The following comments, made over a century ago in a publisher's preface to a study of the 1848 Hungarian Revolution, offer a startling parallel to sentiments recently expressed throughout an indignant free world:

"The narrative of the Hungarian war and its heroes is demanded by the American people. They sympathize with the noble band, which strove for freedom and national independence, and expressed their enthusiastic admiration of its leaders. When Hungary lay prostrate . . . a feeling of sorrow and indignation was universal . . ."

The equally inspiring crusade for freedom waged only a few months ago by the Hungarian people has created a new wave of indignation in the hearts and minds of free men everywhere and lends renewed significance to the sentiments quoted above, which appeared in 1851.

Eminent among the leaders of the 1848 Hungarian Revolution was Lajos Kossuth, a brilliant writer, fervent patriot, adroit politician and resourceful military leader.

March 20th will mark the 63rd anniversary of the death of Lajos Kossuth, mentor of the 1848 Revolution against the Hapsburg Monarchy which bears an almost identical resemblance to the recent struggle waged by 1956's Freedom Fighters.

Facing overpowering odds, Kossuth's freedom fighters defeated the Austrian oppressors and invoked a short-lived sovereignty for their country. On April 19, 1849, Lajos Kossuth issued the Hungarian Declaration of Indepence.

Intervention by Russian armies, however, ended Hungary's independence. Kossuth and other principals were forced to leave Hungary.

Kossuth, acclaimed throughout the world for his courageous leadership of the uprising, made a lecture tour of the United States and England. In this country he received hundreds of tributes from national and State officials. He remained in exile for the remainder of his life, and died March 20, 1894 in Turin, Italy.

Long revered by freedom-starved Hungarians, Lajos Kossuth, dead for over half a century, served his country once again as a posthumous stimulus for the recent uprisings. A national hero, his memory nurtured the beginnings of the 1956 revolt. The national monument in Budapest which marks his grave served as a rallying point for Freedom Fighters in the early days of the revolution.

The characteristics of the 1848 and 1956 uprisings were soon manifested on another parallel course. Once again Hungary gained brief freedom, then succumbed under intervention by Russian forces. A mass exodus, much like Kossuth's, was necessitated.

Kossuth's exile voyage to this country had been repeated twenty thousand-fold in the recent exodus of the Hungarian Freedom Fighters. But each Hungarian arriving in the United States has been welcomed with warmth and admiration equal to that accorded Kossuth.

Reception and resettlement of the thousands of exiles has presented a ponderous challenge to the multitude of private and public agencies involved.

At the Joyce Kilmer Reception Center, formerly Camp Kilmer, New Jersey more than twenty-two thousand refugees had been processed and assimilated into American communities as of February 7. Facing formidable restrictions of time and space, the workers, military and civilian, at the New Jersey site have labored with huge success.

The Commonwealth of Pennsylvania, by the nature of its economic and industrial activities and potential, has become a major terminus for resettlement of the Freedom Fighters. Pennsylvania's individuals, churches, groups and organizations have contributed magnificently toward the expeditious rehabilitation of their new neighbors. A sense of pride in the indomitable courage, valor and fortitudinous achievements of the exiles has transcended emotions prompted merely by compassion; therefore be it

Resolved, That on this day, the 63rd anniversary of the death of Lajos Kossuth, the members of the House of Representatives register commemorative tribute to the memory of this champion of freedom and human dignity; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States.

Referred to the Committee on Rules.

By Messrs. BOWER and WOOD. RESOLUTION No. 50.

In the House of Representatives, March 11, 1957.

Resolved, That the Speaker of the House of Representatives shall appoint a committee composed of three members of the House who shall review, consider and report upon all bills which have as their subject matter or deal

with any phase of pensions or retirement with respect to any system of employment in the Commonwealth.

Referred to the Committee on Rules.

By Messrs. BROWN, ASHTON and UJOBAI.

RESOLUTION No. 51.

In the House of Representatives, March 11, 1957.

On Wednesday, February 20, 1957, Henry Pleasants, Jr., M. D., was notified of his dismissal as the State Department of Health's District Medical Director of Chester County.

February 20, 1957 was the last possible day the State authorities could act before Dr. Pleasants' Civil Service status became permanent.

The only reason given for his dismissal was that "he had not met the standards which the department requires."

The record of Dr. Pleasants in the First World War, as Chief of Sanitation, advanced Section A.E.F., is an enviable one, and probably surpasses that of anyone in the State Public Health Service. His services as Lieutenant Colonel, U. S. A. (retired) included those of Battalion Surgeon 308th Infantry, 77th Division; Division Sanitary Inspector, 77th Division; and Chief of Sanitation, Staff of Chief Surgeon Advance Section A.E.F., France, in recognition of which he was awarded the Meritorious Service Citation (Order of the Purple Heart Medal).

It is common knowledge, among the people of Chester County, of Dr. Pleasants' devotion to his duties as the State Department of Health's District Medical Director for Chester County, and of his untiring efforts in behalf of the State and the residents of Chester County.

Dr. Pleasants has on repeated occasions endeavored to obtain from his superior officers in the Department of Health of Pennsylvania a specific statement as to the evidence of "unsatisfactory" performance of his duties as District Medical Director during the past eight years of his incumbency and has been absolutely unable to secure this information.

In March, 1956, he complied with the requirements of the Department of Health of Pennsylvania by taking and passing the Civil Service examination for evidence of ability to occupy the position of District Medical Director, and since the time of notification of the satisfactory result of this examination, he has received official notification of his performance of his duties being "satisfactory" on each of the six-month periods ending June 30th and December 31st, the statement of the Secretary of Health, in his letter received February 20th, appears entirely at variance with facts.

Dr. Pleasants has, within the past four months, been examined by the specialists on the Staff of the Chester County Hospital on two occasions and found physically able to perform the duties of his office.

Dr. Pleasants has, on innumerable occasions during the past three years, experienced deliberate and unprofessional as well as highly embarrassing and insulting treatment by certain of his superiors in the Department of Health.

According to the statement of an official of the Health Department, the second "D" rating covered the period July 1, 1954 to January 1, 1955, it is clearly apparent that two disqualifying ratings of "D" were given by his superiors for professional services of Dr. Pleasants in only one six-month period, such duplication was clearly illegal; therefore be it

Resolved, That the House of Representatives hereby order a full and complete investigation of the activities of the Department of Health of Pennsylvania, with special reference to evidence of willful and deliberate discrimination against and unjust and unwarranted penalization of Henry Pleasants, Jr., M. D.; and be it further

Resolved, That a committee of five members of the House of Representatives be appointed by the Speaker of the House to carry out this investigation and to make a report of its findings to the General Assembly as soon as possible.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

CAREER JOBS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 12, 1957.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

State Government in the mid-Twentieth Century has become an incredibly complex instrument for serving people.

Each day it is called upon to provide hundreds upon hundreds of widely varied services—services that people want, people need, and people pay for with their tax dollars.

If we are to provide these services properly, we must have skilled men and women trained to do technical and professional jobs, and do them well.

We must have engineers of all sorts, draftsmen, architects, foresters, landscapers, biologists, nurses, business machine operators, medical administrators, physical therapists, psychiatrists, and dozens of other specialists.

The Commonwealth of Pennsylvania, like every other state in the Union, faces this problem:

How can we attract technical and professional people to career jobs in State Government?

The only answer is to make career jobs attractive.

This is easier said than done. The Nation's supply of these skilled people is limited, and the demand for them increases every day.

The Commonwealth must, therefore, compete for their services, like any other would-be-employer. It must compete with private employers and with the governments of other states and the Federal Government.

In this competition, Pennsylvania consistently runs behind the field.

For although we offer, in a majority of cases, salaries comparable to those of the market place, we offer no job security and, therefore, no chance for the applicant to build a continuous career in government service.

As a result, we frequently fail to get the people we want, and we often lose the people we have.

Some 65,000 people are employed by the Commonwealth. For much too long a time we have depended almost exclusively on the patronge system to supply the vast majority of them.

But the patronage system fails in the very area of our greatest need: with technical and professional people, whose services are in unremitting demand all over the Country.

In our complex technological society, it is impossible to administer the Government of Pennsylvania without trained people, selected by merit and protected in their careers.

For these career public servants are the hard core of continuing good government.

At present, our Civil Service laws cover 14,000 people.

We believe they must be extended to cover approximately 10,000 more—all of them persons whose skills are in wide demand and whose services we badly need.

We do not advocate extending Civil Service coverage

to State employes on the policymaking level, who are appointed under the Administrative power and must necessarily reflect the policies of succeeding Administrations.

Nor do we contemplate an extension of Civil Service to cover those whose jobs require only routine training.

Our primary concern is with the hard-to-get specialists.

Let me give you a few examples of our difficulty in recruiting them.

We employ 210 psychiatrists in the Department of Welfare, but we need 480; we have 1300 psychiatric nurses and need twice that number; we have 78 psychologists and need 120; we have 130 psychiatric social workers and need 400; we have slightly more than half the 700 activities program technicians we need.

Our Department of Highways needs 1500 professional engineers and engineering assistants. At present, we have less than a third of the men we need.

These jobs go begging because we can't hire qualified people to fill them. Yet we offer them salaries on a par with those paid by competing agencies.

Remembering that it is difficult to get these people anyway, I feel sure you can understand how that difficulty is multiplied by lack of job security. Quite understandably, these people see no reason why they should accept jobs limited to the life of an administration. Nor will they accept the uncertainty of such jobs, knowing that merit system protection is easy to get in other states or with other governmental agencies.

Furthermore, these people know that short-staffed Pennsylvania agencies, trying to do their jobs, must frequently throw away the time-clocks and settle down to chronic overwork.

If we could offer job security, along with fair salaries, we could get some of the trained people we need. But even with Civil Service protection, we will predictably recruit an insufficient number of skilled personnel.

Michigan, for example, extends Civil Service coverage to all State employes with the exception of department heads and their deputies. And Michigan has been conducting an intensive recruiting program.

Yet Michigan can only manage to hire 100 to 120 engineers a year.

Pennsylvania, offering no job security at the present time, must obviously fare worse.

We have done what we could to remedy this situation. We have conducted an aggressive recruiting program. But we have found that the absence of job tenure among most of our technical and professional Commonwealth employes has discouraged a high percentage of desirable applicants.

We are now faced with the need to place 10,000 more professional and technical jobs under Civil Service protection.

Since September 10, 1956, this Administration, by Executive Board action, brought nearly that number under our merit system.

But what one Executive Board can do, another can undo.

Consequently, this Administration now seeks legislation confirming the Executive Board's action and bringing Civil Service protection—by statute law—to the essential career personnel of the Commonwealth.

The bill we propose would accomplish that end. It would also bring a number of our eight Civil Service systems under the jurisdiction of a single act, and make several technical changes in the existing law.

We think this bill reflects an up-to-date approach to the most immediate problem confronting governmental administration: the problem of getting qualified men and women into the technical and professional slots of career government service.

By passing this measure and making it law, the General Assembly will be taking a giant stride forward in the direction of more modern, more efficient and more effective State Government.

For it is to these specialists, skilled in technology and the professions, that government must look for its hard core of competence, its unbroken continuity over the years.

I cannot urge too strongly that the General Assembly take early action on this critically important legislation!

GEORGE M. LEADER.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 60, 86, 98, 115, 116, 142, 172, 198, 199, 202, 203, 207, 234, 277, 286, 287, 288, 305, 306 and 307.

LOWER ADAMS COUNTY STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Lower Adams County Joint School System of New Oxford, Adams County, under the supervision of their teacher, Professor Herbert G. Raab, Head of the Department of Social Studies. They are the guests of the gentleman from Adams, Mr. Worley.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Mahan for Mr. W. H. MILLER because of illness.

Mrs. B. Z. Miller for Mr. POMEROY because of automobile accident

Mr. TAYLOR for himself for tomorrow's session.

REPORTS FROM COMMITTEES

Mr. ASHTON from the Committee on Agriculture and Dairy Industries, reported as amended, House Bill No. 34, entitled:

An Act relating to the distribution, sale or transportation of deficient or misbranded insecticides, fungicides rodenticides and other pesticides; *** and imposing penalties.

Mr. STONER from the Committee on Agriculture and Dairy Industries, reported as amended, House Bill No 93, entitled:

An Act amending "The Penal Code" approved June 24 1939 (P. L. 872), authorizing the exposure of poison t meadow mice and pine mice under certain conditions and conferring powers and imposing duties upon the Secretary of Agriculture.

Mr. RAGOT from the Committee on Counties, reported as committed, House Bill No. 134, entitled:

An Act authorizing counties of the fourth and fifth classes to regulate air pollution from any sources including provisions for the payment of inspection and certificates of compliance ***

Mr. BRAND from the Committee on Counties, reported as amended, House Bill No. 173, entitled:

An Act requiring court approval of contracts between registered architects or registered engineers and counties *** and providing payments on such contracts may be made out of proceeds of temporary loans.

Mr. ESHLEMAN from the Committee on Education, reported as committed, House Bill No. 262, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), extending the area in which school directors may attend meetings.

Mr. GOLDSTEIN from the Committee on Education, reported as committed, House Bill No. 300, entitled:

An Act regulating rights and duties of teachers in schools from the teaching and training of the mentally retarded functioning within the Department of Welfare and in schools for the teaching and training of the physically handicapped functioning within the Department of Health.

Mr. GOODLING from the Committee on Education, reported as committed, House Bill No. 362, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), authorizing conveyance by school districts of the second class of unused and unnecessary lands and buildings to the city, borough, town or township coterminous with the district.

Mr. WYATT from the Committee on Counties, reported as committed, House Bill No. 391, entitled:

An Act amending the act of July 11, 1917, (P. L. 802), entitled "An act authorizing county commissioners to repay moneys collected on forfeited recognizances in certain cases," providing for the return of forfeited recognizances upon application therefor.

Mr. BREON from the Committee on Fisheries, reported as committed, House Bill No. 462, entitled:

An Act amending the act of May 29, 1917 (P. L. 322), entitled "An act to give protection, and to regulate the catching or taking or having in possession, within this Commonwealth, of any bullfrogs, tadpoles, and terrapin; **," permittting settlement of penalties for violations on field receipts.

Mr. BRAND from the Committee on Counties, reported as committed, House Bill No. 610, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing coroners and chief deputy coroners to attend State association meetings, the expenses therefor to be paid by. the county.

Mr. RAGOT from the Committee on Counties, reported as committed, Senate Bill No. 123, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes amending, revising, consolidating and changing the laws relating thereto" permitting county commissioners to hold their organization meeting on the day after a holiday.

BILL RE-REFERRED

Mr. Wilt from the Committee on Cities—Counties, First and Second Class returned with the recommendation that it be re-referred to the Committee on Cities Third Class, House Bill No. 636, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931, (P. L. 932), further regulating the filling of vacancies in the office of controller and treasurer.

The SPEAKER. The bill is re-referred to the Committee on Cities Third Class.

REPORT OF COMMITTEE RELATIVE TO INTERNSHIP OF GRADUATES OF FOREIGN MEDICAL SCHOOLS

Mrs. VARALLO. Mr. Speaker, I submit the report of the Select Committee appointed by the House pursuant to House Resolution No. 131, Session 1955-1956 to investigate methods used by the State Board of Medical Education with respect to acceptance of graduates of foreign medical schools.

The Committee hopes the Members of this House will read the report, a copy of which will be in your post office mail box.

The SPEAKER. The report will be noted in the Journal and printed in the appendix to the Legislative Journal.

PERMISSION TO ADDRESS HOUSE

Mr. AGNEW asked and obtained unanimous consent to address the House.

The SPEAKER. The Chair thanks the gentleman for withholding making the statement yesterday.

Mr. AGNEW. The Speaker is quite welcome.

Mr. Speaker, yesterday in co-sponsorship with Mr. Adams, the gentleman from Berks, and Mr. Seltzer, the gentleman from Lebanon, I submitted in this House a package of labor bills for the consideration of the Members of this House.

These bills, I believe, are numbered conscutively beginning with 769 and ending with 772. The declaration of policy contained in these legislative proposals reads in part, as follows: it is hereby declared to be the policy of the Commonwealth that because of the inherent powers of labor organizations it has become necessary and proper to establish by statute the rights of the individual member of labor organizations in order that he may fully enjoy all the benefits accruing from his status, not only of the union member but also as a citizen of the Commonwealth of Pennsylvania.

These four bills are designed to accomplish the following purposes.

Bill No. 1, to define the civil rights of members of labor organizations and to protect such rights.

No. 2, to regulate unions by requiring the filing of copies of union constitution and by-laws with the Labor Relations Board as public records, and the filing of annual financial statements of all funds received and expended; and requiring unions to submit such records and reports to members.

No. 3, to regulate union welfare and pension funds.

No. 4, to make a misdemeanor an agreement between management and a union to deny to any member any right as defined."

I expect these bills will get some public reaction. I expect that many Members of this House and many groups and persons throughout the Commonwealth may

suggest proposed amendments. Every suggested amendment to these bills, whether from a Member of this House or from a group within the Commonwealth, will receive serious consideration. We are in no hurry to move these bills too fast and will stay in committee at least for a while until we get the reaction of the public and all suggested amendments.

I call these bills the Bill of Rights for labor's rank and file. I hope that they will be known as such.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair has been asked to announce that the photographer who made the panoramic picture of the House is here today to deliver the pictures which were ordered by the Members.

He has asked the Chair also to announce that he has some extra pictures with him for those who failed to order, if they would lige to purchase them.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 381, entitled:

An Act fixing fees to be received by the prothonotary in counties of the first class and providing for the time of payment.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 579, entitled:

An Act requiring the Pennsylvania Turnpike Commission to change the names of certain interchanges on the Pennsylvania Turnpike.

An said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 253, entitled:

An Act amending the act of June 24, 1895 (P. L. 212) entitled "An act to establish an intermediate court of appeal regulating its constitution * * *" increasing the term of office of Superior Court judges to twenty-one years and limiting them to one term with certain exceptions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 315, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the borough of Kingston and Plains Township both situate in Luzerne County.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 384, entitled:

An Act authorizing and directing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Chester River in Delaware County between Twenty-second Street and Upland Avenue in the Borough of Upland * * * and making an appropriation therefor.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 448, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force * * *" extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 553, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Clarion River * * *.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908 * * *" authorizing county commissioners to destroy or dispose of certain records and papers.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LOPRESTI offered the following amendment:

Amend Sec. 1 (Sec. 6.2), page 3, line 1, by inserting after "may" with the approval of the court of common pleas.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended..

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended * * * requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

HOUSE BILL No. 326 TAKEN FROM TABLE

Mr. BOWMAN. Mr. Speaker, I move that House Bill No. 326, Printer's No. 109, be taken from the table.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 326, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER. Mr. Speaker, I withdraw the amendments I submitted yesterday to this bill.

Mr. BOWMAN offered the following amendment:

Amend Sec. 1 (Sec. 4308), page 2, line 14, by inserting after "force" excluding therefrom any period of time durwhich the member was not employed by the police force.

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. BOWMAN offered the following amendment:

Amend Sec. 2 (Sec. 4327), page 3, line 12, by inserting after "department" excluding therefrom any period of time during which the member was not employed by the fire department.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 161

Mr. T. H. W. JONES. Mr. Speaker, I move that the vote by which Senate Bill 161, Printer's No. 64, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended * * * requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

passed second reading and was ordered transcribed for third reading be reconsidered.

Mr. JOHNSON. I second the motion.

The motion was agreed to.

Mr. T. H. W. JONES. Mr. Speaker, I move that the vote by which the title of the bill was agreed to be reconsidered.

The motion was agreed to.

Mr. T. H. W. JONES. Mr .Speaker, I move that the vote by which the various sections to this bill were agreed to be reconsidered.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. THOS. H. W. JONES offered the following amendment·

Amend Sec. 1 (Sec. 6), page 3, line 4, by inserting after "act." This section shall not be construed to require any recorder of deeds to accept appointment or serve as such agent.

On the question,

Will the House agree to the amendments?

Mr. READINGER. I desire to interrogate the sponsor of the amendment.

The SPEAKER. Will the gentleman from Montgomery, Mr. Jones, permit himself to be interrogated?

Mr. T. H. W. Jones. I shall, Mr. Speaker.

Mr. READINGER. Mr .Speaker, I desire to ask the Chair whether this amendment has already been adopted?

The SPEAKER. The Chair has been informed by the Official Reporter that the amendment has not been officially adopted. The amendment is now before the House.

Mr. READINGER. I desire to ask the gentleman from Montgomery to explain the purpose of this amendment?

Mr. T. H. W. JONES. Mr. Speaker, the amendment is designed to permit the recorders of deeds to refuse to accept an appointment as agents of the Secretary of Revenue for the sale of tax stamps for the realty transfer tax.

The bill to which it is an amendment requires the Secretary of Revenue to appoint the recorders of deeds in each county as his agent for the sale of these tax stamps.

This amendment permits, in effect, the recorder to disclaim, if he does not for some reason wish to accept the appointment.

I might add that I am introducing this amendment at the request of one of the sponsors of the bill in the Senate, who stated he had a conversation with the Secretary of Revenue and the Secretary of Revenue had requested this amendment because apparently even under present law some of the recorders of deeds in various counties do not care to handle these tax stamps.

Mr. READINGER. Mr. Speaker, I oppose the adoption of this amendment for the reason that if this House intends to pass a bill requiring the Secretary of Revenue to appoint the recorder of deeds as the agent to sell these stamps, then the recorder of deeds should accept that responsibility and not be given a choice as to whether he will or will not do it.

I think we should not be passing a bill requiring the Secretary of Revenue to appoint all recorders of deeds in the first place, but if we are going to require him to do so, then we certainly should not leave it to the whim or choice of the recorders of deeds to decide whether they are going to perform a duty which we are telling the Secretary of Revenue to impose upon them.

I would like to see the House vote these amendments down.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER declared the "ayes" appear to have it.

Whereupon, a division was called for, ninety-eight Members having voted in the affirmative and seventy-six in the negative, the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a former Member of this House from Allegheny County, and a former Judge of the County Court of Allegheny, the Honorable L. Kenneth Harkins.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 10, Printer's No. 96

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 18, entitled as follows:

An Act requiring bills introduced in the General Assembly to be printed with punctuation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Fetterolf,	Lee, K. B.,	Royer,
Agnew,	Filo,	Leonard,	Rudisill,
Amarando,	Fineman,	Light,	Scarcelli,
Anderson, M. S.,	Foster,	Limper,	Schuster,
Anderson, S. A.,	Fox,	Lippincott,	Schwartz,
Ashton,	Frascella,	Lovett,	Seltzer,
Auker,	Gailey,	Lutty,	Sherman,
Barton,	Garlock,	Magee,	Shields,
Bell,	Gelfand,	Mahan,	Silverman,
Blair,	George,	Markley,	Smith,
Boles,	Gibb,	Marsh,	Snare,
Bower,	Gibson,	McCann,	Snider,
Bowman,	Goldstein,	McCormack,	Spray,
Brand,	Goodling,	McGee,	Steckel,
Breisch,	Goodrich,	McInroy,	Stevens,
Brennan,	Gramlich,	McKeever,	Stimmel,
Brenninger,	Gross,	McLaughlin,	Stone,
Breon,	Guthrie,	Merry,	Stoner,
Breth,	Hamilton,	Metz,	Strausser,
Brown,	Haudenshield,	Mikula,	Stroup,
Brucker,	Heavey,	Miller, B. Z.,	Stuart,
Bucchin,	Heffner,	Miller, H. G.,	Thompson,
Buchanan,	Henzel,	Mills,	Toll,
Carson,	Hocker,	Moody,	Tompkins,
Cleveland,	Holt,	Moscrip,	Ujobai,
Comer,	Horst,	Moyer,	Varner,
Cooper,	Ide,	Muldowney,	Vaughan,
Cummins,	Isaacs,	Mullen,	Verona,
Dalrymple,	Jenkins,	Murphy,	Wall,
Davis,	Jim,	Murray, H. P.,	Walsh,
DeLong,	Johnson,	Murray, P. G.,	Weidner,
Dengler,	Johnston,	Musto,	Welsh,
Dennison,	Jones, G. E.,	Naugle,	Wescott,
Devlin,	Jones, T. H. W.,	O'Dell,	Wheeler,
Dietterick,	Jump,	Ogilvie,	Whittaker,
Donahue,	Kamyk,	Parry,	Willard,
Donaldson,	Kehler,	Pashley,	Willaredt,
Dougherty,	Keller,	Phillips,	Wilt,
Down,	Kernaghan,	Piper,	Wood,
Duffy,	Knecht,	Post,	Worley,
Dunn,	Kooker,	Price,	Wyatt,
Edwards,	Kornick,	Pursley,	Wynd,
Eilberg,	Korns,	Ragot,	Yatron,
Erb,	Krakow,	Readinger,	Zimmerman,
Eshleman,	Lafore,	Renwick,	Helm,
Ewing,	Lee, A. M.,	Rigby,	Speaker

NAYS—19

Andrews,	Curwood,	O'Brien,	Trusio,
Boory,	Farabaugh,	Petrosky,	Varallo,
Capano,	Flynn,	Polaski,	Wargo,
Cianfrani,	Lopresti,	Rovansek,	Williams,
Cioffi,	Munley,	Taylor,	

NOT VOTING—7

Floyd,	Mihm,	Monroe,	Reidenbach,
Maxwell,	Miller, W. H.,	Pomeroy,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 97, entitled as follows:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), permitting certain county offices to be closed on Saturday

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, will the gentleman from Allegheny, Mr. Vaughan, permit himself to be interrogated?

The SPEAKER. Will the gentleman from Allegheny, Mr. Vaughan, permit himself to be interrogated?

Mr. VAUGHAN. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, how many offices are affected by this bill?

Mr. VAUGHAN. Mr. Speaker, in answer to that question, it takes in the prothonotary's office and the county court offices that are dealing with desertion and non-support.

Mr. GOLDSTEIN. Mr. Speaker, is not the right of the clerk of courts, the prothonotary and the recorder of deeds entirely discretionary under this bill?

Mr. VAUGHAN. That is right, Mr. Speaker.

Mr. GOLDSTEIN. Therefore, Mr. Speaker, it is not possible for the clerk of courts to decide that his office shall be open and the other officers to decide that their offices shall be closed?

Mr. VAUGHAN. That is correct, Mr. Speaker.

Mr. GOLDSTEIN. Now, Mr. Speaker, if the gentleman from Allegheny cannot answer this question, he can get the assistance perhaps of a lawyer or some other person who is familiar with the operations of the prothonotary, and this is the question:

If the recorder of deeds is closed on Saturday and the prothonotary is open on Saturday, what rights will be affected where two individuals are trying to place a mortgage and place a judgment against the same property?

Mr. VAUGHAN. Mr. Speaker, I have affidavits from the prothonotary and others concerned with this stating that as of now the law says they must have a full crew. They are working with a skeleton crew and intend to continue with a skeleton crew, and later on I will show you the reason why they should not have a full crew and that a skeleton crew will do.

Mr. GOLDSTEIN. Mr. Speaker, will the gentleman tell me, in case the prothonotary's office is closed and the recorder's office is open, how the legal rights of individuals cannot be harmed?

Mr. VAUGHAN. Personally I cannot see where they can be harmed.

Mr. GOLDSTEIN. Mr. Speaker, under the terms of this bill, the clerk of courts could close his office on Saturday, and is it not true that an individual who has been held for court on Friday, at least, in Allegheny County, where a felony is charged would have to remain in jail until Monday because the clerk of courts is not available?

Mr. VAUGHAN. Mr. Speaker, that is not so, for the simple reason that I know of a case where the prothonotary was at a ball game on Sunday afternoon and they came out to the ball game and he accepted the papers.

Mr. GOLDSTEIN. Mr. Speaker, I know the prothonotary—whose name I cannot recall—is a very busy man, but what jurisdiction does he have over the quarter sessions court?

Mr. VAUGHAN. Same political party, I would say, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, are we dealing with parties or are we dealing with the rights of individuals?

Mr. VAUGHAN. Both, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, will the gentleman from Allegheny tell me, if he can, on whose behalf he has sponsored this bill?

Mr. VAUGHAN. Yes, sir, Mr. Speaker, I can tell the gentleman that. I sponsored this bill on behalf of fairness to the people who work in that office, to the prothonotary who has the office and the other officers whom this bill includes. If they are forced to live up to the law which insists that they have a full crew, that is, they are supposed to have a full crew, but they work with a skeleton crew, what they want to do is make it legal.

To give you an illustration, our desertion and nonsupport cases they hear for the whole month of January and the first two weeks in February. Not one case did they have on a Saturday, yet they have a skeleton crew there.

Getting to the prothonotary's office, Saturday, January 5th, they had four cases, January 19th they had four cases, January 26th they had 14 cases. On those four specific dates all they needed was a skeleton crew at work.

Mr. GOLDSTEIN. Mr. Speaker, is the gentleman from Allegheny talking about primary actions only, by that I mean, the initiation of litigation? Does he mean that when he is referring to four cases?

Mr. VAUGHAN. I am talking about, in the one instance civil cases, in the other instance, the number of cases filed and indexed.

Mr. GOLDSTEIN. Mr. Speaker, does not the gentleman from Allegheny know that the prothonotary's office is used for searching titles by scores of lawyers on Saturday?

Mr. VAUGHAN. Yes, I do, Mr. Speaker, and they will continue to have their skeleton crew just like they do in Philadelphia. Philadelphia has the same type of legislation, and they continue to keep a skeleton crew there if anyone wants to search a title.

Mr. GOLDSTEIN. It is now true today that the employes of the prothonotary's office, especially, work only every second Saturday?

Mr. VAUGHAN. That is where the skeleton crew comes in in this bill, to make it legal.

Mr. GOLDSTEIN. To make what legal?

Mr. VAUGHAN. That he can use a skeleton crew.

Here is an illustration, Mr. Speaker. Last Saturday 300 or 400 cases came into the office on a Saturday morning which were filed by the government. Under this bill those cases could have been held and yet the date of that particular Saturday would have been marked on these bills. What happened, they had to work through until 11:00 o'clock Saturday night to finish up those bills so they would have them filed on that particular date.

Mr. GOLDSTEIN. Mr. Speaker, if the Federal government would have brought down 300 liens on Thursday at a quarter to 4:00, would not the same thing have happened on Thursday?

Mr. VAUGHAN. No, I would not say that.

Mr. GOLDSTEIN. When would those liens have been filed on Thursday?

Mr. VAUGHAN. They would have had a full crew there and they would have finished them.

Mr. GOLDSTEIN. Mr. Speaker, I will ask the gentleman one final question. How many men are engaged in recording the lien dockets in the prothonotary's office, if he knows?

Mr. VAUGHAN. How many what?

Mr. GOLDSTEIN. How many men are engaged in entering liens in the prothonotary's office out of a staff of 138?

Mr. VAUGHAN. I would say about four.

Mr. GOLDSTEIN. Four? That is all Mr. Vaughan, thank you.

Mr. GOLDSTEIN. Mr. Speaker, I rise to oppose the passage of this bill.

Firstly, I have in my possession the resolutions from the Allegheny County Bar Association from the Executive Committee, from the Judiciary Committee and from the Legislative Committee, all of whom are opposed to closing these court house offices on Saturday.

In addition, I have interrogated scores of lawyers in Allegheny County and asked their opinion as to this bill which warrants and permits the prothonotary recorder of deeds and clerk of courts to close their respective offices. They are all opposed to this particular bill.

I call to your particular attention there are scores of people who work daily in the mills and who must go to the court house on Saturday. To compel them to take a day off during the week is unsound.

The Courts of Allegheny County and the offices thereof should be open every secular day. Under this bill the prothonotary or the recorder of deeds or the clerk of courts could, at his own discretion, during the month of September say that their respective offices shall be closed and during the month of October say these offices shall be open.

I say to you when the prothonotary, the record of deeds and the clerk of courts went before the people of Allegheny County, they made an implied contract with them to keep their offices open every day of the week

except Sunday. I say there are four individuals in Allegheny County who want to avail themselves of the "row offices," as they are called, and they should have that right. I am not concerned about the fact that these men have to work only three hours on Saturday in alternate weeks because I do not believe these men are overworked. Their schedule reads from nine to four. They work 30 hours during the week when they are not employed on Saturday, and 33 hours during the alternate week.

We say to you to open the door and allow the courts of Allegheny County to be closed on Saturday is unsound and not in the public interest. I wish to call to the attention of the proponents of this bill that I took the same stand when similar bills were before the House insofar as they concerned the County of Philadelphia.

A public office is a public trust. We say let us keep the court house in Allegheny County open because if bills of this character are passed, then the door will be open and every court house in Allegheny County will be closed on Saturday.

I ask every Member on both sides of the House to vote against this legislation because it serves no useful purpose but will serve some detrimental purpose.

Mr. VAUGHAN. Mr. Speaker, I would like to remind Mr. Goldstein that we only have one court house in Allegheny County. However, House Bill No. 97 contains the same provisions as the Act which now applies to Philadelphia.

The purpose of this bill, Mr. Speaker, is to provide adequate service for Saturdays without the necessity of calling out the whole work force. Ordinarily, a skeleton force can handle the day's requirements since there is no court on Saturday, and hence small need for the prothonotary's services. There is no allowance in the present law for permitting employes of the prothonotary's office to have Saturday off. That is the point I am trying to bring out. In other words, according to the law he is supposed to have a full crew there for that half day. It is not the intention of the prothonotary to close up on Saturday. He wants the authority to use a skeleton force together with the authority to carry over the entry date, whenever possible, to the next calendar business day. That is very important. In other words, you can carry it over until Monday. This is requested to avoid the congestion which already has arisen with municipalities which have flooded the prothonotary's office with delinquent tax liens late Friday, or Saturday morning, and have demanded the liens be entered on the docket as of the following date. The result has been that 35 or 40 employes have had to work through on Saturday on those occasions, and parts of Sunday, to keep the docket current. The Saturday closing authority, together with permission to carry over the dates of entry from Saturday to Monday, precludes congestion without inconvenience to lawyers and plaintiffs who want to use the office on Saturday.

Mr. Speaker, I have two certificates sworn to by the desertion and non-support court, and also the prothonotary's office, showing the amount of work they do on Saturdays. I would like permission to file these with the Clerk.

(For certificates see file in Chief Clerk's office).

In closing, I would like every Member of this House to give Allegheny County what Philadelphia has and the right to use a skeleton crew on Saturdays.

Mr. FILO. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Vaughan.

The SPEAKER. Will the gentleman from Allegheny, Mr. Vaughan, permit himself to be interrogated?

Mr. VAUGHAN. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, so that the Members of the House are not confused with the issues in this particular case, I would like to ask the gentleman this question. Does this affect the office of county clerk of courts which is presently headed by Thomas Barrett in Allegheny County? Does this bill affect him or his office?

Mr. VAUGHAN. Yes sir.

Mr. FILO. In other words, the clerk of courts of Allegheny County will also be closed.

Mr. VAUGHAN. Not be closed, no, but he may close. In other words, it will be legal for him to have a skelton crew there.

Mr. FILO. According to the way the bill reads, it says the office of prothonotary, clerk of county court, clerk of juvenile court and recorder of deeds.

Mr. VAUGHAN. Is the gentleman talking about the elected clerk of courts?

Mr. FILO. That is right.

Mr. VAUGHAN. No, this does not affect his office.

Mr. FILO. That is what I wanted to bring out, Mr. Speaker. This does not affect the present clerk of courts.

Mr. VAUGHAN. No, it does not affect his office.

Mr. GOLDSTEIN. Mr. Speaker, I want to make it clear that in my opinion there is no law which requires the prothonotary, recorder of deeds and clerk of courts to have a full staff. If the gentleman from Allegheny, Mr. Vaughan, is worried about having a skeleton crew, a skeleton crew has existed in Allegheny County for many years, and I am certain that the men who are in charge of that office would not knowingly or intentionally violate any law. We have had a skeleton crew admittedly for a long period of time. If a skeleton crew is doing its job in the interest of the public, those individuals who want to get off Saturday will be able to do so.

This bill serves no useful purpose whatsoever.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—68

Agnew,	Edwards,	Mills,	Sherman,
Amarando,	Ellberg,	Moody,	Shields,
Anderson, M. S.,	Erb,	Muldowney,	Smith,
Anderson, S. A.,	Filo,	Mullen,	Stuart,
Andrews,	Frascella,	Munley,	Toll,
Boory,	Hocker,	Murphy,	Varallo,
Brand,	Holt,	Parry,	Varner,
Breth,	Jenkins,	Petrosky,	Vaughan,
Brucker,	Johnson,	Phillips,	Verona,
Carson,	Johnston,	Polaski,	Wall,
Cianfrani,	Kamyk,	Readinger,	Walsh,
Comer,	Lee, A. M.,	Reidenbach,	Wargo,
Dalrymple,	Maxwell,	Renwick,	Welsh,
Dennison,	McCormack,	Rigby,	Williams,
Devlin,	McGee,	Scarcelli,	Worley,
Duffy,	McKeever,	Schuster,	Wynd,
Dunn,	McLaughlin,	Schwartz,	Yatron,

NAYS—120

Adams,	Ewing,	Kooker,	Price,
Ashton,	Farabaugh,	Kornick,	Pursley,
Auker,	Fetterolf,	Korns,	Ragot,
Barton,	Fineman,	Krakow,	Rovansek,
Bell,	Flynn,	Lafore,	Royer,
Blair,	Foster,	Lee, K. B.,	Rudisill,
Boies,	Gailey,	Leonard,	Seltzer,
Bowman,	Garlock,	Light,	Silverman,
Breisch,	George,	Lippincott,	Snider,
Brennan,	Gibb,	Lopresti,	Spray,
Brenninger,	Goldstein,	Lovett,	Steckel,
Breon,	Goodling,	Magee,	Stevens,
Brown,	Goodrich,	Markley,	Stimmel,
Bucchin,	Gramlich,	Marsh,	Stone,
Buchanan,	Gross,	McCann,	Stoner,
Capano,	Guthrie,	McInroy,	Strausser,
Cioffi,	Hamilton,	Merry,	Stroup,
Cleveland,	Haudenshield,	Metz,	Thompson,
Cooper,	Heavey,	Mikula,	Trusio,
Cummins,	Heffner,	Miller, B. Z.,	Ujobai,
Curwood,	Horst,	Miller, H. G.,	Weidner,
Davis,	Ide,	Miller, W. H.,	Wheeler,
DeLong,	Isaacs,	Moscrip,	Whittaker,
Dengler,	Jim,	Moyer,	Willard,
Dietterick,	Jones, G. E.,	Murray, H. P.,	Willaredt,
Donahue,	Jump,	Murray, P. G.,	Wilt,
Donaldson,	Kehler,	Musto,	Wood,
Dougherty,	Keller,	Naugle,	Wyatt,
Down,	Kernaghan,	O'Dell,	Zimmerman,
Eshleman,	Knecht,	Piper,	Helm, Speaker

NOT VOTING—21

Bower,	Henzel,	Mihm,	Pomeroy,
Floyd,	Jones, T. H. W.,	Monroe,	Post
Fox,	Limper,	O'Brien,	Snare,
Gelfand,	Lutty,	Ogilvie,	Taylor,
Gibson,	Mahan,	Pashley,	Tompkins,
			Wescott,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair notes the presence in the Hall of the House today of a distinguished former Speaker of this House. It is his first visit to the Hall of the House since the last Session. He is also the Auditor general-elect of the Commonwealth.

Without objection, the Chair will appoint the gentleman from McKean, Mr. Johnson, and the gentleman from Berks, Mr. Readinger as a Committee to escort the gentleman from Philadelphia, Mr. Smith, to the rostrum.

Mr. JOHNSTON. Mr. Speaker, I have the honor to present to the House the Auditor General-elect, the Honorable Charles C. Smith of Philadelphia.

The SPEAKER. The Chair thanks the Committee and welcomes to the rostrum the gentleman from Philadelphia, Mr. Smith, the Auditor General-elect of the Commonwealth.

ADDRESS OF HONORABLE CHARLES C. SMITH

HONORABLE CHARLES C. SMITH. Mr. Speaker, friends, you do not know how wonderful it is to be home, believe me. I know there have been a lot of people who have said I wonder what has happened to Charlie Smith. He does not come around the House any more since he has been elected.

I want to tell you a story, and believe me it is very true. I believe one of the hardest jobs that I ever had to do when I was Speaker was to drop this gavel on the day of sine die, adjournment, a lump really came up and it stayed up.

When I walked through this House today and you Members were not in your seats, I detoured the House purposely because I honestly felt so bad about it. Being kicked upstairs sometimes is not as nice as it might seem.

I can remember the gentleman from Cambria, Speaker Andrews, one time years ago when I had a little bit more hair, at which time we had another Speaker in the Chair by the name of Mr. Lichtenwalter. He was going to go to Congress, and Speaker Andrews said that he was being kicked upstairs but that there was only one House of Representatives, and that there was only one Speaker and that it would never be the same. Well, I sat on those seats at that time and thought it was just one of Mr. Andrews' good bits of oratory. But as usual, the gentleman knew a lot more about those things than I did.

Believe me, Mr. Andrews, you were 100 percent right. there is nothing like this House of Representatives. There is nothing like it for loyalty and for friendship. I hope that you will not forget me when I am hidden away here in a paneled office, believe me.

To you Members on the Republican side, my friends, I want to say to you please come over to see me because the doors will always be open; and to you gentlemen and ladies on the minority side, who are also my friends and to whom I owe an awful lot for courtesy and graciousness, the door will be open to you just as much. Please come to see me.

It is a privilege to be here. You gentlemen and ladies who are sitting in the House should take full advantage of it because being kicked upstairs is not as nice as it seems. I would like to be back right here or down in that spot down there. I have experienced more fun, more pleasure, more loyalty and more friendship here, and the Members of the House have given me the happiest memories of my life. Thank you.

The SPEAKER. The Chair thanks the gentleman and hopes he enjoys his visit with us today.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 98, entitled as follows:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) permitting the prothonotary to appoint a solicitor and prescribing a means for paying the cost of prothonotary's litigation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—163

Adams,	Edwards,	Lee, A. M.,	Readinger,
Agnew,	Eilberg,	Lee, K. B.,	Renwick,
Amarando,	Ewing,	Leonard,	Rigby,
Anderson, M. S.,	Farabaugh,	Light,	Rovansek,
Anderson, S. A.,	Filo,	Limper,	Rudisill,
Andrews,	Fineman,	Lippincott,	Scarcelli,
Ashton,	Foster,	Lopresti,	Schuster,
Barton,	Fox,	Magee,	Schwartz,
Bell,	Frascella,	Markley,	Seltzer,
Boies,	Gailey,	Marsh,	Sherman,
Boory,	Garlock,	Maxwell,	Shields,
Bower,	Gelfand,	McCann,	Silverman,
Bowman,	Goodrich,	McCormack,	Snare,

Brand,	Gramlich,	McGee,	Snider,
Breisch,	Gross,	McInroy,	Spray,
Brennan,	Guthrie,	McKeever,	Steckel,
Brenninger,	Hamilton,	McLaughlin,	Stevens,
Breon,	Haudenshield,	Metz,	Stimmel,
Brucker,	Heavey,	Mikula,	Stone,
Bucchin,	Heffner,	Miller, B. Z.,	Stuart,
Buchanan,	Henzel,	Mills,	Toll,
Capano,	Hocker,	Moody,	Trusio,
Carson,	Holt,	Moyer,	Ujobai,
Cianfrani,	Horst,	Muldowney,	Varallo,
Cioffi,	Ide,	Mullen,	Vaughan,
Cleveland,	Isaacs,	Munley,	Verona,
Comer,	Jenkins,	Murphy,	Wall,
Cummins,	Jim,	Murray, H. P.,	Walsh,
Curwood,	Johnson,	Murray, P. G.,	Wargo,
Dalrymple,	Johnston,	Musto,	Weidner,
Davis,	Jones, G. E.,	Naugle,	Welsh,
DeLong,	Jump,	O'Brien,	Wheeler,
Dengler,	Kamyk,	Parry,	Whittaker,
Dennison,	Kehler,	Pashley,	Willard,
Devlin,	Keller,	Petrosky,	Willaredt,
Dietterick,	Kernaghan,	Phillips,	Williams,
Donahue,	Knecht,	Piper,	Worley,
Dougherty,	Kooker,	Polaski,	Wyatt,
Down,	Kornick,	Post,	Wynd,
Duffy,	Korns,	Pursley,	Yatron,
Dunn,	Krakow,	Ragot,	Helm, Speaker

NAYS—22

Auker,	Fetterolf,	Lovett,	Strausser,
Brown,	Gibb,	Miller, H. G.,	Stroup,
Cooper,	Goldstein,	Moscrip,	Thompson,
Donaldson,	Jones, T. H. W.,	Ogilvie,	Varner,
Erb,	Lafore,	Price,	Wilt,
Eshleman,		Stoner,	Wood,

NOT VOTING—24

Blair,	Goodling,	Miller, W. H.,	Royer,
Breth,	Lutty,	Monroe,	Smith,
Floyd,	Mahan,	O'Dell,	Taylor,
Flynn,	Merry,	Pomeroy,	Tompkins,
George,	Mihm,	Reidenbach.	Wescott,
Gibson,			Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 165, entitled as follows:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743) establishing a Traffic Court of Philadelphia and prescribing its powers and duties and jurisdiction and the magistrates assigned thereto * * *.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

MOTION TO RECOMMIT

Mr. McCORMACK. Mr. Speaker, I would like to move at this time to recommit this bill and make a few remarks with respect to that motion.

The SPEAKER. The gentleman is in order to make that motion.

Mr. McCORMACK. Mr. Speaker, this is a bill commonly known as the—

The SPEAKER. Will the gentleman yield? Will the gentleman make his motion?

Mr. McCORMACK. Mr. Speaker, I move that House Bill 165, Printer's No. 89, on page 5 of the calendar be recommitted to the Committee on Judiciary for further study.

On the question.

Will the House agree to the motion?

Mr. McCORMACK. Mr. Speaker, this is a bill amending the 1937 Magistrates Court Act and the intended effect of it is to legalize the Traffic Court in the City of Philadelphia.

The Mayor of the City of Philadelphia has been very much interested in this bill because he recognizes that the present existing setup in Philadelphia with respect to the Traffic Court is not legally constituted. We are all, I think, especially the lawyers, aware of this problem.

In furtherance of the Mayor's interest he recently appointed a non-partisan citizens committee to examine into the matter and to prepare a bill which would be acceptable to both parties and to the people of the City of Philadelphia, in particular.

This non-partisan committee consisted of the Vice Chancellor of the Philadelphia Bar Association who was named Chairman of the Committee, that is, Walter Alessandroni, the Chief Magistrate of the City of Philadelphia, a member of the Keystone Automobile Club, a member of the Committee of Seventy, and I believe there are some other members. They have been meeting and dealing with this problem. The latest report was that within a period of a month they would some up with a bill which would be constitutional and would satisfy the needs of the city.

There was an agreement between the Members of the Judiciary Committee of this House—and I am a Member of the Committee—that we would await the outcome of this meeting, we would wait and see what kind of a bill this citizens committee would come up with.

For some unknown reason, Tuesday afternoon we were called off the floor of this House and without any prior notice whatsoever this particular bill was reported out of Committee. It was a very unusual and irregular thing to call out at this time the bill, when we knew all along that this citizens committee was contemplating a bill which would remove the objections of both parties.

I certainly think because of the fact that there are serious questions of law, constitutional questions, involved, we ought to wait at this time until we hear from that citizens committee.

If there is any suggestion that they are not going to come up with a suitable bill, or that they are dilatory, and that they should have prepared and submitted a bill to this House up until this time, I certainly think that fact should be made known.

But with fairness to all, at the present time I think it would be wise and prudent on the part of this House to postpone action on this bill and to recommit it until we do get a report from that committee.

Mr. EILBERG. Mr. Speaker, I rise to support the motion to recommit the bill, and would like to offer some of the objections there are to the bill as it is written.

Our Pennsylvania State Constitution, Article III, Section 6, says, that you cannot amend a law by reference—

The SPEAKER. Will the gentleman yield? The gentleman understands that we are speaking on a motion to recommit the bill and not on the merits of the bill?

Mr. EILBERG. Mr. Speaker, I am supplementing reasons for the motion to recommit. I feel that the bill requires further study.

The SPEAKER. The Chair wanted the gentleman to understand that the motion was to recommit and his remarks should be confined to that question. The gentleman will proceed.

Mr. EILBERG. Mr. Speaker, the bill requires further study because it is unconstitutional. Article II, Section 6, says that a law cannot be amended by reference, but so much as is amended or revived must be reenacted and published in full.

House Bill 165 before us amends the Magistrates Court Act of 1937 and on pages 2 and 3 attempts to amend the Vehicle Code by reference. It is the Vehicle Code which prescribes in summary offenses that the violator must be taken to the nearest available Magistrate. House Bill 165 amends the Vehicle Code, or attempts to, by putting jurisdiction in the Traffic Court, and this simply cannot be done without properly amending the Vehicle Code.

The Mayors non-partisan committee which was just referred to by the last speaker recognizes this, and, to bring him up to date and the House up to date, that committee did come up with two bills, one bill amending the Vehicle Code to meet the objection I have just stated and the other bill describing the operation of the Magistrates Court and amending the Magistrates Court Act.

Therefore, the Mayor's non-partisan committee headed by Walter Alessandroni, Vice Chancellor of the Philadelphia Bar Association, is not in favor of House Bill 165. I can say that with further authority because I attended the meeting of the Cicil Legislation Committee of the Philadelphia Bar Association last Friday afternoon. At that time a report was made by Mr. Alessandroni in accordance with the facts I have just indicated, and it was agreed by that committee to appoint a subcommittee to review the whole situation further.

A further constitutional reason why the bill would be invalid and why I am in favor of recommitting the bill is that Article V, Section 12, of our Constitution says that there shall be one court in Philadelphia for each 30,000 population. That section goes on to describe the civil and criminal jurisdiction of the Magistrates Courts.

House Bill 165 removes some of the criminal jurisdiction from each of the 28 courts throughout the city and places it in one court. The question is, can this be done constitutionally.

In the case of Rutenberg vs. Philadelphia, a case decided by the Supreme Court in 1938, the Supreme Court had before it the Magistrates Court Act of 1937. The Magistrates Court Act of 1937 attempted in Sections 21 and 30, I believe, to set up one civil court for magistrates in the city so that all civil matters would be heard in that one court en banc in City Hall, Philadelphia.

The Supreme Court decided that the attempt to do this was in violation of the Constitution, that the attempt to remove the civil jurisdiction from all the Magistrates Courts throughout the city and placing it in one court was in violation of Article V, Section 12.

I say, Mr. Speaker, that the attempt in this bill to remove some criminal jurisdiction from all the Magistrates Courts and place it in one central court is also violating the Constitution. It can be directly analyzed to Rutenberg vs. Philadelphia and I feel there is a serious constitutional question involved there.

Viewing those two constitutional objections which I have just stated—and these were discussed last Friday afternoon by the Philadelphia Bar Association Civil Legislation Committee—that committee decided that the whole subject had to be reviewed further, even though the Mayor's non-partisan committee had presented two bills to that Committee. I have those two bills in my hand at the present time.

I would say further, Mr. Speaker, that there are further reasons why the bill should be recommitted.

The question is, does House Bill 165 go far enough? There has been a great deal of discussion in the City of Philadelphia that improper records and dockets have been kept.

There is nothing in House Bill 165 regulating dockets and records of the Traffic Court. I might say that one of two bills offered by the Mayor's non-partisan committee specifically prescribes and regulates the keeping of dockets, records and entries, and it would seem that this might be a desirable feature to be added. Why it was not added to House Bill 165, I do not know.

Also, the bill does not go far enough because it does not provide or insist that no case shall be disposed of without a hearing. One of the big criticisms that exists with the present system is that some cases reportedly are disposed of without a hearing. If the sponsors of the bill are really interested in a proper bill, why do they not insist upon a provision in the bill requiring a hearing?

I might say in this connection that the bill of the Mayor's non-partisan committee amending the Magistrates Court Act cases to be tied with hearings only.

For those reasons, Mr. Speaker, I think the bill should be recommitted.

Mr. AUSTIN M. LEE. Mr. Speaker, I would like to speak briefly on House Bill 165 and in support of the reasons which have been cited in support of this motion to recommit.

I would like to say at the outset that I am opposed to the recommittal of this particular bill. For the information of the Members of the House, in the City of Philadelpoia we have 28 magistrates who have general jurisdiction in civil and criminal cases.

Most of you are familiar with the fact that in violations of the Motor Vehicle Code the Code requires that violators be taken to the nearest available magistrate. In the City of Philadelphia there has been established by ordnance a Central Traffic Court and in all summons for traffic violations the offender is summoned to that central court.

It is obvious that if a man is apprehended out in the outer regions of the city and brought into the center of town to the Central Traffic Court he passes a number of these 28 magistrates on the way. As a result of that, approximately 90 percent of the violation summons issued are invalid and illegal. The Chief Magistrate in Philadelphia uses that excuse for the purpose of cutting the amount of fine or discharging these tickets. For the information of the House, in only about 16 percent of the violations are the penalties actually paid in full.

House Bill 165 is designed for the purpose of correcting this particular situation.

I would like to deal first with the legal and constitutional questions which were raised by the gentleman from Philadelphia, Mr. Eilberg.

I have read over House Bill 165 with the utmost care. I have considered very carefully all of the objections which he raises. I have discussed these matters with

lawyers in whom I have the greatest confidence and trust as to their ability.

I can say to you, Mr. Speaker, that in my opinion there is no basis for any of these objections.

With reference to Article III, Section 6, which says you cannot amend a bill by reference. This particular bill, House Bill No. 165, amends the 1937 Magistrates Court Act. The provisions in the Vehicle Code referring to the nearest available magistrate as it applies to the City of Philadelphia would be repealed by implication if this particular bill is signed into law, and as a result of which there is no basis for that constitutional objection.

The question was raised with me yesterday as to whether a companion bill might be needed to cure this situation, because the gentleman will admit that even if we assume we cannot amend the Vehicle Code in this particular bill it would require a separate bill I am having such a bill prepared and I will consider the matter further if I feel, as a matter of good housekeeping, the bill is required, at which time it will be introduced with the same sponsors who are on this particular bill.

The gentleman also referred to the removal of criminal jurisdiction under Article V, Section 12. I do not think there is anything to that question and I would like to point out to the gentleman that the 1937 Magistrates Court Act sets up a central police court in Philadelphia. If what he says is true, the central police court is also an unconstitutional court, which I doubt very seriously and which I do not believe is true.

The question of dockets is covered in the 1937 Magistrates Court Act, because in that Act it provides that dockets should be kept. If this amendment is made to that Magistrates Court Act, the other provisions of the Magistrates Court Act referring to dockets will apply to the central traffic court.

Regarding the other provisions of the Magistrates Court Act with reference to disposing of cases without a hearing, I would like to say on the question of the so-called Mayor's non-partisan committee that those gentlemen were appointed sometime ago and they have been study-this bill. I can say here, Mr. Speaker, that as I stand here today—and I know that I speak for the other co-sponsors on this bill—we did not to this instant receive any communication from the gentlemen on that committee in any way, shape or form. We have never at any time had any request of any kind to hold up consideration or the passage of this bill by this committee.

I might go further and say that I talked, about two weeks go, with the chairman of that committee, and he indicated to me in this conversation that there was no reason as to why House Bill No. 165 should not be moved and passed by this particular House.

As a result of this, Mr. Speaker, I would like to ask the Members of this House to vote against this motion to recommitt House Bill No. 165.

Mr. TOLL. Mr. Speaker, Members of the House, while it may be true that there was no direct communication made to Representative Lee with respect to having this particular bill amended to put it in proper form, I can support the information given to you by Representative Eilberg. He and I attended a meeting on Friday afternoon of the Committee on Civil Legislation of the Philadelphia Bar Association, which was one of the groups cooperating in the problem of producing a suitable bill to correct the Traffic Court situation.

We are all for a traffic court in Philadelphia, but we want one which is preesnted by a bill which is constitutional and properly prepared.

Mr. Lee has just admitted he may need a companion bill to cure a problem which is right in this House Bill 165. If you look at it you wil see they tried to amend two laws, the Magistrates Court Act of 1937 and the Vehicle Code, Section 1201. How can you do it in one bill? It seems to me if you recommit this bill to the committee, that little problem will be ironed out, and you will get at least some kind of a bill, which at least in that aspect will be good.

The constitutional question is a serious one. Lawyers may differ. Mr. Lee has a view which might be supported in view of the advice he has received from constitutional lawyers: on the other hand, it is possible from the advice we have received, including advice from the front office which I have on my desk, there is a serious constitutional question by reason of the Supreme Court decision which was made in the Magistrates Court Act of 1937.

I therefore feel in all fairness to the bill and to the amendments which could be made and a week's delay or two weeks' delay would do no harm, you should support the motion to recommit so that we do get a bill which we can all vote for in confidence which would be a correct bill from the scrivener angle and a good bill from the constitutional angle. Therefore, I ask you to support the motion that the bill be recommitted.

Mr. AUSTIN M. LEE. Mr. Speaker, just two brief remarks: First, for what it is worth, in my opinion House Bill No. 165 is in perfectly proper legal and constitutional form. In the second place, I have in my hand House Bill No. 1108 of the Session of 1955 which is, with two slight exceptions, the identical bill to House Bill No. 165, and the gentleman from Philadelphia, Mr. Toll, was one of the sponsors of this bill.

Mr. TOLL. Mr. Speaker, the Members of the House who served in the last Session will remember—and I believe our friend from The Bulletin will remember—that bill was sent back to committee for revision and correction and a new bill came out, House Bill No. 1769, which was passed by the House and sent to the Senate. If the gentleman will examine his records he will see that it is a fact. House Bill No. 1108 was just as defective as this one. It went back. You then prepared a new bill which passed the House. Those of you who were here remember it was well debated and we passed it.

Mr. SCHWARTZ. Mr. Speaker, I would first like to state that these microphones are very similar to cuspidors. Unless you hit them just right, they are no good at all.

Apropos the motion, I have to disagree with my colleague, Mr. Lee of Philadelphia, that this bill in his opinion is entirely constitutional. I do not see how you can by innuendo amend two laws at the same time.

If you examine this bill very carefully in this section it says "The Traffic Court of Philadelphia. The Court hereby created, notwithstanding any provisions of the Act of May 1, 1929, P. L. 905, known as the Vehicle Code or any other law to the contrary shall have jurisdiction in all prosecution," and so on. You cannot take out of a law by innuendo what is being attempted to do here. I am no constitutional lawyer, but in my humble

opinion this bill when passed by this House will definitely be unconstitutional.

On the question recurring,

Will the House agree to the motion?

Mr. McCORMACK. Mr. Speaker, I would like to have a roll call on this motion.

The SPEAKER. Will the gentleman be satisfied with a division?

Mr. McCORMACK. Yes, Mr. Speaker.

On a division, seventy-eight Members having voted in the affirmative and one hundred eighteen in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams,	Filo,	Lippincott,	Rudisill,
Agnew,	Fineman,	Lovett,	Scarcelli,
Amarando,	Flynn,	Lutty,	Schuster,
Anderson, M. S.,	Foster,	Magee,	Schwartz,
Anderson, S. A.,	Fox,	Mahan,	Seltzer,
Ashton,	Frascella,	Markley,	Sherman,
Auker,	Gailey,	Marsh,	Shields,
Barton,	Garlock,	Maxwell,	Silverman,
Bell,	Gelfand,	McCann,	Smith,
Blair,	George,	McGee,	Snare,
Boies,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman,	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Guthrie,	Miller, H. G.,	Strausser,
Breth,	Hamilton,	Mills,	Stroup,
Brown,	Haudenshield,	Moody,	Stuart,
Brucker,	Heavey,	Moscrip,	Taylor,
Bucchin,	Heffner,	Moyer,	Thompson,
Buchanan,	Henzel,	Muldowney,	Toll,
Carson,	Hocker,	Mullen,	Tompkins,
Cianfrani,	Holt,	Munley,	Trusio,
Cioffi,	Horst,	Murphy,	Ujobai,
Cleveland,	Ide,	Murray, H. P.,	Varallo,
Comer,	Isaacs,	Murray, P. G.,	Varner,
Cooper,	Jenkins,	Musto,	Vaughan,
Cummins,	Johnson,	Naugle,	Verona,
Curwood,	Johnston,	O'Brien,	Wall,
Dalrymple,	Jones, G. E.,	O'Dell,	Wargo,
Davis,	Jones, T. H. W.,	Ogilvie,	Weidner,
DeLong,	Jump,	Parry,	Welsh,
Dengler,	Kamyk,	Pashley,	Wescott,
Dennison,	Kehler,	Petrosky,	Wheeler,
Devlin,	Keller,	Phillips,	Whittaker,
Dietterick,	Kernaghan,	Piper,	Willard,
Donahue,	Knecht,	Polaski,	Willaredt,
Donaldson,	Kooker,	Post,	Williams,
Dougherty,	Kornick,	Price,	Wilt,
Down,	Korns,	Pursley,	Wood,
Duffy,	Krakow,	Ragot,	Worley,
Dunn,	Lafore,	Readinger,	Wyatt,
Edwards,	Lee, A. M.,	Reidenbach,	Wynd,
Eilberg,	Lee, K. B.,	Renwick,	Yatron,
Erb,	Leonard,	Rigby,	Zimmerman,
Eshleman,	Light,	Rovansek,	Helm,
Ewing,	Limper,	Royer,	Speaker
Fetterolf,			

NAYS—8

Andrews,	Capano,	Jim,	McCormack,
Boory,	Farabaugh,	Lopresti,	Walsh,

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. McCORMACK asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to say that the reason I voted "no" on this bill—I did not have a chance to file my reasons in writing—was because I clearly believe it is unconstitutional and I cannot in good conscience vote for it.

The last time I voted "no," or I opposed a resolution, I was accused by the newspapers of handcuffing the Darcy probe because I thought the expenditures should be submitted before an appropriation given. I would not want to be misconstrued on this bill. Although I believe we should have a good bill, I think this as clearly unconstitutional.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 204, entitled as follows:

An Act amending the "Public Utility Law" of May 28, 1937 (P. L. 1053) excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children to and from school sponsored extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—123

Adams,	Eshleman,	Lafore,	Renwick,
Agnew,	Farabaugh,	Lee, A. M.,	Rovansek,
Ashton,	Fetterolf,	Lee, K. B.,	Royer,
Auker,	Foster,	Light,	Rudisill,
Barton,	Fox,	Lippincott,	Seltzer,
Bell,	Gailey,	Lopresti,	Smith,
Blair,	Garlock,	Magee,	Snare,
Bower,	George,	Mahan,	Steckel,
Bowman,	Gibb,	Markley,	Stimmel,
Brand,	Gibson,	Marsh,	Stone,
Breisch,	Goodling,	McCann,	Stoner,
Brennan,	Goodrich,	McInroy,	Strausser,
Brenninger,	Gramlich,	Merry,	Stroup,
Breon,	Gross,	Metz,	Thompson,
Breth,	Guthrie,	Miller, B. Z.,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Ujobai,
Brucker,	Heffner,	Moody,	Varner,
Buchanan,	Henzel,	Moscrip,	Wall,
Carson,	Hocker,	Moyer,	Weidner,
Cleveland,	Horst,	Murphy,	Wescott,
Curwood,	Ide,	Murray, H. P.,	Whittaker,
Dalrymple,	Isaacs,	Naugle,	Willard,
Davis,	Jenkins,	O'Dell,	Willaredt,
DeLong,	Johnson,	Ogilvie,	Wilt,
Dengler,	Jones, T. H. W.,	Parry,	Wood,
Dennison,	Kehler,	Piper,	Worley,
Donahue,	Keller,	Post,	Wynd,
Donaldson,	Kernaghan,	Price,	Yatron,
Down,	Knecht,	Pursley,	Zimmerman,
Edwards,	Kooker,	Ragot,	Helm,
Erb,	Korns,	Readinger,	Speaker

NAYS—77

Amarando,	Fineman,	Maxwell,	Schwartz,
Anderson, M. S.,	Flynn,	McCormack,	Sherman,
Anderson, S. A.,	Frascella,	McGee,	Shields,
Andrews,	Gelfand,	McKeever,	Silverman,
Boies,	Goldstein,	McLaughlin,	Snider,
Boory,	Hamilton,	Mikula,	Spray,
Bucchin,	Heavey,	Mills,	Stevens,
Capano,	Holt,	Muldowney,	Stuart,
Cianfrani,	Jim,	Mullen,	Toll,
Cioffi,	Johnston,	Munley,	Trusio,
Comer,	Jones, G. E.,	Murray, P. G.,	Varallo,

Cummins,	Jump,	Musto,	Vaughan,
Devlin,	Kamyk,	O'Brien,	Verona,
Dietterick,	Kornick,	Pashley,	Walsh,
Dougherty,	Krakow,	Phillips,	Wargo,
Duffy,	Leonard,	Polaski,	Welsh,
Dunn,	Limper,	Rigby,	Wheeler,
Eilberg,	Lovett,	Scarcelli,	Williams,
Ewing,	Lutty,	Schuster,	Wyatt,
Filo,			

NOT VOTING—9

Cooper,	Miller, W. H.,	Petrosky,	Reidenbach,
Floyd,	Monroe,	Pomeroy,	Taylor,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 205, entitled as follows:

An Act repealing section 502.1 act of May 1, 1929 (P. L. 905), removing limitations upon the operation of commercial motor vehicles for carriage of passengers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I would like to suggest, perhaps if someone would explain this bill so many Members might not be in a quandary as to what the significance of the bill is.

The SPEAKER. Does the gentleman from Bedford, Mr. Stroup, desire to explain the bill?

Mr. STROUP. I will attempt to explain House Bill 205, Mr. Speaker.

Act 629 passed by the 1955 Legislature amended the Vehicle Code to restrict the application of the definition of a commercial motor vehicle in accordance with Act 630, which required school bus contract operators to secure permission from the Public Utility Commission in order to haul students on extra-curricular activities, that is, participating in games with other schools, or hauling students on scientific expenditures, field studies, and so forth.

The amendment to the Motor Vehicle Code passed by this session, therefore, placed a school bus contract operator into a situation whereby he must comply with the Public Utility Commission's demand for a Public Utility Commission certificate of public convenience.

House Bill 205 has repealed that section and returns the public school bus contract operator to the position which he enjoyed prior to the action of this Legislature in 1955. In other words, the definition of a commercial motor vehicle remains as it was prior to our amendment in that session, and a school bus contract operator now does not need to secure a certificate of public convenience from the Public Utility Commission in order to secure contracts and operate in such a way that he can haul students under contract on extra-curricular activities.

I hope that makes it clear. I have tried to make it clear.

Mr. ANDREWS. I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Bedford, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I shall, Mr. Speaker.

Mr. ANDREWS. It is a proper conclusion that having passed 204 the enactment of 205 would logically follow? Is that the situation?

Mr. STROUP. Yes, Mr. Speaker, it is essential. The two bills are companion bills. 204 having been passed by the House, it would be necessary to make it possible for the school bus contract operator to be able to operate his vehicle as a commercial vehicle rather than as an omnibus.

Mr. ANDREWS. I thank the gentleman. 204 having passed, I find it necessary to vote for 205.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—116

Adams,	Eshleman,	Lee, A. M.,	Rovansek,
Agnew,	Farabaugh,	Lee, K. B.,	Royer,
Andrews,	Fetterolf,	Lippincott,	Rudisill,
Ashton,	Foster,	Lopresti,	Seltzer,
Auker,	Fox,	Magee,	Smith,
Barton,	Gailey,	Mahan,	Snare,
Bell,	Garlock,	Markley,	Steckel,
Bowman,	George,	Marsh,	Stimmel,
Brand,	Gibb,	McCann,	Stone,
Brennan,	Gibson,	Merry,	Stoner,
Brenninger,	Goodling,	Metz,	Strausser,
Breon,	Goodrich,	Miller, B. Z.,	Stroup,
Brown,	Gramlich,	Miller, H. G.,	Thompson,
Brucker,	Gross,	Moody,	Tompkins,
Buchanan,	Guthrie,	Moscrip,	Ujobai,
Carson,	Haudenshield,	Moyer,	Varner,
Cioffi,	Heffner,	Murphy,	Wall,
Cleveland,	Henzel,	Murray, H. P.,	Weidner,
Curwood,	Horst,	Naugle,	Wescott,
Dalrymple,	Ide,	O'Dell,	Willard,
Davis,	Isaacs,	Ogilvie,	Willaredt,
DeLong,	Jim,	Piper,	Wilt,
Dengler,	Jones, T. H. W.,	Polaski,	Wood,
Dennison,	Keller,	Post,	Worley,
Donahue,	Kernaghan,	Price,	Wynd,
Donaldson,	Knecht,	Pursley,	Yatron,
Down,	Kooker,	Ragot,	Zimmerman,
Edwards,	Korns,	Readinger,	Helm,
Erb,	Lafore,	Renwick,	Speaker

NAYS—71

Amarando,	Fineman,	Lutty,	Sherman,
Anderson, M. S.,	Flynn,	Maxwell,	Shields,
Anderson, S. A.,	Gelfand,	McKeever,	Silverman,
Boies,	Goldstein,	McLaughlin,	Snider,
Boory,	Hamilton,	Mikula,	Spray,
Bucchin,	Heavey,	Mills,	Stevens,
Capano,	Holt,	Muldowney,	Stuart,
Cianfrani,	Jenkins,	Munley,	Toll,
Comer,	Johnston,	Murray, P. G.,	Varallo,
Cummins,	Jones, G. E.,	Musto,	Vaughan,
Devlin,	Kamyk,	O'Brien,	Walsh,
Dietterick,	Kehler,	Parry,	Wargo,
Dougherty,	Kornick,	Pashley,	Welsh,
Duffy,	Krakow,	Phillips,	Wheeler,
Dunn,	Leonard,	Pomeroy,	Whittaker,
Eilberg,	Light,	Scarcelli,	Williams,
Ewing,	Limper,	Schuster,	Wyatt,
Filo,	Lovett,	Schwartz,	

NOT VOTING—22

Blair,	Frascella,	McInroy,	Reidenbach,
Bower,	Hocker,	Mihm,	Rigby,
Breisch,	Johnson,	Miller, W. H.,	Taylor,
Breth,	Jump,	Monroe,	Trusio,
Cooper,	McCormack,	Mullen,	Verona,
Floyd,	McGee,	Petrosky,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE POSTPONED

Mr. DENNISON. Mr. Speaker, I call up on page 4 of today's calendar, Bill on Final Passage Postponed, House Bill No. 144.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Dennison.

The House resumed the consideration on final passage of House Bill No. 144, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), reducing annual registration fee for certain two-wheeled semi-trailers.

On the question recurring,

Shall the bill pass finally?

Mr. HEAVEY. Mr. Speaker, when this bill was first called up Mr. Andrews said he would be in favor of reducing these license tags if the utilities would reduce their rates. I have a sincere belief that the utility companies could reduce their rates. The state needs this money and, as far as the utilities are concerned, this would be only a saving of peanuts.

I ask that this bill be turned down.

Mr. ANDREWS. Mr. Speaker, at the time this bill was before the House previously, I believe the gentleman from Greene, Mr. McCann, said he was going to make a study to determine the categories of use and of ownership of these respective trailers. That is one of the essential factors in this situation.

I do not see Mr. McCann in the House. The last time this bill was before the House he was the leader of the opposition. I do not know whether the sponsor of this bill has reached an understanding with Mr. McCann or whether he has adroitly noticed his absence, but perhaps the gentleman who sponsors the bill can give us the categories of ownership and of use and tell us just how many vehicles of the various classifications would be affected by this measure. That is a matter which has not been brought clearly before this House. Figures have been tossed around, guesses have been made, but there has been no accurate information. I think the sponsors of the bill should present the facts to the House and state exactly what the loss in revenue will be and also the categories of ownership of these various vehicles.

I do not know where Mr. McCann is. I do not know whether if he were in the House he would debate the bill, but I wish someone would hunt him and find out whether he wants to debate this bill.

The SPEAKER. For the information of the gentleman, the gentleman from Greene, Mr. McCann, has just arrived on the floor of the House.

Mr. ANDREWS. I would like to interrogate the gentleman from Greene, Mr. McCann.

The SPEAKER. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall Mr. Speaker.

Mr. ANDREWS. The Minority Leader tells me the gentleman from Greene does not want to be interrogated. Since he does not want to be interrogated, I will not interrogate him.

The SPEAKER. The gentleman has stated he will be interrogated.

Mr. ANDREWS. All right. Were we or were we not mistaken in our estimates as to the number of vehicles in various classifications which would be affected by this bill? Has the gentleman from Greene made the study and were our initial impressions in error or were they in line with the facts?

Mr. McCANN. Mr. Speaker, I did make a very careful study of the figures dealing with the Class A trailers which this particular bill has bearing upon, and some of the statements made were in error and some were correct, depending upon what the gentleman from Cambria had in mind.

Most of the figures and items dealing with that bill have been turned over to one particular House Member for debate. I, in turn, made a complete study, but do not have the itemization at this time, since I have turned over to that gentleman the complete facts and figures dealing with this particular bill.

Mr. LOPRESTI. Mr. Speaker, there seems to be something mysterious here. I would like to clear up some of the mystery, if I might. Who is the gentleman who has the figures?

The SPEAKER. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. Speaker, I turned the figures over to the gentleman who is not sitting in his seat in the House and I do not know where he is, I cannot say, unless some of the other Members who sit by him would know. I turned over my entire report to the gentleman from Westmoreland, Mr. Petrosky.

Mr. LOPRESTI. I thank the gentleman.

I would now like to interrogate the sponsor of the bill if I may, Mr. Dennison.

The SPEAKER. Will the gentleman from Jefferson, Mr. Dennison, permit himself to be interrogated?

Mr. DENNISON. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, will the gentleman from Jefferson, Mr Dennison, inform us as to how many rental trailers—and I mean by that people who rent out these trailers—fall within this classification?

Mr. DENNISON. You mean for the registration year of 1956?

Mr. LOPRESTI. Yes, sir.

Mr. DENNISON. 1,600, or slightly over two percent.

Mr. LOPRESTI. Two percent are trailers which are rented for hire?

Mr. DENNISON. That is correct. However, those rental companies do pay the Pennsylvania sales tax on their rentals.

Mr. LOPRESTI. But on the license they would be reduced from what to what?

Mr. DENNISON. They would be reduced from $10 to $5.

Mr. LOPRESTI. $10 to $5? As I understood the debate at the prior time this bill was called up, the prime motive seemed to be to help the individual farmer and perhaps some fishermen. Who would benefit most, the individual farmer or the owners of these trailers, from the passage of this bill?

Mr. DENNISON. Is that question addressed to me?

Mr. LOPRESTI. Yes, Mr. Speaker.

Mr. DENNISON. There are presently on the 1956 regis-

tration 54,185 vehicles registered in the names of individuals.

Mr. LOPRESTI. Each individual, of course, would benefit to the extent of $5?

Mr. DENNISON. That is correct.

Mr. LOPRESTI. If he had one trailer?

Mr. DENNISON. That is right.

Mr. LOPRESTI. To what extent does the operator of the commercial trailers benefit?

Mr. DENNISON. At the same ratio.

Mr. LOPRESTI. $5 for each vehicle?

Mr. DENNISON. For each vehicle.

Mr. LOPRESTI. How many do they ordinarily have?

Mr. DENNISON. You mean each individual or each rental company?

Mr. LOPRESTI. Yes.

Mr. DENNISON. I have no statistics. However, there are a total of 1,600 such vehicles registered in fleets in Pennsylvania, or, as I stated previously, slightly over two percent.

Mr. LOPRESTI. These individuals, if they own a large number of trailers, would secure a substantial reduction in their tax, would they not? If they owned 100, it could be $500 a year.

Mr. DENNISON. It could be.

Mr. LOPRESTI. If they owned 50, it could be $250 a year?

Mr. DENNISON. The gentleman's deduction is correct.

Mr. LOPRESTI. So actually these individuals would be the prime beneficiaries of this legislation?

Mr. DENNISON. No, the prime beneficiaries would be the individuals who represent 98 percent of the owners. They would be the beneficiaries.

Mr. LOPRESTI. I would like to ask the gentleman from Jefferson, if his heart is bleeding for the fisherman and the farmer who uses the small trailer, why he did not add a new classification and make a $5 license for trailers up to 1,000 pounds, instead of reducing the 3,000 pound trailer to $5? Would you not have accomplished your purpose by adding a new classification?

Mr. DENNISON. Certainly, we could have added classifications at any time to those vehicles in the Vehicle Code, but there are already plenty of classifications and the variations are not too great.

Mr. LOPRESTI. I think we added a large number of extra classifications to the truck law, did we not, in this session?

Mr. DENNISON. We did in an Act which expires on May 31st.

Mr. LOPRESTI. In this particular instance, in order to eliminate what might be termed an exorbitant license fee for the man who has the small trailer, could we not have added a new classification and given relief to those men who have small fishing trailers, or agricultural trailers, those whom we are bleeding about? Could we not have amended and given them a classification without including the other categories which perhaps are not entitled to relief?

Mr. DENNISON. It is always possible to amend the Vehicle Code.

Mr. LOPRESTI. In view of the fact that relief can be granted to the people who need relief by a different type of bill, does the gentleman still feel that this is the proper type of bill to pass if it gives relief to those who perhaps are not entitled to it?

Mr. DENNISON. Well, it is hard to get any legislation that is strictly equitable from top to bottom. This legislation which is equitable for 98 percent of the people would seem to me to be about as close to the target as you will ever get.

Mr. LOPRESTI. Could you not also by the method I have suggested get equity for those 98 percent and still have kept the inequity from occurring in the other two percent.

Mr. DENNISON. As I have said, the Vehicle Code can always be amended.

Mr. LOPRESTI. I thank the gentleman.

Mr. LOPRESTI. Mr. Speaker, I rise to oppose this bill not because I do not think there are individuals who are entitled to relief, but I rise because this is the improper way, in my opinion, of giving that relief. This is so because while we are giving relief to those who are entitled to it, we are giving a windfall to some who are not entitled to it.

For that reason I am opposed to it and I am going to vote against it.

Mr. HEAVEY. Mr. Speaker, I would like to get back again to what Mr. Andrews said. I think we are running all around the clock. I would like to ask Mr. Dennison what percentage of the total do the utilities have.

The SPEAKER. Will the gentleman from Jefferson, Mr. Dennison, permit himself to be interrogated?

Mr. DENNISON. I shall, Mr. Speaker.

Mr. HEAVEY. I would like to know what percentage of the total do the utilities have of these vehicles?

Mr. DENNISON. I do not have that figure broken down. I just have the numbers which are fleet-owned. That is 1600 vehicles or just slightly over 2 percent. Those belong to fleet owners and I presume the utilities would fall in that category.

Mr. HEAVEY. Mr. Speaker, when this bill was first brought up, we only heard about some fellow who wanted to take his boat up to Canada until Mr. Andrews brought out the fact that these vehicles are used by the utilities. Now nobody seems to know how many vehicles the utilities use. What I am trying to bring out is that this is only a peanut saving for the utilities as most of these vehicles are used by the utilities, and that state needs this money.

Mr. DENNISON. May I correct the gentleman? There are only 2 percent of the vehicles which are used by fleet owners in Pennsylvania. If that is a majority, it does not seem that way to me.

Mr. HEAVEY. Well, I still would like to have it voted down.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Jefferson, Mr. Dennison.

The SPEAKER. Will the gentleman from Jefferson, Mr. Dennison, permit himself to be interrogated?

Mr. DENNISON. I shall, Mr. Speaker.

Mr. READINGER. I desire to ask the gentleman whether this will not cost the highway fund about $700,000 a biennium in loss of revenue?

Mr. DENNISON. In answer to the gentleman's question, there is no accurate estimate of how much this will cost the Highway Department, but I will give the gentleman these figures to substantiate my argument.

In the year of 1954 there were registered in Penn-

sylvania in this class a total of 66,464 vehicles. In 1955, there were 70,968 registered. In 1956, there were 59,511, or a loss in registration of 11,457 vehicles due, we believe, to the increase in licenses.

Now there is no telling how much further the drop will be in registrations.

Mr. READINGER. Using the 1956 figures, it would amount to roughly, $300,000 per year, would it not? The figure is close to 60,000 registrations?

Mr. DENNISON. My mathematics are not quite that accurate, but there are 11,000 vehicles which did not pay any license fee in 1956 but which paid a fee in 1955.

Mr. READINGER. No, but the difference between the 1955 and 1956 figures is about 10,000 registrations, is it not?

Mr. DENNISON. Close to 11,500.

Mr. READINGER. Roughly 60,000 instead of 70-some thousand?

Mr. DENNISON. That is right.

Mr. READINGER. And if $5 for each of those were taken away, it would be about $300,000 a year, is that roughly correct?

Mr. DENNISON. If the trend remains the same, that would be an accurate figure. However, if the trend continues to go down, there is no accurate estimate of what the loss in revenue would be.

Mr. READINGER. May I ask the gentleman whether he was familiar with the bill which was passed in 1955 which made the change from $5 to $10? Was the gentleman actively engaged in the preparation or the passage of that bill?

Mr. DENNISON. In a consulting capacity, yes.

Mr. READINGER. I would advise the gentleman not to use that word "consultant" at the moment.

Mr. DENNISON. I use it advisedly.

Mr. READINGER. I ask the gentleman this question: Was it an oversight that led to the change from $5 to $10 at that time, or what was the reason for doing it? If it was right then, why is it wrong now?

Mr. DENNISON. There is nobody, I believe, who will agree that a 100 percent raise in fees is right at any time. It was not right then and it is not right now.

Mr. READINGER. Then may I ask the gentleman why it was raised 100 percent at that time and why nobody raised the question when that bill passed?

Mr. DENNISON. At that time I had no interest in this type of vehicle. And a man here says also it was after fishing season.

Mr. READINGER. May I ask the gentleman if he was not just as much interested in the people who owned those vehicles at that time as he is today?

Mr. DENNISON. So far as I know, there was no complaint. It was one of those things which was put over on them without proper information being gotten to them.

Mr. READINGER. I am speaking now of the people who drafted the changes in the 1955 Act. Were they not aware of the fact that it would be doubling the registration fee for the owners of this type of vehicles?

Mr. DENNISON. I never consulted with them on that particular phase of the bill.

Mr. DENNISON. May I ask the gentleman whether in his opinion making this change would not precipitate a movement on the part of those who were in other categories to have their fees reduced likewise?

Mr. DENNISON. I have no reason to believe that that would be true because in scarcely any other case was the fee increased 100 percent.

Mr. READINGER. Would the gentleman not believe that if somebody's fee was raised from $25 to $37.50 he would feel he is entitled now to a reduction proportionate to this reduction?

Mr. DENNISON. No doubt, he would feel that, but I do not think he could come to this body in good grace and ask for it.

Mr. READINGER. Would the gentleman support such a movement, if those who are in the higher categories came to this body and asked for a proportionate reduction? Would he support such a movement?

Mr. DENNISON. It has always been my policy never to commit myself on legislation not presently before the House.

Mr. READINGER. Mr. Speaker, I wish to thank the cagey gentleman.

I am going to vote against this bill for the reason that this could easily start a general movement on the part of all persons whose vehicles have had an increase in registration fees to seek a reduction.

Perhaps there is a lot to be said about relief for these small trailer owners, but we are still talking about the small sum of $5.00 a year. Certainly anyone who is able to own an automobile or a truck to pull one of these trailers around is not going to go broke for another biennium if we continue this registration charge of $10.

The loss in revenue, it seems to me, is rather serious. I think a lot of people have questioned the wisdom of this Legislature in keeping passenger car license registrations at $10 a year. There is a great deal of sentiment in favor of doing what other states have done, that is to place the registration of cars on a horsepower basis and not have a flat $10 registration fee.

So I am very fearful this might lead to a general drive to get all these registration fees for this type of vehicle and other trailers reduced. If you want to start finding other revenues to supplant what we are losing this way, I think you better start looking because we are probably opening Pandora's box with this bill.

Mr. BOIES. Mr. Speaker, I would like to submit to the Members of the House, as my colleague from Westmoreland said last week, that anybody who can own a trailer and a boat and take trips to Canada certainly is able to pay the $5. Anyone who owns one of these trailers and operates it in any sort of hilly territory where they louse up the traffic and cause the other drivers to lose what little religion they may have and raise their blood pressure to a dangerous point certainly ought to be willing to pay that $5.

Mr. ADAMS. Mr. Speaker, I rise to speak on behalf of the Berks County Federation of Sportsmen's Clubs, which is an organization of approximately 15,000 organized sportsmen in Berks County, one of the largest, if not the largest, in the state of Pennsylvania.

The Chairman of the Legislative Committee of that group and the Secretary of that organization have personally contacted me and advised me that the Federation has taken a strong stand in favor of this bill.

They request that I support it and I am going to vote for this bill.

Mr. FILO. Mr. Speaker, I too represent a number of sportsmen and I happen to be one myself.

In a telephone conversation with Larry P. Starr, Secretary of the Southwestern Division of the Pennsylvania Federation of Sportsmen's Clubs, two weeks ago he advised me to support this piece of legislation.

However, I have a letter dated March 9, 1957, from the same gentleman designating bills they oppose and bills they favor. This letter does not refer to today's legislation.

Therefore, I am assuming that the Sportsmen of this Southwestern Division are not in favor of this bill.

Mr. HEAVEY. Mr. Speaker, today you cannot buy a new car for less than $2,500. You have the use of new highways for $10 license tags. The state has a program to build millions of dollars worth of roads and I think it is an awful cheap bargain to be able to use those roads for only $10. I think it is a terrible situation for somebody to come in here and ask to reduce the $10 to $5, in view of the program the state has to build these roads.

Mr. LOVETT. Mr. Speaker, in order to be fair about this thing, when this bill was before us previously I voted for the bill because I figured a 100 percent increase was wrong, and you cannot make it right.

I said the gentleman might not have brought it back to the $5.00, he could have brought it down to $6.00, or something, but that is not the case.

Therefore, under the circumstances, and being fair, I will have to vote for this bill.

Mr. ADAMS. Mr. Speaker, in reference to the terrible situation that was referred to, I feel the terrible situation was created in the previous session when it was raised from $5.00 to $10, which it had been for a number of years.

I call upon the Members of the House to rectify this situation and put it back where it was.

Mr. PIPER. Mr. Speaker, I have a leter here dated March 7, 1957, from the Federated Sportsmen's Clubs of Berks County in which they are requesting support of House Bill 144 reducing the registration fee for boat trailers from the present $10 rate to the previous fee of $5.00.

It is felt that this bill is unfair to a boat owner who uses a trailer but a few times a year, compared to a trailer which is used daily for business purposes.

I would like the Members of the House to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—124

Adams,	Ewing,	Lee, A. M.,	Rigby,
Agnew,	Fetterolf,	Lee, K. B.,	Royer,
Ashton,	Foster,	Light,	Seltzer,
Auker,	Fox,	Lovett,	Snare,
Barton,	George,	Magee,	Steckel,
Bell,	Gibb,	Mahan,	Stevens,
Blair,	Gibson,	Markley,	Stimmel,
Bower,	Goodling,	Marsh,	Stoner,
Bowman,	Goodrich,	McInroy,	Strausser,
Brand,	Gramlich,	Merry,	Stroup,
Breisch,	Gross,	Metz,	Stuart,
Brenninger,	Guthrie,	Mikula,	Thompson,
Breon,	Haudenshield,	Miller, B. Z.,	Tompkins,
Brown,	Henzel,	Miller, H. G.,	Trusio,
Brucker,	Hocker,	Moody,	Ujobai,
Buchanan,	Horst,	Moscrip,	Varner,
Carson,	Ide,	Moyer,	Vaughan,
Cleveland,	Isaacs,	Murphy,	Wall,
Cooper,	Jenkins,	Murray, H. P.,	Weidner,
Cummins,	Jim,	Murray, P. G.,	Wescott,
Curwood,	Johnson,	Naugle,	Whittaker,
Dalrymple,	Johnston,	O'Dell,	Willard,
Davis,	Jones, T. H. W.,	Ogilvie,	Willaredt,
DeLong,	Jump,	Parry,	Wilt,
Dennison,	Kehler,	Phillips,	Wood,
Dietterick,	Keller,	Piper,	Worley,
Donahue,	Kernaghan,	Polaski,	Wyatt,
Donaldson,	Knecht,	Post,	Wynd,
Down,	Kooker,	Price,	Zimmerman,
Dunn,	Korns,	Pursley,	Helm,
Edwards,	Lafore,	Ragot,	Speaker
Erb,			

NAYS—63

Anderson, M. S.,	Frascella,	Maxwell,	Rudisill,
Andrews,	Gailey,	McCann,	Scarcelli,
Boles,	Garlock,	McCormack,	Schuster,
Brennan,	Gelfand,	McKeever,	Schwartz,
Bucchin,	Goldstein,	McLaughlin,	Sherman,
Capano,	Hamilton,	Mills,	Silverman,
Cianfrani,	Heavey,	Muldowney,	Snider,
Cioffi,	Heffner,	Munley,	Stone,
Comer,	Holt,	Musto,	Toll,
Devlin,	Jones, G. E.,	O'Brien,	Varallo,
Duffy,	Kamyk,	Pashley,	Verona,
Eilberg,	Kornick,	Petrosky,	Walsh,
Farabaugh,	Krakow,	Readinger,	Wargo,
Filo,	Leonard,	Renwick,	Welsh,
Fineman,	Lopresti,	Rovansek,	Wheeler,
Flynn,	Lutty,		Yatron,

NOT VOTING—22

Amarando,	Eshleman,	Mihm,	Reidenbach,
Anderson, S. A.,	Floyd,	Miller, W. H.,	Shields,
Boory,	Limper,	Monroe,	Smith,
Breth,	Lippincott,	Mullen,	Spray,
Dengler,	McGee,	Pomeroy,	Taylor,
Dougherty,			Williams,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

FORMER CHIEF CLERK WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a former Chief Clerk of the House, the Honorable Benjamin L. Long.

We are very happy to have the gentleman with us and trust he enjoys his visit with us.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 266, entitled as follows:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) permitting city council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Farabaugh,	Limper,	Royer,
Agnew,	Fetterolf,	Lippincott,	Rudisill,
Amarando,	Filo,	Lopresti,	Scarcelli,
Anderson, M. S.,	Fineman,	Lovett,	Schuster,
Anderson, S. A.,	Flynn,	Lutty,	Schwartz,
Andrews,	Foster,	Magee,	Seltzer,

Ashton,	Fox,	Mahan,	Sherman,
Auker,	Frascella,	Markley,	Shields,
Barton,	Gailey,	Marsh,	Silverman,
Bell,	Garlock,	Maxwell,	Smith,
Blair,	Gelfand,	McCann,	Snare,
Boles,	George,	McCormack,	Snider,
Boory,	Gibb,	McGee,	Spray,
Bower,	Gibson,	McInroy,	Steckel,
Bowman,	Goldstein,	McKeever,	Stevens,
Brand,	Goodling,	McLaughlin,	Stimmel,
Breisch,	Goodrich,	Merry,	Stone,
Brennan,	Gramlich,	Metz,	Stoner,
Brenninger,	Gross,	Mikula,	Strausser,
Breon,	Guthrie,	Miller, B. Z.,	Stroup,
Breth,	Hamilton,	Miller, H. G.,	Stuart,
Brown,	Haudenshield,	Mills,	Taylor,
Brucker,	Heavey,	Moody,	Thompson,
Bucchin,	Heffner,	Moscrip,	Toll,
Buchanan,	Henzel,	Moyer,	Tompkins,
Capano,	Hocker,	Muldowney,	Trusio,
Carson,	Holt,	Mullen,	Ujobai,
Cianfrani,	Horst,	Munley,	Varallo,
Cioffi,	Ide,	Murphy,	Varner,
Cleveland,	Isaacs,	Murray, H. P.,	Vaughan,
Comer,	Jenkins,	Murray, P. G.,	Verona,
Cooper,	Jim,	Musto,	Wall,
Cummins,	Johnson,	Naugle,	Walsh,
Curwood,	Johnston,	O'Brien,	Wargo,
Dalrymple,	Jones, G. E.,	O'Dell,	Weidner,
Davis,	Jones, T. H. W.,	Ogilvie,	Welsh,
DeLong,	Jump,	Parry,	Wescott,
Dengler,	Kamyk,	Pashley,	Wheeler,
Dennison,	Kehler,	Petrosky,	Whittaker,
Devlin,	Keller,	Phillips,	Willard,
Dietterick,	Kernaghan,	Piper,	Willaredt,
Donahue,	Knecht,	Polaski,	Williams,
Donaldson,	Kooker,	Post,	Wilt,
Dougherty,	Kornick,	Price,	Wood,
Down,	Korns,	Pursley,	Worley,
Duffy,	Krakow,	Ragot,	Wyatt,
Dunn,	Lafore,	Readinger,	Wynd,
Edwards,	Lee, A. M.,	Reidenbach,	Yatron,
Eilberg,	Lee, K. B.,	Renwick,	Zimmerman,
Erb,	Leonard,	Rigby,	Helm,
Eshleman,	Light,	Rovansek,	Speaker
Ewing,			

NAYS—0

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 268, Printer's No. 75 and

House Bill No. 269, Printer's No. 134

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 282, entitled as follows:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adams,	Ewing,	Lopresti,	Rudisill,
Agnew,	Farabaugh,	Lovett,	Scarcelli,
Amarando,	Fetterolf,	Lutty,	Schuster,
Anderson, M. S.,	Filo,	Magee,	Schwartz,
Anderson, S. A.,	Fineman,	Mahan,	Seltzer,
Andrews,	Flynn,	Markley,	Sherman,
Ashton,	Fox,	Marsh,	Shields,
Auker,	Frascella,	Maxwell,	Silverman,
Barton,	Gailey,	McCann,	Smith,
Bell,	Garlock,	McCormack,	Snare,
Blair,	Gelfand,	McGee,	Snider,
Boles,	George,	McInroy,	Spray,
Boory,	Gibb,	McKeever,	Steckel,
Bower,	Gibson,	McLaughlin,	Stevens,
Bowman,	Goldstein,	Merry,	Stimmel,
Brand,	Goodling,	Metz,	Stone,
Breisch,	Goodrich,	Mikula,	Stoner,
Brennan,	Gramlich,	Miller, B. Z.,	Strausser,
Brenninger,	Gross,	Miller, H. G.,	Stroup,
Breon,	Guthrie,	Mills,	Stuart,
Breth,	Hamilton,	Moody,	Taylor,
Brown,	Haudenshield,	Moscrip,	Thompson,
Brucker,	Heavey,	Moyer,	Toll,
Bucchin,	Heffner,	Muldowney,	Tompkins,
Buchanan,	Hocker,	Mullen,	Trusio,
Capano,	Holt,	Munley,	Ujobai,
Carson,	Horst,	Murphy,	Varallo,
Cianfrani,	Ide,	Murray, H. P.,	Varner,
Cioffi,	Jenkins,	Murray, P. G.,	Vaughan,
Cleveland,	Jim,	Musto,	Verona,
Comer,	Johnson,	Naugle,	Wall,
Cooper,	Johnston,	O'Brien,	Walsh,
Cummins,	Jones, G. E.,	O'Dell,	Wargo,
Curwood,	Jump,	Ogilvie,	Weidner,
Dalrymple,	Kamyk,	Parry,	Welsh,
Davis,	Kehler,	Pashley,	Wescott,
DeLong,	Keller,	Petrosky,	Wheeler,
Dengler,	Kernaghan,	Phillips,	Whittaker,
Dennison,	Knecht,	Piper,	Willard,
Devlin,	Kooker,	Polaski,	Willaredt,
Dietterick,	Kornick,	Post,	Williams,
Donahue,	Korns,	Price,	Wilt,
Donaldson,	Krakow,	Pursley,	Wood,
Dougherty,	Lafore,	Ragot,	Worley,
Down,	Lee, A. M.,	Readinger,	Wyatt,
Duffy,	Lee, K. B.,	Reidenbach,	Wynd,
Dunn,	Leonard,	Renwick,	Yatron,
Edwards,	Light,	Rigby,	Zimmerman,
Eilberg,	Limper,	Rovansek,	Helm,
Erb,	Lippincott,	Royer,	Speaker
Eshleman,			

NAYS—4

Foster,	Henzel,	Isaacs,	Jones, T. H. W.,

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mrs. Henzel filed the following reason for her vote on House Bill No. 282.

A negative vote is cast on House Bill 282, Printer's No. 108, on the theory that this is not the proper nor most far reaching approach to the problem which this bill should intend to correct.

Certainly it should be our aim to facilitate and implement to the best of our ability the opportunity for citizens in good standing to exercise their franchise. In view of this it would seem feasible, rather, to support drafted legislation dealing first with the confining stipulation of the Constitution regarding 60 day residence and then enact enabling legislation to permit voting in the district to which one has moved.

It is in protest of this lack of vision in consideration

to the greatest number of people that this negative vote is cast.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 301, entitled as follows:

An Act amending "The Fourth to Eighth Class Assessment Law," approved May 21, 1943 (P. L. 571), increasing compensation and providing for travel expenses of assessors.

On the question,

Will the House agree to the bill on third reading?

Mr. GRAMLICH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1, (Sec. 505), page 2, line 5, by striking out the brackets before and after "twelve."

Amend Sec. 1, (Sec. 505), page 2, line 5, by striking out "fifteen."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 317, entitled as follows:

An Act amending the act of May 1, 1913 (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" further regulating the letting of such contracts.

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, this bill undoubtedly will be debated at considerable length.

The House has been very patient, very diligent, in its attention to business this afternoon. It stood up under a considerable amount of oratory, good and bad, and I presume many of the Members are weary and looking forward to the time this House will adjourn.

So if there are no objections, if there is no reason on the part of the majority why this bill should not go over, I would suggest that this bill go over until tomorrow. (Applause).

The SPEAKER. The Chair has been informed that that procedure is agreeable to the gentleman from Columbia, Mr. Strausser.

BILLS PASSED OVER

There being no objection

House Bill No. 317, Printer's No. 60,

was passed over at the request of Mr. ANDREWS.

Mr. ANDREWS. Mr. Speaker, I hope that the Members are properly thankful to me for saving them from oratory at this time.

The SPEAKER. I think the gentleman can tell from the applause that the House is very appreciative.

Mr. READINGER. Mr. Speaker, I rise to inquire whether the gentleman from Cambria thinks we will have any more energy tomorrow morning than we have right now?

The SPEAKER. The Chair would like to inquire of the gentleman from Berks, Mr. Readinger, whether the Chair properly understood him. Did he say "we"?

Mr. READINGER. We.

The SPEAKER. The Chair thanks the gentleman.

There being no objection,

House Bill No. 369, Printer's No. 110,

House Bill No. 370, Printer's No. 111 and

House Bill No. 371, Printer's No. 112,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 444, entitled as follows:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing council to provide for the closing of city offices on Saturday.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VAUGHAN. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER. Will the gentleman from Dauphin, Mr. Bowman, permit himself to be interrogated?

Mr. BOWMAN. I shall, Mr. Speaker.

Mr. VAUGHAN. Mr. Speaker, is it true that this bill does exactly the same thing as House Bill 97 was to do?

Mr. BOWMAN. Mr. Speaker, this bill does not pertain to county offices whatsoever.

Mr. VAUGHAN. Mr. Speaker, I did not ask that question. I said, does this bill do practically the same thing as House Bill 97 would have done?

Mr. BOWMAN. This bill pertains to city offices, not county offices. It permits the city government of third class cities if it sees fit to close city offices on Saturdays.

Mr. VAUGHAN. Mr. Speaker, how did the gentleman vote on House Bill 97?

Mr. BOWMAN. I voted against House Bill 97.

The SPEAKER. The Chair would inform the gentleman that we are now discussing House Bill 444, Printer's No. 118. The interrogation is not proper.

Mr. VAUGHAN. Thank you, Mr. Speaker. That will be all, Mr. Bowman.

Mr. Speaker, I have a little scratch pad here—I think a lot of the Members have seen it around here—it is a little thing and it says, "A Scratch Pad for Narrow-Minded Bedfellows."

However, I have faith in our elected public officials. Whether they are Democrats or Republicans, when they state they would like to have a bill like this particular bill for the city of Harrisburg, I believe the members of city council in Harrisburg are sincere when they say that if they are given the right to close on Saturdays if they see fit, see that it is necessary, they will keep a skeleton crew. I believe they will do that.

I want you to know that I still feel the same way about

his type of legislation. I intend to vote "yes" on this bill nd I hope the rest of the Members of this House will ote "yes" on it.

Mr. ANDREWS. Mr. Speaker, I presume in the interest f keeping members of city councils in third class cities onest we ought to pass this bill. I do not know whether he council in Harrisburg operates the way councils do in ome of the other third class cities. You cannot find them nywhere around city hall on Saturday anyway. I won- ered whether the gentleman from Dauphin is introduc- ng this bill just to keep them honest or to give them the rivilege of doing something that they are not in the abit of doing.

The SPEAKER. Will the gentleman from Dauphin, Mr. owman, permit himself to be interrogated?

Mr. BOWMAN. I shall, Mr. Speaker.

Mr. ANDREWS. I have asked the question.

Mr. BOWMAN. The answer to the question is that the ity offices in the City of Harrisburg have always been pen on Saturday and we are not trying to legalize some- ing that we have been doing in the past.

Mr. ANDREWS. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas nd nays were taken and were as follows:

YEAS—93

dams,	Edwards,	Lee, K. B.,	Shields,
marando,	Eilberg,	Leonard,	Smith,
nderson, M. S.,	Erb,	Lutty,	Snare,
nderson, S. A.,	Filo,	Marsh,	Snider,
shton,	Fox,	McCormack,	Stoner,
arton,	Frascella,	Mikula,	Strausser,
ell,	George,	Miller, H. G.,	Stuart,
ower,	Gibson,	Moody,	Toll,
rand,	Goodrich,	Murphy,	Trusio,
reisch,	Gross,	Murray, H. P.,	Ujobai,
reon,	Guthrie,	Musto,	Varner,
rown,	Heavey,	O'Dell,	Vaughan,
rucker,	Heffner,	Parry,	Verona,
ucchin,	Horst,	Phillips,	Wall,
uchanan,	Johnson,	Piper,	Walsh,
arson,	Jones, G. E.,	Polaski,	Weidner,
ianfrani,	Jump,	Ragot,	Welsh,
leveland,	Kamyk,	Readinger,	Wescott,
alrymple,	Kehler,	Reidenbach,	Worley,
ennison,	Keller,	Scarcelli,	Wyatt,
evlin,	Kernaghan,	Schuster,	Yatron,
ietterick,	Knecht,	Seltzer,	Helm,
iffy,	Korns,	Sherman,	Speaker
inn,	Lee, A. M.,		

NAYS—85

ndrews,	Flynn,	Limper,	Petrosky,
iker,	Foster,	Lopresti,	Post,
lair,	Garlock,	Lovett,	Price,
lies,	Gelfand,	Magee,	Pursley,
oory,	Gibb,	Mahan,	Renwick,
owman,	Goldstein,	Markley,	Rigby,
rennan,	Goodling,	Maxwell,	Rovansek,
renninger,	Gramlich,	McCann,	Rudisill,
apano,	Hamilton,	McInroy,	Silverman,
oper,	Haudenshield,	McKeever,	Spray,
ummins,	Henzel,	McLaughlin,	Stevens,
rwood,	Hocker,	Metz,	Stimmel,
vis,	Ide,	Miller, B. Z.,	Stone,
Long,	Isaacs,	Moscrip,	Stroup,
nahue,	Jenkins,	Moyer,	Thompson,
naldson,	Jim,	Munley,	Wargo,
ugherty,	Johnston,	Murray, P. G.,	Whittaker,
wn,	Kooker,	Naugle,	Willard,
leman,	Krakow,	O'Brien,	Willaredt,
ing,	Lafore,	Ogilvie,	Wood,
abaugh,	Light,	Pashley,	Zimmerman,
terolf,			

NOT VOTING—31

Agnew,	Holt,	Miller, W. H.,	Steckel,
Breth,	Jones, T. H. W.,	Mills,	Taylor,
Cioffi,	Kornick,	Monroe,	Tompkins,
Comer,	Lippincott,	Muldowney,	Varallo,
Dengler,	McGee,	Mullen,	Wheeler,
Fineman,	Merry,	Pomeroy,	Williams,
Floyd,	Mihm,	Royer,	Wilt,
Gailey,		Schwartz,	Wynd,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 521, entitled as follows:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) further regulating ordinances opening changing or vacating roads and highways.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Ewing,	Light,	Rovansek,
Agnew,	Farabaugh,	Limper,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, M. S.,	Filo,	Lopresti,	Scarcelli,
Anderson, S. A.,	Fineman,	Lovett,	Schuster,
Andrews,	Flynn,	Lutty,	Schwartz,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Gailey,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith,
Boies,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Thompson,
Buchanan,	Heffner,	Moscrip,	Toll,
Capano,	Henzel,	Moyer,	Tompkins,
Carson,	Hocker,	Muldowney,	Trusio,
Cianfrani,	Holt,	Mullen,	Ujobai,
Cioffi,	Horst,	Munley,	Varallo,
Cleveland,	Ide,	Murphy,	Varner,
Comer,	Isaacs,	Murray, H. P.,	Vaughan,
Cooper,	Jenkins,	Murray, P. G.,	Verona,
Cummins,	Jim,	Musto,	Wall,
Curwood,	Johnson,	Naugle,	Walsh,
Dalrymple,	Johnston,	O'Brien,	Wargo,
Davis,	Jones, G. E.,	O'Dell,	Weidner,
DeLong,	Jones, T. H. W.,	Ogilvie,	Welsh,
Dengler,	Jump,	Parry,	Wescott,
Dennison,	Kamyk,	Pashley,	Wheeler,
Devlin,	Kehler,	Petrosky,	Whittaker,
Dietterick,	Keller,	Phillips,	Willard,
Donahue,	Kernaghan,	Piper,	Willaredt,
Donaldson,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm, Speaker

NAYS—0

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 564, entitled as follows:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) providing penalties for violation of rules governing State Parks State Forest Picnic Areas State Forest Monuments and State Historical Parks.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Ewing,	Light,	Rovansek,
Agnew,	Farabaugh,	Limper,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, M. S.,	Filo,	Lopresti,	Scarcelli,
Anderson, S. A.,	Fineman,	Lovett,	Schuster,
Andrews,	Flynn,	Lutty,	Schwartz,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Gailey,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith.
Boles,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Thompson,
Buchanan,	Heffner,	Moscrip,	Toll,
Capano,	Henzel,	Moyer,	Tompkins,
Carson,	Hocker,	Muldowney,	Trusio,
Cianfrani,	Holt,	Mullen,	Ujobai,
Cioffi,	Horst,	Munley,	Varallo,
Cleveland,	Ide,	Murphy,	Varner,
Comer,	Isaacs,	Murray, H. P.,	Vaughan,
Cooper,	Jenkins,	Murray, P. G.,	Verona,
Cummins,	Jim,	Musto,	Wall,
Curwood,	Johnson,	Naugle,	Walsh,
Dalrymple,	Johnston,	O'Brien,	Wargo,
Davis,	Jones, G. E.,	O'Dell,	Weidner,
DeLong,	Jones, T. H. W.,	Ogilvie,	Welsh,
Dengler,	Jump,	Parry,	Wescott,
Dennison,	Kamyk,	Pashley,	Wheeler,
Devlin,	Kehler,	Petrosky,	Whittaker,
Dietterick,	Keller,	Phillips,	Willard,
Donahue,	Kernaghan,	Piper,	Willaredt,
Donaldson,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm, Speaker

NAYS—0

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 566, entitled as follows:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Forests and Waters to grant rights of way over State park lands.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Ewing,	Light,	Rovansek,
Agnew,	Farabaugh,	Limper,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, M. S.,	Filo,	Lopresti,	Scarcelli,
Anderson, S. A.,	Fineman,	Lovett,	Schuster,
Andrews,	Flynn,	Lutty,	Schwartz,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Gailey,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith,
Boles,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Thompson,
Buchanan,	Heffner,	Moscrip,	Toll,
Capano,	Henzel,	Moyer,	Tompkins,
Carson,	Hocker,	Muldowney,	Trusio,
Cianfrani,	Holt,	Mullen,	Ujobai,
Cioffi,	Horst,	Munley,	Varallo,
Cleveland,	Ide,	Murphy,	Varner,
Comer,	Isaacs,	Murray, H. P.,	Vaughan,
Cooper,	Jenkins,	Murray, P. G.,	Verona,
Cummins,	Jim,	Musto,	Wall,
Curwood,	Johnson,	Naugle,	Walsh,
Dalrymple,	Johnston,	O'Brien,	Wargo,
Davis,	Jones, G. E.,	O'Dell,	Weidner,
DeLong,	Jones, T. H. W.,	Ogilvie,	Welsh,
Dengler,	Jump,	Parry,	Wescott,
Dennison,	Kamyk,	Pashley,	Wheeler,
Devlin,	Kehler,	Petrosky,	Whittaker,
Dietterick,	Keller,	Phillips,	Willard,
Donahue,	Kernaghan,	Piper,	Willaredt,
Donaldson,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm, Speaker

NAYS—0

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 589, entitled as follows:

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled "An act making an appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August one thousand nine hundred fifty-five" making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before the completion of projects.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Ewing,	Light,	Rovansek,
Agnew,	Farabaugh,	Limper,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, M. S.,	Filo,	Lopresti,	Scarcelli,
Anderson, S. A.,	Fineman,	Lovett,	Schuster,
Andrews,	Flynn,	Lutty,	Schwartz,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Gailey,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith,
Boies,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Thompson,
Buchanan,	Heffner,	Moscrip,	Toll,
Capano,	Henzel,	Moyer,	Tompkins,
Carson,	Hocker,	Muldowney,	Trusio,
Cianfrani,	Holt,	Mullen,	Ujobai,
Cioffi,	Horst,	Munley,	Varallo,
Cleveland,	Ide,	Murphy,	Varner,
Comer,	Isaacs,	Murray, H. P.,	Vaughan,
Cooper,	Jenkins,	Murray, P. G.,	Verona,
Cummins,	Jim,	Musto,	Wall,
Curwood,	Johnson,	Naugle,	Walsh,
Dalrymple,	Johnston,	O'Brien,	Wargo,
Davis,	Jones, G. E.,	O'Dell,	Weidner,
DeLong,	Jones, T. H. W.,	Ogilvie,	Welsh,
Dengler,	Jump,	Parry,	Wescott,
Dennison,	Kamyk,	Pashley,	Wheeler,
Devlin,	Kehler,	Petrosky,	Whittaker,
Dietterick,	Keller,	Phillips,	Willard,
Donahue,	Kernaghan,	Piper,	Willaredt,
Donaldson,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm, Speaker

NAYS—0

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

Senate Bill No. 24, Printer's No. 63,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 29, entitled as follows:

An Act amending the act of May 9, 1949 (P. L. 908) entitled * * authorizing county controllers to destroy or dispose of certain records and papers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Ewing,	Light,	Rovansek,
Agnew,	Farabaugh,	Limper,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, M. S.,	Filo,	Lopresti,	Scarcelli,
Anderson, S. A.,	Fineman,	Lovett,	Schuster,
Andrews,	Flynn,	Lutty,	Schwartz,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Gailey,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith,
Boies,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Thompson,
Buchanan,	Heffner,	Moscrip,	Toll,
Capano,	Henzel,	Moyer,	Tompkins,
Carson,	Hocker,	Muldowney,	Trusio,
Cianfrani,	Holt,	Mullen,	Ujobai,
Cioffi,	Horst,	Munley,	Varallo,
Cleveland,	Ide,	Murphy,	Varner,
Comer,	Isaacs,	Murray, H. P.,	Vaughan,
Cooper,	Jenkins,	Murray, P. G.,	Verona,
Cummins,	Jim,	Musto,	Wall,
Curwood,	Johnson,	Naugle,	Walsh,
Dalrymple,	Johnston,	O'Brien,	Wargo,
Davis,	Jones, G. E.,	O'Dell,	Weidner,
DeLong,	Jones, T. H. W.,	Ogilvie,	Welsh,
Dengler,	Jump,	Parry,	Wescott,
Dennison,	Kamyk,	Pashley,	Wheeler,
Devlin,	Kehler,	Petrosky,	Whittaker,
Dietterick,	Keller,	Phillips,	Willard,
Donahue,	Kernaghan,	Piper,	Willaredt,
Donaldson,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm, Speaker

NAYS—0

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 36, entitled as follows:

An Act amending the act of May 21, 1943 (P. L. 571), entitled as amended * * * providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Ewing,	Light,	Rovansek,
Agnew,	Farabaugh,	Limper,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, M. S.,	Filo,	Lopresti,	Scarcelli,
Anderson, S. A.,	Fineman,	Lovett,	Schuster,
Andrews,	Flynn,	Lutty,	Schwartz,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Gailey,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith,
Boies,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Thompson,
Buchanan,	Heffner,	Moscrip,	Toll,
Capano,	Henzel,	Moyer,	Tompkins,
Carson,	Hocker,	Muldowney,	Trusio,
Cianfrani,	Holt,	Mullen,	Ujobai,
Cioffi,	Horst,	Munley,	Varallo,
Cleveland,	Ide,	Murphy,	Varner,
Comer,	Isaacs,	Murray, H. P.,	Vaughan,
Cooper,	Jenkins,	Murray, P. G.,	Verona,
Cummins,	Jim,	Musto,	Wall,
Curwood,	Johnson,	Naugle,	Walsh,
Dalrymple,	Johnston,	O'Brien,	Wargo,
Davis,	Jones, G. E.,	O'Dell,	Weidner,
DeLong,	Jones, T. H. W.,	Ogilvie,	Welsh,
Dengler,	Jump,	Parry,	Wescott,
Dennison,	Kamyk,	Pashley,	Wheeler,
Devlin,	Kehler,	Petrosky,	Whittaker,
Dietterick,	Keller,	Phillips,	Willard,
Donahue,	Kernaghan,	Piper,	Willaredt,
Donaldson,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm,
			Speaker

NAYS—0

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 122, entitled as follows:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" permitting borough council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Ewing,	Light,	Rovansek,
Agnew,	Farabaugh,	Limper,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, M. S.,	Filo,	Lopresti,	Scarcelli,
Anderson, S. A.,	Fineman,	Lovett,	Schuster,
Andrews,	Flynn,	Lutty,	Schwartz,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Gailey,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith,
Boies,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Thompson,
Buchanan,	Heffner,	Moscrip,	Toll,
Capano,	Henzel,	Moyer,	Tompkins,
Carson,	Hocker,	Muldowney,	Trusio,
Cianfrani,	Holt,	Mullen,	Ujobai,
Cioffi,	Horst,	Munley,	Varallo,
Cleveland,	Ide,	Murphy,	Varner,
Comer,	Isaacs,	Murray, H. P.,	Vaughan,
Cooper,	Jenkins,	Murray, P. G.,	Verona,
Cummins,	Jim,	Musto,	Wall,
Curwood,	Johnson,	Naugle,	Walsh,
Dalrymple,	Johnston,	O'Brien,	Wargo,
Davis,	Jones, G. E.,	O'Dell,	Weidner,
DeLong,	Jones, T. H. W.,	Ogilvie,	Welsh,
Dengler,	Jump,	Parry,	Wescott,
Dennison,	Kamyk,	Pashley,	Wheeler,
Devlin,	Kehler,	Petrosky,	Whittaker,
Dietterick,	Keller,	Phillips,	Willard,
Donahue,	Kernaghan,	Piper,	Willaredt,
Donaldson,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm,
			Speaker

NAYS—0

NOT VOTING—5

Floyd, Miller, W. H., Monroe, Pomeroy, Mihm,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 124, entitled as follows:

An Act amending the act of July 13, 1953 (P. L. 431), entitled "An act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers" further providing a procedure for enforcement of the act.

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 9), page 2, line 16, by striking out the bracket before and after "2%".

Amend Sec. 1, (Sec. 9), page 2, line 16, by striking out "5%".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. READINGER. Mr. Speaker, these amendments return this bill to the 2 percent which is in the present law and which is the amount to be paid to an employer who is made to pay money into a support office in an attachment proceeding.

The law has been fixed at 2 percent, I think, since 1953 when this Act was put on the books.

I am asking these amendments be supported because I do not think it is warranted to raise it to 5 percent.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Miss DUFFY. Mr. Speaker, I would like to interrogate the Majority Leader or anyone whom he designates.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. Mr. Speaker, I understand the young lady is a lawyer. So as they say, no lawyers' questions.

The SPEAKER. The lady will proceed.

Mr. JOHNSON. I think her questions will have a feminine slant however, because it involves desertion and non-support.

Miss DUFFY. Mr. Speaker, you are aware that under the present law where there is an outstanding order for support and the husband or father defies this court order and defaults, the court can, if the family is destitute or if his payments have been so irregular as to cause the family hardship, order immediate attachment.

This bill provides that the destitute family must wait thirty days before setting in motion the wheels of attachment.

Can you tell me what is the purpose for forcing a needy family to wait thirty days before they can obtain support?

Mr. JOHNSON. Mr. Speaker, in answer to the lady, I could be wrong on existing law, but it seems to me under existing law once a support order has been issued, regardless of whether the father is in default on the order or not an attachment can be had on his wages.

I believe it is one of the few garnishee instances in our law in Pennsylvania, if I am correct in that. I understand the practice in numerous jurisdictions is that upon an order being made, an immediate garnishee is had.

In other words, it might make an innocent fellow who would pay his support order put his employer to the inconvenience of deducting this support order from his pay.

I think the purpose of this bill was to give the average fellow an opportunity to pay the support order without the inconvenience of having his wages garnisheed. If he is in default for 30 days, then the garnishee or attachment would ensue.

I think as the bill has been explained to me it is for the purpose of giving the average fellow who has a support order around his neck an opportunity to pay that voluntarily without having his wages garnisheed when he is not in default.

Miss DUFFY. Mr. Speaker, is it the gentleman's position that some of the courts have made the attachment before he has defaulted? Would not a bill simply stating the court has the right to do it after he has defaulted satisfy the requirement? What is the purpose for forcing people to wait 30 days? Why 30 days?

Mr. JOHNSON. Mr. Speaker, someone here said that a dog is entitled to his first bite, I suppose that is as good an answer as any.

Personally, in answer to the lady's question, I have had quite a lot of experience in the courts with desertion and non-support cases. I say there are scarcely two more vicious things in the law today than a landlord's warrant and an order for desertion and non-support.

I personally cannot see anything wrong with this particular law giving a fellow the right to be 30 days in default before his wages are garnisheed. I personally cannot see anything wrong with it. I realize from a feminine standpoint the lady would probably feel a garnishment should ensue immediately on default. I have my view on it and apparently, Mr. Speaker, Miss Duffy has her view.

Miss DUFFY. Mr. Speaker, where a husband or father has refused voluntarily to support his family, the family can apply to the court for an order for support. The court in entering its order takes into consideration all the legitimate needs and obligations of the husband and father because it takes the position that if you take too much away from him, you will not leave him any incentive to work. Therefore, they leave him enough to

maintain himself according to his proper standard of living.

Furthermore, the court does not make the order again until after the first pay day. I am telling you this so that you can understand the court gives every consideration to the husband and father.

If the dependent's husband or father subsequently defaults—and the court at the present time can attach his wages—the court will ordinarly only do this where the family is destitute and is in dire need or where the payments have been so irregular as to cause the family great hardship. If the family is not destitute and if the defendant's former payments have been made with a reasonable degree of regularity, it has been my experience that the court will not enter an attachment. An attachment is one of the hardest things to get.

This proposed legislation which we are now considering provides that the court, regardless of the need of the family, cannot attach the defendant's wages until after he has been in default 30 days.

In my opinion the provisions of Senate Bill No. 24, are immoral, cruel and outrageous.

Just what is the destitute family supposed to do during this 30-day period. If the family is on DPA, they can continue for 30 more days on DPA. That simply means that the taxpayer is assuming a burden which is rightfully the husband's and father's.

What if the family is not on DPA? It has been my experience that it takes at least three weeks to get emergency assistance from the DPA. Therefore, this family is left without anything. Must they go to the Salvation Army; must they be reduced to begging during this 30-day period?

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON. Mr. Speaker, will the lady yield for a question?

Miss DUFFY. Certainly.

Mr. JOHNSON. I believe, Miss Duffy, the question before the House is whether we shall agree to the bill on third reading as amended with the 5 percent commission reduced to 2 percent, and then the bill will be laid over for third reading tomorrow. We will then debate the bill fully on third reading tomorrow.

Am I correct, Mr. Speaker?

The SPEAKER. The gentleman is not correct. The bill will be on final passage with the amendments printed in the bill.

Mr. JOHNSON. The bill will be on final passage and up for debate tomorrow on final passage?

The SPEAKER. That is correct.

Mr. JOHNSON. Mr. Speaker, I believe we would be glad to debate the merits of the bill with the lady tomorrow. We will be glad to hear the lady today, but we would just have to repeat it again tomorrow.

Miss DUFFY. I will withhold and debate the bill tomorrow.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 140, entitled as follows:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

On the question,

Will the House agree to the bill on third reading?

Mr. GRANVILLE E. JONES. I rise in opposition to this bill and I will present to the House my reasons for the opposition. I would first like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. Mr. Speaker, owing to the lateness of the hour, I am wondering if we should not pass this bill over today and the gentleman could reserve his question and his remarks on the bill until tomorrow.

Mr. GRANVILLE E. JONES. Mr. Speaker, I am very sorry, but I will have to leave and I will be absent from tomorrow's session. Unfortunately, last week I would have raised the same objections and this is why I am here today, Mr. Speaker, asking to interrogate the Majority Leader. I will not be long.

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that we place this bill on the third reading postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER. For the information of the gentleman from Philadelphia, the bill will be placed on the Third Reading Postponed Calendar, and the chair understands from the Majority Leader it will not be called up until Monday.

The motion was agreed to.

HOUSE RESOLUTION No. 27

Mr. IDE. Mr. Speeaker, I call up on page 8 of today's calendar, House Resolution No. 27.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 11, 1957.

Whereas, State Highway Route 22 at its eastern terminus is located in the City of Easton, extending from the western boundary of the city eastwardly by a tortuous and winding route along the Bushkill Creek to the Delaware River; and

Whereas, the speed limit on the major portion of said roadway is fixed at 35 miles per hour in view of the dangerous and hazardous conditions created by the hairpin curves of said roadway; and

Whereas, said roadway is posted against speeds in excess of 35 miles an hour but the posting does not adequately warn motorists of the inherently dangerous and hazardous conditions of the roadway with the result that motorists have, time and again, proceeded into said curves at excessive speeds and have lost control of their vehicles —crossing the medial strip and colliding with traffic proceeding in the opposite direction; and

Whereas, an exceptionally high rate of serious accidents, many involving fatalities, have resulted and have prompted repeated requests to the Pennsylvania Department of Highways to install such additional facilities as may be necessary to warn motorists of the hazardous road condition; and

Whereas, The Pennsylvania Department of Highways, despite a continuing and increasing rate of serious accidents on said roadway, has failed to adopt any remedied measures as requested;

Now, therefore, be it resolved that, in the interests of the safety of the general travelling public, the Governor be and he hereby is requested to order and direct the Pennsylvania Department of Highways to install such additional warning facilities including more adequate illumination, flashing red signals and an elevated medial strip so as to impress more forcefully upon motorists about to enter upon said roadway the extremely hazardous and dangerous condition of the same.

On the question,

Will the House adopt the resolution?

Mr. PETROSKY. Mr. Speaker, I rise to oppose the Resolution at this time. I oppose the resolution principally because we have had quite a few items of this nature in this particular session which I believe were primarily, proposed and set for passage, taking the time of the House, for purpose of political expendiency.

This highway was completed sometime ago and this Resolution would request the Governor to order and direct the Department of Highways to install such additional warning facilities, illumination and elevated medial strip on a State Highway Alternate Route 22 in the city of Easton so as to impress motorists more forcefully with the hazardous and dangerous conditions of such section of the highway.

The Department of Highways is cognizant of the hazardous and dangerous conditions of the alternate route which was finished in 1954. It has had meetings with appropriate officials of the area and has taken preliminary steps to reduce the hazard. Although appropriate warning signs are posted, apparently many motorists fail to heed these warnings. The enforcement of the posted speed limits is primarily a function of the local municipality, augmented by the State Police; and strict enforcement could materially lower the accident rate.

Meanwhile the Highway Department has undertaken and is now completing a study as to how this hazard can best be adequately eliminated. The Department of Highways will effectuate such recommendations as may be made immediately upon the completion of the study which is now in progress.

This is another matter in which, as I stated before on the floor of this House, you now have systematic planning. You do not have a haphazard way of developing a highway program in Pennsylvania such as we had in the past. You can rest assured, with the type of program development that we have in our Highway Department, that this any many other hazards which were created in the past will be eliminated in the future without the necessity for this type of resolution.

Therefore, I am opposed to it on the basis of thinking that we should eliminate this type of action and should consider the proper and ordinary business that comes before the Members of the House, rather than taking up time with political items of this nature.

Mr. IDE. Mr. Speaker, it was not political expediency that killed four people on Cemetery Curve in December. They did not know anything about political expediency, they did not know a thing about systematic planning or systematic murder.

The fact remains that the building of this pike at the east end of Route 22 approaching the bridge and from there westward for roughly 13 to 15 blocks was a colossal error on the part of the Highway Department, and they have made no effort to correct this error or to save the lives of people.

They did erect miniature signs reading 35 miles an hour. But this is a terrific curve. There are two curves. I do not know that the truck drivers, or any drivers, heed these signs unless there is police protection, and it is only in the past six or eight weeks that we have had any kind of police supervision.

If we are to have proper driving on this section of the pike for a distance of 13 blocks, we must have adequate safety measures taken on this pike. What you have just heard sounds to me like something coming from the Highway Department. I ask you if there is one man in this House who does not know of a dangerous piece of pike somewhere in Pennsylvania. This particular piece of pike in Easton, I am telling you, is the worst on Route 22, as told to me by truck owners. The Easton police have little or no jurisdiction on this piece of pike. It has been patrolled the past six or eight weeks by the Highway Police, and they did a fine job. We had 100 arrests in about four days, 100 arrests in four days in 13 blocks on this pike. Now that in itself tells you the story.

The people who have been murdered on this pike should not have been murdered. They should be living. They should be driving. They should be with us today. They were innocent people. They were killed primarily by trucks that ran over this so-called medial strip which is not there. There is a strip that rises about four inches, it is no barrier to any piece of motor equipment.

The trucks up to about six weeks ago started around these curves 50, 55, 60, 65 and some 70, but they did not get around. There was no police protection at that time.

The only way this can be corrected is by placing the medial strip, proper lighting and proper signs and, if this is not done, there will be more murders. Let me assure you of that.

Members of the House, I urge that you think as I do so that these innocent people who travel that pike will not be killed.

Mr. PETROSKY. Mr. Speaker, I believe the gentleman misunderstood me. I am in total agreement with him when he states that the building of this pike was a colossal error, and I want to point specifically that this pike was built in 1954 under the prior administration. I want to go further and say this: He says the information is coming from the Highway Department. That is true.

The Resolution was sponsored February 12th, the additional State Police patrol was put on over six weeks ago. Now that was prior to the introduction of the Resolution. The survey by engineers which is being conducted now is leveled at rectifying the error on this highway construction which was made by prior administrators in the Highway Departments. They are proceeding now to develop ways to rectify the situations so that the massacre of motorists does not continue in the future.

However, we must of a necessity say to you that since there has been a colossal error it will take engineering skill to rectify this condition. It will be corrected when the survey is completed and the necessary technical obstructions are removed in order to accomplish the same.

Mr. BELL. Mr. Speaker, I would like to back up the gentleman from Northampton County on this matter. It seems to me there is no excuse for permitting a condition

of this type to exist for two years. Let us remember that the present administration has had control of the State Highway Department for two years.

Further, I do not think it is proper to charge someone like the gentleman from Northampton, who is trying to put an end to mass murder, with politics because, if I in my district, or if any of you in your district, run into a situation like this and you cannot get anything done about it, this is the proper place to come.

I defend the right of the gentleman from Northampton and I condemn the practice of permitting a death trap to continue for two years whether it is in Northampton County or any other district.

Mr. IDE. Mr. Speaker, we have heard it said here that the Highway Department would take care of this. Well, they probably will some day, but the reason I am on my feet, the reason I placed the Resolution before the House, is because of these facts.

About two months ago I talked to the gentleman in charge of the Highway Department in our district and I had him, and members of the City Council, and the members of the County Commissioners, as well as the representatives from the county, to go over this pike with a representative of the Highway Department. At the close of the tour I asked the gentleman when we could expect some relief on this particular piece of pike, and he told me, and I quote, "Within 30 days."

I believed the gentleman, I still believe him, and I believe he would have done something if he had had the support which was rightfully his.

At another time the Mayor of Easton called Allentown, about a month ago, and he talked to the No. 3 man, as they termed him. He said it would be corrected immediately, and the corrections made were some reffecting posts leading to one of the exits from the pike at 25th street, I think—either 15th or 25th.

With these promises from the Highway Department, it leads me to believe but one thing, that—may I use this expression—the Republicans of Northampton County cannot expect relief. If we could, why have we not received it?

Again, I urge the Members of this House to think as I do and stop this murder, and it can be stopped.

Mr. FILO. Mr. Speaker, I would like to inform the House that I am going to vote for this Resolution. And I hope I have the support of the two gentlemen on the other side when the bill regarding medial strips for the Turnpike will be brought before this House.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

PERMISSION TO ADDRESS HOUSE

Mr. SHIELDS asked and obtained unanimous consent to address the House.

Mr. SPEAKER, as a resort to our American Constitution receiving its full implementation in the epic decision handed down by the United States Supreme Court in May 1954, we have observed—incidentally, that decision was a decision to end segregation in schools—that throughout the Southland many subversive, un-American groups have been active. We did not pay too much attention to it because it was not within our jurisdiction. Today we find from the newspaper reports that these organizations have expanded into our Commonwealth.

The purpose of these organizations is to meet our honored Constitution with force and violence. One such organization is reported by the newspapers to have a cell in Philadelphia. The name of this organization is The Seaboard White Citizens Council. Most of you will recall this Council was organized by a noted race baiter by the name of John Casper who has created quite a bit of strife throughout the South. I understand the cell within Philadelphia is headed by one Theodore Thesing.

We have had leaders who have been outspoken against the un-American activities of this organization. Congressman Earl Chudoff has exposed this vicious organization in Washington and has requested that it be placed on the subversive activities list.

The District Attorney Victor A. Blanc, of Philadelphia, is also investigating the activities of this organization. The State Attorney General, Thomas D. McBride, has also spoken out and denounced the activities of such groups. As a result of these bold people having the courage to speak out against this subversive group, they have attempted to silence them by smearing them.

I have in my possession a letter that I request permission to read which was written by one Theodore Thesing to the American Veterans of Foreign Wars regarding the gentlemen I have mentioned. The letter reads as follows:

"Feb. 23, 1957.
"Dept. Commander, Veterans of Foreign Wars.

"Dear Sir:

"Rep. Earl Chudoff—D-of Phila. is causing Racial Hatred among the Armed Forces of the United States. Phila. Inquirer Feb. 23, 1957 Atty. Gen. blasted Brownell on Racial Issue. We know Rep. Earl Chudoff is a Communist and a Tool of Atty. Gen. Thomas D. McBride another Communist. We have Wire Tappings on Mr. McBride. The Communist paid the Expenses of the Cold-Blooded murder of the Darcy Trial To break down the Powers of the Supreme Court. We have sworn affidavits. We know McBride will put Communist in the Vital Defense positions of Penna. We also know this Race Hatred is the Issue of the Communist Party, and not accused White Citizens Seaboard Council.

Did the W. C. S. C. Coach the Bad Risk Communist on Unemployment Insurance? Who did it? Atty. Gen. Thomas D. McBride, I ask you to Petition the Department of Justice to Investigate the Loyalty of Rep. Earl Chudoff—D-Phila. and the Penna. Atty. Gen. Thomas D. McBride.

"Yours truly, Theodore Thesing, The White Citizens Seaboard Council, Phila., Pa."

Mr. Speaker, the gentlemen whose names were mentioned in this letter are well known to most of us. As a matter of fact, Congressman Chudoff was a former Member of this House. I think he served four terms. After leaving this House he was elected to the United States Congress and he has an enviable record in the Congress. He has always had the courage of his convictions and has been against any organization or any "ism" which was not true Americanism.

As far as the Attorney General is concerned, he is the Chairman of the Committee of Teachers of the Fel-

lowship Commission and he has shown by his past actions that he does not approve of such activities.

The purpose of reading this letter, was to inform the people to what depths this organization will stoop to carry on their un-American activities.

As a result of trying to smear honorable Members of the United States Congress and the Honorable Attorney General of this state, a resolution is in the process of being prepared by some of my colleagues and me which will be introduced immediately. We will have to meet this challenge head-on. We must decide whether we, the elected Members of this House, the Representatives who stand for the United State Constitution, will remain silent in an hour in which courage is needed. The resolution that we plan to introduce to this body provides, (1) that this House contact the Justice Department urging that this group be placed on the subversive activities list, and, (2) that a copy of said Resolution be sent to each United States Senator and Representative from Pennsylvania.

I appeal to you in this Hall to support this resolution, to support law and order by supporting this resolution, because it is incumbent upon us to stand up against such activities. I appeal to you to support this, and your conscience can find no other decision. I paraphrase the words of Lincoln when I say, The world will little note nor long remember what we say here, but it can never forget what we do here."

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. KELLER asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. ROYER asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. LAFORE from the Committee on Elections and Apportionment, reported as amended, House Bill No. 87, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged by streets and house numbers or alphabetically.

Mr. AUKER from the Committee on Judiciary, reported as committed, House Bill No. 556, entitled:

An Act relating to criminal prosecutions, permitting defendants to make motions for discharge on the ground that the evidence is insufficient to sustain the charge and providing for the effect thereof.

Mr. OGILVIE from the Committee on State Government, reported as committed, House Bill No. 734, entitled:

A Supplement to the act of April 9, 1929 (P. L. 177), known as "The Administrative Code of 1929," regulating expenditures and commitments by administrative bodies, boards and commissions during a portion of each biennium.

Mr. GIBSON from the Committee on Rules, reported as committed, House Resolution No. 50.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 33

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 12, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 33, Printer's No. 7, "An Act Amending the act of May 21, 1931 (P. L. 149) entitled as amended 'An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation' making permanent the provisions relating to reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes."

GEORGE M. LEADER.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 478.

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-seven.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 7, by striking out after the word "hundred" the words "fifty-five" and inserting in lieu thereof the words "fifty-seven."

Amend Section 1, page 2, line 12, by striking out after the word "hundred" the words "fifty-five" and inserting in lieu thereof the words "fifty-seven."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON asked and obtained unanimous consent for the immediate consideration of House Bill No. 478.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Ewing,	Light,	Rovansek,
Agnew,	Farabaugh,	Limper,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, M. S.,	Filo,	Lopresti,	Scarcelli,
Anderson, S. A.,	Fineman,	Lovett,	Schuster,
Andrews,	Flynn,	Lutty,	Schwartz,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Gailey,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith,
Boles,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Thompson,
Buchanan,	Heffner,	Moscrip,	Toll,
Capano,	Henzel,	Moyer,	Tompkins,
Carson,	Hocker,	Muldowney,	Trusio,
Cianfrani,	Holt,	Mullen,	Ujobai,
Cioffi,	Horst,	Munley,	Varallo,
Cleveland,	Ide,	Murphy,	Varner,
Comer,	Isaacs,	Murray, H. P.,	Vaughan,
Cooper,	Jenkins,	Murray, P. G.,	Verona,
Cummins,	Jim,	Musto,	Wall,
Curwood,	Johnson,	Naugle,	Walsh,
Dalrymple,	Johnston,	O'Brien,	Wargo,
Davis,	Jones, G. E.,	O'Dell,	Weidner,
DeLong,	Jones, T. H. W.,	Ogilvie,	Welsh,
Dengler,	Jump,	Parry,	Wescott,
Dennison,	Kamyk,	Pashley,	Wheeler,
Devlin,	Kehler,	Petrosky,	Whittaker,
Dietterick,	Keller,	Phillips,	Willard,
Donahue,	Kernaghan,	Piper,	Willaredt,
Donaldson,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm, Speaker

NAYS—0

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 76.

An Act reenacting and amending the act of July 7, 1955 (P. L. 256) entitled "An act creating a temporary advisory commission to examine report upon and recommend reorganizations of agencies and functions of the State government prescribing its powers and duties directing cooperation of governmental agencies and authorizing the issuance of subpoenas" reactivating and extending the life of the commission.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 5, line 1, by striking out after the word "Fifty-six" the word "March" and inserting in lieu thereof the word "May."

On the question,

Will the Houst concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Adams,	Ewing,	Light,	Rovansek,
Agnew,	Farabaugh,	Limper,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, M. S.,	Filo,	Lopresti,	Scarcelli,
Anderson, S. A.,	Fineman,	Lovett,	Schuster,
Andrews,	Flynn,	Lutty,	Schwartz,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Gailey,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith,
Boles,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Thompson,
Buchanan,	Heffner,	Moscrip,	Toll,
Capano,	Henzel,	Moyer,	Tompkins,
Carson,	Hocker,	Muldowney,	Trusio,
Cianfrani,	Holt,	Mullen,	Ujobai,
Cioffi,	Horst,	Munley,	Varallo,
Cleveland,	Ide,	Murphy,	Varner,
Comer,	Isaacs,	Murray, H. P.,	Vaughan,
Cooper,	Jenkins,	Murray, P. G.,	Verona,
Cummins,	Jim,	Musto,	Wall,
Curwood,	Johnson,	Naugle,	Walsh,
Dalrymple,	Johnston,	O'Brien,	Wargo,
Davis,	Jones, G. E.,	O'Dell,	Weidner,
DeLong,	Jones, T. H. W.,	Ogilvie,	Welsh,
Dengler,	Jump,	Parry,	Wescott,
Dennison,	Kamyk,	Pashley,	Wheeler,
Devlin,	Kehler,	Petrosky,	Whittaker,
Dietterick,	Keller,	Phillips,	Willard,
Donahue,	Kernaghan,	Piper,	Willaredt,
Donaldson,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm, Speaker

NAYS—0

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill rom the House of Representatives numbered and entitled s follows:

HOUSE BILL No. 161.

An Act amending the act of May 2, 1949 (P. L. 873) ntitled as amended "An act requiring that the results of ll local option referenda in political subdivisions be cer- ified to the Bureau of Municipal Affairs by county boards f elections and requiring secretaries of political sub- ivisions to make certain reports to said bureau and to he county commissioners of the county in which the olitical subdivision is located" clarifying the provisions f the act as to its application in townships.

With the information that the Senate has passed the ame with amendments, in which the concurrence of the Iouse of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 18, by striking out after he part-word "tion" the words: "in so far as the term pplies to townships shall include only each officer whose ath or affirmation is required by law to be filed with the ownship secretary" and inserting in lieu thereof the fol- owing: "shall not include constables and their deputies."

On the question,

Will the House concur in the amendments made by the enate?

Mr. JOHNSON. Mr. Speaker, I request that the House oncur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas nd nays were taken and were as follows:

YEAS—204

Adams,	Ewing,	Light,	Rovansek,
Agnew,	Farabaugh,	Limper,	Royer,
Amarando,	Fetterolf,	Lippincott,	Rudisill,
Anderson, M. S.,	Filo,	Lopresti,	Scarcelli,
Anderson, S. A.,	Fineman,	Lovett,	Schuster,
Andrews,	Flynn,	Lutty,	Schwartz,
Ashton,	Foster,	Magee,	Seltzer,
Auker,	Fox,	Mahan,	Sherman,
Barton,	Frascella,	Markley,	Shields,
Bell,	Gailey,	Marsh,	Silverman,
Blair,	Garlock,	Maxwell,	Smith,
Boies,	Gelfand,	McCann,	Snare,
Boory,	George,	McCormack,	Snider,
Bower,	Gibb,	McGee,	Spray,
Bowman,	Gibson,	McInroy,	Steckel,
Brand,	Goldstein,	McKeever,	Stevens,
Breisch,	Goodling,	McLaughlin,	Stimmel,
Brennan,	Goodrich,	Merry,	Stone,
Brenninger,	Gramlich,	Metz,	Stoner,
Breon,	Gross,	Mikula,	Strausser,
Breth,	Guthrie,	Miller, B. Z.,	Stroup,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Thompson,
Buchanan,	Heffner,	Moscrip,	Toll,
Capano,	Henzel,	Moyer,	Tompkins,
Carson,	Hocker,	Muldowney,	Trusio,
Cianfrani,	Holt,	Mullen,	Ujobai,
Cioffi,	Horst,	Munley,	Varallo,
Cleveland,	Ide,	Murphy,	Varner,
Comer,	Isaacs,	Murray, H. P.,	Vaughan,
Cooper,	Jenkins,	Murray, P. G.,	Verona,
Cummins,	Jim,	Musto,	Wall,
Curwood,	Johnson,	Naugle,	Walsh,
Dalrymple,	Johnston,	O'Brien,	Wargo,
Davis,	Jones, G. E.,	O'Dell,	Weidner,
DeLong,	Jones, T. H. W.,	Ogilvie,	Welsh,
Dengler,	Jump,	Parry,	Wescott,
Dennison,	Kamyk,	Pashley,	Wheeler,
Devlin,	Kehler,	Petrosky,	Whittaker,
Dietterick,	Keller,	Phillips,	Willard,
Donahue,	Kernaghan,	Piper,	Willaredt,
Donaldson,	Knecht,	Polaski,	Williams,
Dougherty,	Kooker,	Post,	Wilt,
Down,	Kornick,	Price,	Wood,
Duffy,	Korns,	Pursley,	Worley,
Dunn,	Krakow,	Ragot,	Wyatt,
Edwards,	Lafore,	Readinger,	Wynd,
Eilberg,	Lee, A. M.,	Reidenbach,	Yatron,
Erb,	Lee, K. B.,	Renwick,	Zimmerman,
Eshleman,	Leonard,	Rigby,	Helm, Speaker

NAYS—0

NOT VOTING—5

Floyd,	Miller, W. H.,	Monroe,	Pomeroy,
Mihm,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 11.

An Act authorizing incorporated towns to regulate junk yards.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILL NON CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 77.

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate to Senate Bill No. 77.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 478.

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-seven.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ANNOUNCEMENT

The SPEAKER. Reservations for the newspaper correspondents' Gridiron Dinner, April 23rd, at the Penn-Harris, are now being taken in the News Room. See Morrie Swartz. First come, first served.

ADJOURNMENT

Mr. FILO. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 13, 1957 at 10:00 a. m.

The motion was agreed to, and (at 5:50 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., WEDNESDAY, MARCH 13, 1957. No. 24.

SENATE

WEDNESDAY, March 13, 1957.

The Senate met at 12:00 o'clock meridian, Eastern Standard Time.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

The PRESIDING OFFICER. The President pro tempore of the Senate, the Honorable M. Harvey Taylor, has requested the Chair to preside at today's Session.

PRAYER

The following prayer was offered by the gentleman from Clerks, Mr. RUTH:

Almighty God, our Heavenly Father, as we go through this Holy season of Lent, we pray that we may think of that Man Who was never in a hurry, Who has accomplished the greatest work any man has done in this world, that Man Who never laughed, but brought the most genuine laughter and joy to the world of any man who ever lived, that Man Who came into this world not to live but to die for us.

We pray that we may dedicate this day and every day unto Him and hope and trust that the work of our hands, the words of our mouths and the meditations of our hearts may be acceptable to that Man of Galilee. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. ROPERT, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 12, 1957.

To the Honorable the Members of the General Assembly of the Commonwealth of Pennsylvania:

Inasmuch as education plays such an important part in our budget thinking, it occurred to me that the attached copy of a Report from the Governor's Commission on Higher Education may be of extreme interest to you.

As you probably know, the Commission has been conducting its research for well over a year and has come up with important findings and recommendations. In order that you might study them for yourself, I have asked that a copy be made available to each member of the Legislature.

At the present time these recommendations are receiving full consideration by this Administration. I have said that I think the report can be the basis for meeting the anticipated expanded need for higher education in the Commonwealth.

It is my hope that you will find in the pages of this report a basis for legislative action in this field.

Sincerely yours,

GEORGE M. LEADER.

(For Report see Appendix.)

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 18, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation.

Which was committed to the Committee on State Government.

House Bill No. 98, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) permitting the prothonotary to appoint a solicitor and prescribing a means for paying the cost of prothonotary's litigation.

Which was committed to the Committee on Local Government.

House Bill No. 144, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) reducing annual registration fee for certain two-wheeled semi-trailers.

Which was committed to the Committee on Highways.

House Bill No. 165, entitled:

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743) establishing a Traffic Court of Philadelphia and prescribing its powers and duties and jurisdiction and the magistrates assigned thereto * * *.

Which was committed to the Committee on Judiciary General.

House Bill No. 204, entitled:

An Act amending the "Publicity Utility Law" of May 28, 1937 (P. L. 1053) excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children to and from school sponsored extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle.

Which was committed to the Committee on Corporations.

House Bill No. 205, entitled:

An Act repealing section 502.1 act of May 1, 1929 (P. L. 905) removing limitations upon the operation of commercial motor vehicles for carriage of passengers.

Which was committed to the Committee on Corporations.

House Bill No. 266, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) permitting city council to hold its organization meeting on first day after a holiday.

Which was committed to the Committee on Local Government.

House Bill No. 282, entitled:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 301, entitled:

An Act amending "The Fourth to Eighth Class Assessment Law," approved May 21, 1943 (P. L. 571) increasing compensation and providing for travel expenses of assessors.

Which was committed to the Committee on Local Government.

House Bill No. 315, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susequehanna River between the borough of Kingston and Plains Township both situate in Luzerne County.

Which was committed to the Committee on Highways.

House Bill No. 326, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

Which was committed to the Committee on Local Government.

House Bill No. 521, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) further regulating ordinances opening changing or vacating roads and highways.

Which was committed to the Commitee on Local Government.

House Bill No. 553, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Clarion River * * *

Which was committed to the Committee on Highways.

House Bill No. 564, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) providing penalties for violation of rules governing State Parks State Forest Picnic Areas State Forest Monuments and State Historical Parks.

Which was committed to the Committee on State Government.

House Bill No. 566, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Forests and Waters to grant rights of way over State park lands.

Which was committed to the Committee on State Government.

House Bill No. 589, entitled:

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled "An act making an appropriation to the Council of Civil Defense for disaster relief in connnection with the hurricane and flood damage of August one thousand nine hundred fifty-five" making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before the completion of projects.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 76

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 76, entitled:

An Act reenacting and amending the act of July 7, 1955 (P. L. 256) entitled "An act creating a temporary advisory commission to examine report upon and recommend reorganizations of agencies and functions of the State government * * *" reactivating and extending the life of the commission.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 161

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 161, entitled:

An Act amending the act of May 2, 1949 (P. L. 873) entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections * * *" clarifying the provisions of the act as to its application in townships.

HOUSE CONCURS IN SENATE BILL No. 122

He also returned to the Senate, Senate Bill No. 122, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" permitting borough council to hold its organization meeting on first day after a holiday.

with the information that the House has passed the same without amendments.

SENATE BILL No. 29 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 29, entitled:

An Act amending the act of May 9, 1949 (P. L. 908) entitled * * * authorizing county controllers to destroy or dispose of certain records and papers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on Monday's Calendar.

SENATE BILL No. 36 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended * * * providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on Monday's Calendar.

SENATE BILL No. 100 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908 * * *" authorizing county commissioners to destroy or dispose of certain records and papers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on Monday's Calendar.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 77

He also presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 77

Mr. MAHANY. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 77, and that a Committee of Conference on the part of the Senate be appointed.

Mr. KOPRIVER, JR. Mr. President, I second the motion.

The motion was agreed to.

GENERAL COMMUNICATIONS

REPORT OF THE COMMISSION ON GOVERNMENTAL REORGANIZATION, DEALING WITH PERSONNEL ADMINISTRATION

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

(SEAL)

THE ADJUTANT GENERAL, ANNVILLE RD 2; PENNA.

13 March 1957.

To The Honorable
The President of the Senate and Speaker of the House of Representatives:

Gentlemen:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Personnel Administration.

Respectfully,

/s/ A. J. Drexel Biddle, Jr.

encl.

A. J. DREXEL BIDDLE, JR., Major General Chairman
Governmental Reorganization Commission

(For Report see Appendix.)

REPORT FROM THE SECRETARY OF WELFARE IN RE SENATE RESOLUTION, SERIAL No. 17

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

Honorable A. H. Letzler
Secretary of the Senate
Senate of Pennsylvania
Harrisburg, Pennsylvania

March 13, 1957.

My dear Mr. Letzler:

On February 26, 1957, I received a certified copy of a resolution adopted by the Senate requesting me to submit to the Director of the Joint State Government Commission certain details concerning "scholarships granted to medical students". On March 1, 1957, I wrote advising you that this Department does not have any program under which scholarships are granted to medical students. A copy of that letter is attached as Exhibit I.

I am glad to send you now the full and detailed statement promised in that letter. I would appreciate your bringing the contents of this statement to the attention of the Members of the Senate.

The program for the training of professional and technical personnel is not new in the Department of Welfare.

As far back as 1943, the Department engaged in a program of training social workers, psychiatric nurses, and patient activity therapists (occupational, industrial, and recreational therapists) and carried this program on through 1954. The program in the Department previous to my advent here was carried out through the State mental hospitals; and a total of only 24 psychiatrists, social workers, nurses, and therapists were engaged in that program throughout the 12 years preceding this administration. In the first two years of this administration we have been able to induce a total of 54 trainees to enter the program and have extended the program to include psychologists.

In the years previous to this administration the students were paid stipends directly, but out of institution funds. The payments ranged from $150.00 per month up to a sum equal to 75% of the salary fixed for the position which the particular trainee was then occupying in the institution. It was paid to the students during the full year of the training period in the university. The students were selected or recommended by the superintendent of the particular state hospitals.

In the beginning of my tenure this system was continued, but, however, it was restricted to college graduates and the trainees were selected by the universities which they would attend subject to the approval of this Department; and the university recommended the student having the highest qualifications. In April, 1955, in view of the great need for psychologists, (we then had only a total of 26 psychologists in our 22 institutions) we engaged the services of Dr. Bernruther, Director of Psychology at the Pennsylvania State University, on a full time basis for the period of three months at a salary of $1,000 per month to develop a unified program for training in psychology. Dr. Bernruther was selected because of his eminent qualifications and his experience in developing a similar program for the Veterans' Administration.

Under his guidance, we obtained 21 clinical psychologis trainees for academic training in three of our universities.

The success of this program brought about numerous conferences by the Department with representatives of the major universities throughout the State and under their guidance and with their cooperation the program was expanded to include social workers, psychiatric nurses, therapists and the field of vocational rehabilitation. As a result, we were able to obtain a total of 32 trainees who were or are receiving their academic training in seven universities. The selection of these students is on the same basis as the selection of the psychologists.

Under the plan of the Department the tuition fee of all these trainees up to $750 is paid to the university and a fixed stipend is now being paid to the student ranging from $84 bi-weekly in the first year to $143 bi-weekly in the third year.

On December 9, 1955, the Auditor General questioned the right of the Department to pay the universities these tuition fees and returned the vouchers.

On December 12, 1955, we forwarded to the Auditor General a full and complete statement of the program. A copy of the letter to the Auditor General is attached and marked Exhibit II.

On January 20, 1956, the matter was discussed with the Department of Justice by the Department of Welfare, and a letter setting forth the arrangements and statutory authority upon which the Department acted was sent to the Attorney General. Full details of the program were set forth in the letter. A copy of the letter is attached marked Exhibit III. Thereafter, these payments were apparently approved by the Auditor General since they were continued.

Under the program adopted in 1955 the Department entered into written agreements with each of the universities and with trainees. Copies of the contracts now in force are attached marked Exhibits IV and V respectively.

During the recruitment program for the scholastic year 1956 many of the trainees indicated their desire to acquire "retirement" privileges since under the contract they were required to work in our State mental institutions both during their academic training and thereafter, fulfilling one year of work for each academic year of training. At the same time some questions were raised by the Internal Revenue Service of the Federal Government with respect to the obligation of the Commonwealth to deduct withholding taxes from the monies paid to the students.

In an atempt to answer and resolve these questions after additional conferences with representatives of the universities involved, our program was revised in June and July of 1956; each trainee was then placed on a bi-weekly salary basis paid out of the Department Budget from the funds provided by the last Legislature for research and training.

On August 1, 1956, a detailed statement of the revised program was prepared and widely circulated to all universities, trainees, and prospective trainees. The program was given further publicity through the press and by mail. Copies were sent to the Auditor General's Office. Attached and marked Exhibit VI is a copy of this revised program.

Payments to these students and to the universities were approved by the Department and the Auditor General and paid up to January 4, 1957. Shortly thereafter the Auditor General refused to make further payments to the trainees on the grounds that they were not authorized by law, and none have been made since January 4, 1957. As a result, chaos and uncertainty has been created and the continuance of this vital program is threatened. It seems obvious that there is nothing morally wrong with such a program and, in my opinion the program is not in contrevention of any of the laws of the Commonwealth. If there is, then in the interest of this very vital program the objections should be removed by the necessary legislation immediately.

It should be noted that under the original and revised program of the Department since January, 1955, each trainee is bound to work for the Commonwealth in a state owned or state aided institution for a period of at least one year for each year of academic training received, and during the period of the academic training the student agrees to receive his clinical experience by working in these institutions. Under the program existing prior to the time this Administration took office, there were no such requirements.

There are now employed in our institutions 74 psychologists, 43 of whom have received their doctorate degrees. In 1955, when I took office, there were only 26 phychologists in our institutions, as I have pointed out, and only one held a doctor's degree; the numbers of social workers, phychiatric nurses, and occupational therapists have increased in proportion. Much of this can be attributed to the character and the reputation which the Department and the Commonwealth have earned through this enlightened program, without which we were not on a competitive basis with most of the other states engaged in similar training programs.

I am enclosing a list of the names of all trainees, the amounts paid, and the universities which they are attending. Most of these students are presently receiving their clinical experience in our institutions and, therefore, are in fact working for the Commonwealth. The list is attached and marked Exhibit VII.

I should like to refer also to the stories in the press of the discussion in the Senate involving the transfer of the sum of $250,000 by the Department of Welfare to the Commonwealth Mental Health Research Foundation created by the last Legislature.

(a) The Appropriation Act of 1955-57 authorizes the Department to use a portion of the appropriated funds "for research and training in existing state owned and state aided institutions under the regulations of the Department . . ."

(b) The Foundation under the act is declared to be "a body corporate and politic constituting a public corporation and governmental instrumentality . . ."

(c) The Foundation is authorized to conduct training programs in the field of mental health in state owned institutions under the jurisdiction of the Department of Welfare.

(d) The Foundation is also authorized to accept donations from private individuals, corporations, and foundations.

(e) The act provides that the Foundation shall be administered by a board of eleven trustees consisting of the Governor and the Secretary of Welfare and nine trustees appointed by the Governor. The Governor has already appointed nine outstanding public spirited citizens and under the law the Secretary is required to appoint a Research Advisory Committee, six of whom shall be selected from six named medical schools, colleges, or mental institutions having an active research department in the Commonwealth of Pennsylvania.

(f) When the Foundation was created I spoke to four members of the Senate in connection with the act. I told them that no additional funds would be required if the act was passed. I did not say no funds appropriated for the purposes of research and training would be used. It seems obvious that before the public could be asked to make contributions to the Foundation, the Commonwealth should indicate its own interest.

(g) On February 19, 1957, the Department of Justice published an opinion stating that this transfer was authorized by law.

(h) In addition, a press release was issued by the Governor's Office on April 3, 1956, clearly stating that the Foundation would depend upon two sources of revenue for its support—"funds already ear marked for research and alloted to the Department of Welfare and grants from outside sources." A copy of the Governors' press release is attached and marked Exhibit VIII.

I am pleased to have been able to provide you with the above information for transmittal to the Members of the Senate. I sincerely hope that such information will aid the Senate in its understanding of our program for the training of professional and technical personnel who are working with the Department of Welfare in an effort to improve the mental health and welfare programs of the Commonwealth of Pennsylvania. If the Members of the Senate desire additional information on this subject, I will be happy to place such information at their disposal.

Sincerely yours,

HARRY SHAPIRO, (Signed)
Secretary of Welfare.

The PRESIDING OFFICER. This communication will be noted in the Legislative Journal, and the exhibits attached thereto will be printed in the Appendix to the Journal.

BILLS INTRODUCED AND REFERRED

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 372, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding routes in Clinton County.

Which was committed to the Committee on Highways.

Mr. MADIGAN read in his place and presented to the Chair, Senate Bill No. 373, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to cooperate with French Azilum, Inc., in planning for the restoration and development of historic French Azilum in Bradford County, and to assist in the preservation and restoration of existing structures, and making an appropriation.

Which was committed to the Committee on Appropriations.

Mr. WADE, on behalf of Mr. FLEMING, read in his place and presented to the Chair, Senate Bill No. 374, entitled:

An Act amending the act of May 9, 1889 (P. L. 173), entitled "An act relating to unused streets, lanes and alleys," clarifying the rights of abutting owners.

Which was committed to the Committee on Highways.

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 70, Printer's No. 69;
Senate Bill No. 71, Printer's No. 39;
Senate Bill No. 157, Printer's No. 56; and
Senate Bill No. 222 (Pink).

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 267, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" permitting township commissioners to hold their organization meeting the day after a holiday.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 274, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" making further provision for receipts of deposits in certain cases.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 281 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 291, entitled:

An Act designating the counties responsible for the upkeep of certain convicts in penal or correctional institutions.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 315, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" changing or deleting a certain route and adding a certain new route.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0.

A majority of all the Senators having voted, "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 443, entitled:

An Act making an appropriation to the joint committee apointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,

Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0.

A majority of all the Senators having voted, "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 29, entitled:

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of defaults or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 68, Printer's No. 77; and

Senate Bill No. 69, Printer's No. 78.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 81, Printer's No. 79, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order.

House Bill No. 130, Printer's No. 49; and

House Bill No. 143, Printer's No. 139.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 159, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" prohibiting the use of electric shavers while operating a motor vehicle

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 200 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 227, Printer's No. 80, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 249, entitled:

An Act to authorize military leaves of absence for employees of the Commonwealth or its departments boards bureaus commissions agencies and offices and employees of counties municipalities townships authorities or other political subdivisions of the Commonwealth who are drafted into the military service of the United States at any time or who enlist therein in time of war or armed conflict and providing reemployment seniority and retirement rights.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 265, (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 330, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 331, entitled:

An Act reenacting and amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act" extending the provisions of the act for a further limited period of time.

And said bill having been read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 332, entitled:

An Act amending the act of June 14, 1935 (P. L. 341) entitled as amended "Cigarette Tax Act" extending the provisions imposing an additional tax for a further limited period of time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 333, entitled:

An Act reenacting and amending the act of August 24, 1951 (P. L. 1417) entitled as amended "Corporation Income Tax Law" imposing the tax permanently and amending the definition of net income.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 334, entitled:

An Act reenacting and amending the act of May 16, 1935 (P. L. 208) entitled as amended "Corporate Net Income Tax Act" imposing the tax permanently and amending the definition of net income.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 1 (Sec. 2), page 9, line 6, by inserting after "situated": "The term "tangible property" as used in this subsection shall not include the security interest of any corporation as seller or lessor in personal property sold or leased under a conditional sale, bailment lease, chattel mortgage, or other contract providing for the retention of a lien or title as security for the sales price of the property." Amend Sec. 1 (Sec. 7), page 30, by inserting between lines 8 and 9: "(e) The provisions of this section shall apply to every corporation which was doing business in Pennsylvania in the year for which the Federal income has been changed, irrespective of whether or not such corporation has thereafter merged, consolidated, withdrawn or dissolved. Any clearance certificate issued by the department shall be conditioned upon the requirement that, in the event of a change in Federal income for any year for which taxes have been paid to the Commonwealth, the corporation or its successor or its officers or its directors shall file with the department a report of change and pay any additional State tax resulting therefrom."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KESSLER offered the following amendment:

Amend Title, page 2, line 2 of Title, by inserting after "permanently": "clarifying the provisions relating to tangible property fraction and reports of change".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 335, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" extending the provisions of one additional tax for a limited time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 336, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended "Fuel Use Tax Act" extending the provisions of one additional tax for a limited time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 337, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts changing and clarifying certain definitions making further exemptions changing the procedure for the collection of the tax and the administration of the act and providing appeals.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 1 (Sec. 2), page 7, lines 12 and 13, by striking out "Producing Fabricating Processing"; Amend Sec. 1 (Sec. 2), page 7, lines 16 and 17, by striking out "Producing Fabricated Processing"; Amend Sec. 1 (Sec. 2), page 10, lines 15 to 19, by striking out "The Exclusions" in line 15, all of lines 16 to 18, and "Operational Activities" in line 19; Amend Sec. 1 (Sec. 2), page 11, line 4, by inserting after "estate": "The exclusions provided in paragraphs (1), (2) and (3) shall not apply to tangible personal property to be used or consumed in managerial sales or other non-operational activities."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 2 (Sec. 2), page 18, line 20, by striking out "The ex-"; Amend Sec. 2 (Sec. 2), page 19, lines 1 to 4, by striking out all of lines 1 to 3, and "other non-operational activities" in line 4.

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 3 (Sec. 2), page 19, line 9, by inserting after "Estate: "The exclusions provided in paragraphs (1), (2) and (3) shall not apply to tangible personal property to be used or consumed in mangerial sales or other non-operational activities"; Amend Sec. 3 (Sec. 203), page 20, line 1, by striking out the brackets before and after "AND"; Amend Sec. 3 (Sec. 203), page 20, line 2, by striking out "And repair parts purchased for or"; Amend Sec. 3 (Sec. 203), page 20, line 3, by striking out "partially"; Amend Sec. 3 (Sec. 203), page 20, line 3, by striking out "or consumed".

They were agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth, seventh, eighth and ninth sections were read and agreed to.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 10, page 43, lines 9 to 15, by striking out "and the provisions applying to" in line 9, and all of lines 10 to 15.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

PETITIONS AND REMONSTRANCES

Mr. MAHANY. Mr. President, I have received a copy of the communication which was addressed to the Secretary of the Senate, the Honorable A. H. Letzler, and sent by the Secretary of Welfare, Mr. Shapiro. I have not had an opportunity of going through it in full and complete detail. However, I notice that one of the exhibits which Senator Shapiro sent is an agreement between the Department of Welfare and one, Donald Armsby. It agrees to pay Mr. Armsby $124 biweekly, from September 17, 1956 to June 7, 1957, in preparation for employment by the Department of Welfare. In addition, tuition as agreed upon will be paid on his behalf.

It is my understanding, Mr. President, that the Commonwealth of Pennsylvania cannot pay anyone who is not an employee of the Commonwealth. This definitely states that Mr. Armsby is not an employee of any department of the Commonwealth of Pennsylvania. It says that he is in preparation for employment with the Department of Welfare.

Therefore, Mr. President, I would like to have someone on the other side—I notice this morning that our good friend, Senator Seyler, seems to be in command of the ship on the other side—submit this form of agreement to our Attorney General, Tom McBride, and report next Monday to us as to whether our Attorney General feels that this agreement is legal under the Constitution of Pennsylvania.

Mr. SEYLER. Mr. President, I will, of course, be very happy to carry out the request of the Majority Leader just as soon as I am clear in my mind as to what he wants to know. Is it his point that the Commonwealth does not have the right to grant moneys for any purpose to individuals who are not employees of the Commonwealth?

Mr. MAHANY. Mr. President, that is my understanding. I just want Senator Seyler to rip off this one page from this communication. I understand that he has on his desk the same communication as I have. He will find, under Exhibit No. 5, a form of agreement. I just want Senator Seyler to take that one page over to your friend and my friend, the Attorney General, Mr. McBride, and ask him if it is his opinion that that agreement can be legally entered into between Mr. Armsby and the Department of Welfare under the laws of the State of Pennsylvania and under the Constitution of the State of Pennsylvania, and report his answer back to us next Monday.

Mr. SEYLER. Mr. President, I thank the gentleman for his elementary type of explanation. I understood that.

What I am trying to ask the gentleman is, is it the point of the gentleman from Crawford that the Commonwealth does not have the right to grant moneys to any person who is not an employee of the Commonwealth? I ask the question, Mr. President, because, as the gentleman very well knows, the Commonwealth does have scholarship agreements and other types of grants to people who are not employees, as I understand it, of the Commonwealth.

I want to know what the gentleman's contention is. Is it that the Commonwealth cannot advance moneys of any sort to persons who are not employees of the Commonwealth?

Mr. MAHANY. Mr. President, that is my contention. My main contention, however, is that this particular agreement cannot be legally entered into. All I want Senator Seyler to do is to take it over and ask the Attorney General if he agrees with me. I might send it over with a Page, but I wanted to have Senator Seyler do it.

Mr. SEYLER. The Majority Leader is getting high-priced

service here. However, Mr. President, I will attempt to carry out his mission.

VISITING STUDENTS WELCOMED

The PRESIDING OFFICER. The Chair, at this time, would like to welcome the visiting group of students. The Chair does not know where they are from, but we are always happy in the Senate of Pennsylvania to have the classes of the high schools come and view the Senate. I know all of the Senators join me in welcoming you people.

STUDENTS FROM CONRAD WEISER AREA JOINT SCHOOLS, BERKS COUNTY, PRESENTED TO SENATE

Mr. RUTH. Mr. President, I wish to present to the Members of the Senate, 137 ninth grade students from the Conrad Weiser Area Joint Schools in Berks County.

The PRESIDING OFFICER. The Chair is doubly happy to recognize the guests of Senator Ruth.

ANNOUNCEMENT CONCERNING GRIDIRON SHOW

The PRESIDING OFFICER. Reservations for the Gridiron Show are being taken in the Newspaper Correspondents' Room, on E Floor, by Morrie Swartz. All who are interested should get their tickets. They are, as I understand it, on a first come, first serve basis.

April 23 is the date of the show. There are a few tickets left and any interested persons had better go and get them. Those who get there early will get the best tables, the Chair is informed by the Press.

BILL INTRODUCED AND REFERRED

Mr. WATKINS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATKINS read in place and presented to the Chair Senate Bill No. 375, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades, for maintenance.

Which was committed to the Committee on Appropriations.

SENATE CONCURRENT RESOLUTION, SERIAL No. 107, REPORTED FROM COMMITTEE AND LAID ON THE TABLE

Mr. HARNEY. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARNEY, from the Committee on Constitutional Changes and Federal Relations, to which was referred resolution offered by Messrs. WAGNER, WALKER, KROMER, SCOTT, MALLERY, WHALLEY, FLACK and VAN SANT on February 11, 1957, reported the same without amendment as follows:

MEMORIALIZING CONGRESS TO PROVIDE ADEQUATE SAFEGUARDS IN TARIFF AND TRADE LEGISLATION

In the Senate, February 11, 1957.

The increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvania's industries, is a constant menace to the State's continuing economic stability.

The lower wages paid abroad make it impossible for many of our smaller and medium-sized producers to compete with imports without resorting to ruinous price cutting, which in turn would result either in financial losses or heavy pressure for wage reductions and outright unemployment.

Our National obligations have reached such extreme proportions that the National income must be maintained at its present unprecedented high level, or close thereto, lest we become insolvent.

Unemployment caused by the imports of residual oil, which represented 3.43 times the average of 45 million barrels imported in 1946, to approximately 154 million barrels in 1956, or the yearly equivalent of 36,640,000 tons of coal; and unemployment caused by imports of crude oil; various types of glass, steel, aluminum, brass and zinc products; pottery and chinaware; granite, tiles, cement, hardboard, plywood, hardware, plumbing, flat glass and other building supplies, lace, carpets and all kinds of woolen, cotton and synthetic fibre manufactured goods; leather and fabric gloves; bicycles; hydraulic turbines; machine tools and other machinery; heavy electrical equipment and other electrical industry products and electronics; watches, clocks and parts; optical industry products; cutlery; scientific apparatus; pencils and pens; pins, clips and fasteners; soft fibre; insulation board and manufactured cork products; chemicals; toys; mushrooms; farm, dairy and dried milk products, wallpaper, hats and millinery, printing industry products; ladies hand bags and leather goods; nails, wire, screws, bolts and nuts and many other commodities; will render the upholding of the economy at its high levels cost uncertain and difficult unless all import trade is placed on a fair competitive basis and the potential injury therefrom thus eliminated.

Agricultural products such as wheat, wheat flour, cotton, butter, cheese and peanuts enjoy the protection of import quotas.

A maximum of satisfactory trade results from a prosperous domestic economy freed from the threat of a breakdown resulting from unfair import competition; therefore be it

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to provide adequate safeguards in tariff and trade legislation, including import quotas and an effective prohibition against dumping of imports in the United States: against the destruction or lowering of our American standard of living, the labor standard of our workmen, and the stability of our economy by unfair import competition and that the existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the Speaker of the House of Representatives and each Senator and Representative from Pennsylvania in the Congress of the United States.

Laid over for one day under the Rules.

SENATE CONCURRENT RESOLUTION, SERIAL No. 111,

REPORTED FROM COMMITTEE AND LAID ON THE TABLE

Mr. HARNEY, from the Committee on Constitutional Changes and Federal Relations, to which was referred resolution offered by Mr. Stiefel on March 11, 1957, reported the same without amendment as follows:

VOICING DISAPPROVAL OF THE DISCRIMINATORY ACTION OF THE EXECUTIVE DEPARTMENT OF THE UNITED STATES IN JEOPARDIZING THE WELFARE AND RETARDING THE FURTHER PROGRESS OF DELAWARE VALLEY U. S. A.

In the Senate, March 11, 1957.

Whereas, The Executive Department of the United States has recommended an appropriation of $9 million to be expended by the Corps of Engineers in the fiscal year 1958 for the purpose of continuing the authorized improvement of the Delaware River Channel, Philadelphia, Pa., to Trenton, N. J.; and

Whereas, The Executive Department of the United States has imposed a maximum depth of 35 feet for the authorized improvement; and

Whereas, the Congressionally-authorized improvement calls for a depth of 40 feet; and

Whereas, the Philadelphia District Engineer of the United States Army, Corps of Engineers, has stated that the sum of $16,500,000 can be economically utilized in Fiscal 1958 on deepening the Delaware River Channel, Philadelphia to Trenton; now therefore be it

Resolved (the House of Representatives concurring), that the Senate and House of Representatives of the General Assembly of Pennsylvania, in behalf of the people of Pennsylvania, voice their disapproval of the discriminatory action of the Executive Department of the United States in jeopardizing the welfare and retarding the further progress of our Delaware Valley, U.S.A. three-state area and by refusing to recognize the urgent need for improvement of the Delaware River by providing insufficient funds for the effective, timely continuation of the construction of this vital project, thereby causing an undue delay, measured in years, of the economic usefulness of the project; and be it further

Resolved, that the Senate and House of Representatives of the General Assembly of Pennsylvania, on behalf of the people of Pennsylvania, voice its disapproval of the discriminatory action of The Executive Department of the United States which has altered the Congressionally-authorized 40-foot channel depth to an imposed figure of 35 feet; and be it further

Resolved, that the Senate and the House of Representatives of the General Assembly of Pennsylvania petition the Executive and Legislative branches of the United States Government through this resolution to amend and approve legislation during the present session of the Congress of the United States that will make available in fiscal year 1958 the economic sum of $16,500,000 so that the justified and authorized improvement of the Delaware River can be continued at an effective rate in the interests of our national defense, industry, commerce, and the welfare of all of the people of the Delaware Valley; and be it further

Resolved, that the Senate and the House of Representatives of the General Assembly of Pennsylvania petition the Executive and Legislative branches of the United States Government through this resolution to strike out any reference to a 35-foot restricting depth when that figure is in conflict with the authorized 40-foot depth; and be it further

Resolved, that the President pro-tempore of the Senate of the General Assembly of Pennsylvania reconstitute three members of the Senate who together with three members of the House of Representatives, upon the concurrence of the House of Representatives, to be appointed by the Speaker of the House, shall serve as a Joint Committee to be known as the Delaware River Philadelphia-Trenton Deeper Channel Committee; and be it further

Resolved, that said committee shall cooperate with the Governor of the Commonwealth of Pennsylvania in such actions as may be desirable and necessary to achieve the required legislative action from the Congress of the United States to assure not only the construction of the Congressionally-authorized 40-foot channel but to assure also the earliest possible completion of this important project; and be it further

Resolved, that the Secretary of the Senate be directed upon the passage of the instant Resolution to forward copies thereof to His Excellency, the President of the United States; to the Vice President of the United States, in his capacity as Presiding Officer of the Senate of the United States; to the Speaker of the House of Representatives of the Congress of the United States; to the two United States Senators from Pennsylvania, the Honorable Edward Martin and Joseph S. Clark, Jr.; to each one of the Members of the Pennsylvania Delegation to the House of Representatives of the Congress of the United States; to the Director of the Bureau of the Budget; and to the Chief of Engineers, United States Corps of Engineers.

Laid over for one day under the Rules.

REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 479, entitled:

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 479, entitled:

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, March 18, 1957, at 4:00 o'clock, p.m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:06 o'clock, p.m., Eastern Standard Time, until Monday, March 18, 1957, at 4:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 13, 1957.

The House met at 10:00 a. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Ernest N. Bauer, Pastor the Zion Lutheran Church, Hollidaysburg, guest Chaplain, offered the following prayer:

Almighty God, of Whose righteous will all things are and were created, we thank Thee that Thou hast gathered our people into a great Nation, and the people of this Commonwealth into a great State. Deepen the root of the life our citizens in everlasting righteousness. Make us equal to our trusts; reverent in the use of our freedom; just in the exercise of power; generous in the protection of weakness.

Do Thou of Thine infinite goodness direct the hearts and minds of these Thy servants assembled here in the House of Representatives. Help them with the power of Thy Holy Spirit to make laws in accordance with Thy will and for the advancement of righteousness. Protect them from the snares of the Evil One and the deceits of this world. Let no pride of power betray them into the rejection of Thy commandments.

Give these, Thy servants, the willingness to take time to listen to Thy voice, knowing that as they follow Thy voice all the people will be served fairly and all groups will get what they deserve. May the love of God, which is broader than the measure of man's mind; the Grace of our Lord Jesus Christ, which is sufficient for all our needs; and the fellowship of the Holy Spirit, Who shall lead us into all truth, be with us this day. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Tuesday, March 5 and Wednesday, March 6, 1957? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, March 12, 1957 will be postponed until printed.

The Chair hears none

BILLS INTRODUCED AND REFERRED

By Messrs. BREON, STIMMEL and KRAKOW.

HOUSE BILL No. 787.

An Act amending "The Fish Law of one thousand nine hundred and twenty-five," approved May 2, 1925 (P. L. 448), increasing fishing license fees and allocating the increase for public fishing purposes.

Referred to the Committee on Fisheries.

By Messrs. STIMMEL, IDE and McCORMACK.

HOUSE BILL No. 788.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting engaging in the business of buying, selling, exchanging, trading or otherwise dealing in new and used motor vehicles and trailers on Sunday.

Referred to the Committee on Judiciary Special.

By Mr. STRAUSSER. HOUSE BILL No. 789.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) changing provisions relating to disposition of certain fines and penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. MULDOWNEY and McCORMACK.

HOUSE BILL No. 790.

An Act amending the "Legal Holiday Law" approved May 31, 1893 (P. L. 188) making St. Patrick's Day a legal holiday.

Referred to the Committee on State Government.

By Mr. DUNN. HOUSE BILL No. 791.

An Act making it unlawful to indicate any time other than standard time on any public building or thoroughfare or to furnish any other than standard time in the course of business.

Referred to the Committee on State Government.

By Messrs. DONALDSON, GIBB and WILT.

HOUSE BILL No. 792.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing minimum reimbursement on account of instruction and tuition in the case of union and merged school districts and jointures.

Referred to the Committee on Education.

By Messrs. THOMAS H. W. JONES and FETTEROLF.

HOUSE BILL No. 793.

An Act amending "The County Code" approved August 9, 1955, (P. L. 323), authorizing coroners in counties of the third class to employ clerks and providing for their compensation.

Referred to the Committee on Counties.

By Messrs. STUART and DEVLIN.

HOUSE BILL No. 794.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), authorizing the issuance of notice to appear before magistrates sitting in central traffic court in cities of the second class.

Referred to the Committee on Judiciary.

By Mrs. VARALLO, Messrs. TOLL, STROUP, and Mrs. KERNAGHAN. HOUSE BILL No. 795.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), further providing for the membership of the State Board of Medical Education and Licensure.

Referred to the Committee on Professional Licensure.

By Messrs. JUMP, PARRY, REIDENBAUGH and MUSTO. HOUSE BILL No. 796.

An Act amending "The Public Assistance Law" of June 24, 1937 (P. L. 2051), further prescribing qualifications as a prerequisite to receiving assistance, and defining the rights of assignees of encumbrances held by the Commonwealth against real property of recipients of public assistance.

Referred to the Committee on Welfare.

By Messrs. THOMPSON and GIBB.

HOUSE BILL No. 797.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), excluding certain items in valuating real estate in counties of the second class.

Referred to the Committee on Municipal Corporations.

By Mr. YATRON. HOUSE BILL No. 798.

An Act amending "The Vehicle Code," of May 1, 1929 (P. L. 905), requiring overhead exhaust outlets on diesel motor vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. STUART. HOUSE BILL No. 799.

An Act amending the "Liquor Code," approved April 2, 1951 (P. L. 903), further regulating club licensees and club retail dispensers.

Referred to the Committee on Liquor Control.

By Messrs. UJOBAI, KNECHT and JOHNSON. HOUSE BILL No. 800.

An Act requiring all state, county, township, municipal and school district records and those of all boards, commissions, and authorities created by the Commonwealth or any political subdivisions, shall during regular hours, be open for inspection by any citizen of Pennsylvania; authorizing such citizens under certain conditions to make exact copies, photographs or photostats of such records, and providing penalties.

Referred to the Committee on State Government.

By Messrs. DALRYMPLE, POLASKI and DeLONG. HOUSE BILL No. 801.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), regulating compensation of members of companies of the uniformed fire force in the employ of certain cities.

Referred to the Committee on Cities—Third Class.

By Messrs. PIPER, JOHNSON, WEIDNER, and ADAMS. HOUSE BILL No. 802.

An Act requiring the Secretary of Health to rename the Charles H. Miner Sanatorium located at Hamburg, Berks County, Pennsylvania, the Hamburg State Sanatorium.

Referred to the Committee on State Government.

By Messrs. BREISCH and PETROSKY. HOUSE BILL No. 803.

An Act to repeal section nineteen of the act approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; * * *" which section was renumbered as section seventeen by amendments by the act of May eighteenth, one thousand nine hundred thirty-seven (P. L. 633); and to repeal section eighteen added to the said act of June twenty-second, one thousand nine hundred thirty-five by the act of May eighteenth one thousand nine hundred thirty-seven (P. L. 633), and to save the rights of the Commonwealth and taxpayers as to certain taxes, interest and penalties.

Referred to the Committee on Ways and Means.

By Messrs. BREISCH, AUKER, LOVETT and READINGER. HOUSE BILL No. 804.

An Act to repeal the act, approved the twenty-fifth day of July, one thousand nine hundred fifty-three (P. L. 564), entitled "An act to provide revenue for State purposes by imposing an excise tax on the capital stock, stated capital or capital of domestic corporations, banks and trust companies, and certain partnerships; * * *" and to save the rights of the Commonwealth and taxpayers as to certain taxes, interest and penalties.

Referred to the Committee on Ways and Means.

By Messrs. AUKER, SNIDER, McLAUGHLIN and HEFFNER. HOUSE BILL No. 805.

An Act to repeal the act, approved the twenty-fifth day of July, one thousand nine hundred fifty-three (P. L. 560), entitled "An act to provide revenue for State purposes by imposing an excise tax upon any increase in capital, as defined, actually employed in Pennsylvania, by any foreign corporation, limited partnership or joint-stock association; * * *" and to save the rights of the Commonwealth and taxpayers as to certain taxes, interest and penalties.

Referred to the Committee on Ways and Means.

By Messrs. KEHLER, LOPRESTI and STRAUSSER. HOUSE BILL No. 806.

An Act to repeal the act approved the fourth day of June, one thousand nine hundred fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares of certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; * * *" its amendments and supplements, and to save the rights of the Commonwealth and taxpayers as to certain taxes, interest and penalties.

Referred to the Committee on Ways and Means.

By Messrs. GOODLING, BREON, McCANN and HAMILTON. HOUSE BILL No. 807.

An Act amending the Public School Employes' Retirement Law of July 18, 1917 (P. L. 1043), changing the definition of emyploye with respect to Pennsylvania State University and providing for their transfer to the Public School Employes' Retirement System.

Referred to the Committee on Education.

By Messrs. GOODLING, BREON, McCANN and HAMILTON. HOUSE BILL No. 808.

A Supplement to the "State Employes' Retirement Law" approved June 27, 1923 (P. L. 858), authorizing the Public School Employes' Retirement Board to reallow credit for service of certain State and Pennsylvania State University employes.

Referred to the Committee on Education.

By Messrs. GOODLING, BREON, McCANN and HAMILTON. HOUSE BILL No. 809.

A Supplement to the Public School Employes' Retirement Law of July 18, 1917 (P. L. 1043), authorizing the retransfer of credits of certain State employes to the Public School Employes' Retirement System.

Referred to the Committee on Education.

By Messrs. GOODLING, BREON, McCANN and HAMILTON. HOUSE BILL No. 810.

An Act amending the State Employes Retirement Law of June 27, 1923 (P. L. 858), redefining State employe with respect to officers and employes of Pennsylvania State University.

Referred to the Committee on Education.

By Mrs. VARALLO, Mr. STROUP, Mrs. KERNAGHAN and Mr. TOLL. HOUSE BILL No. 811.

An Act making an appropriation to the committee by the House of Representatives to investigate methods and practice of the acceptance for internship and licensure of graduates of foreign medical schools.

Referred to the Committee on Appropriations.

By Mrs. VARALLO, Messrs. STROUP, TOLL and Mrs. KERNAGHAN. HOUSE BILL No. 812.

An Act amending the "Medical Practice Act," approved June 3, 1911, (P. L. 639), further regulating the inspection and appraisal of medical schools and the rights of graduates thereof.

Referred to the Committee on Professional Licensure.

By Messrs. DALRYMPLE, O'DELL and POLASKI. HOUSE BILL No. 813.

An Act amending "The Tractor Code," approved May 1, 1929, (P. L. 1005), regulating the issuance of permits for the operation of vehicles in excess of certain maximum sizes and weights.

Referred to the Committee on Motor Vehicles.

By Messrs. DALRYMPLE, O'DELL and POLASKI. HOUSE BILL No. 814.

An Act amending "The Tractor Code," approved May 1, 1929, (P. L. 1005), regulating the size, weight and load of tractors.

Referred to the Committee on Motor Vehicles.

By Messrs. DALRYMPLE, O'DELL and POLASKI. HOUSE BILL No. 815.

An Act amending "The Tractor Code" approved May 1, 1929 (P. L. 1005) regulating issuance of special hauling permits.

Referred to the Committee on Motor Vehicles.

By Messrs. DALRYMPLE, O'DELL and POLASKI. HOUSE BILL No. 816.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), further regulating the size and loads of vehicles.

Referred to the Committee on Motor Vehicles.

By Messrs. DALRYMPLE, O'DELL and POLASKI. HOUSE BILL No. 817.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), regulating the granting of permits for operation of vehicles exceeding certain maximum sizes and weights.

Referred to the Committee on Motor Vehicles.

By Messrs. DALRYMPLE, O'DELL and POLASKI. HOUSE BILL No. 818.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), regulating vehicles used by contractors in transporting equipment, and fixing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. DALRYMPLE and POLASKI. HOUSE BILL No. 819.

An Act amending "The Third Class City Code," approved June 23, 1931, (P. L. 932), providing death benefits for city employes in certain cases.

Referred to the Committee on Cities—Third Class.

By Mr. GRANVILLE E. JONES. HOUSE BILL No. 820.

An Act amending the "Funeral Director Law," approved January 14, 1952 (P. L. 1898), prohibiting solicitation of business for funeral directors, and providing penalties.

Referred to the Committee on Professional Licensure.

By Messrs. BOIES and MOYER. HOUSE BILL No. 821.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), changing the provisions for the determination of reimbursement eligibility of projects making possible the abandonment of unsafe school buildings.

Referred to the Committee on Education.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 60.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" providing for the issuance of special registration plates to operators of amateur radio stations holding technician licenses.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 86.

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" authorizing unnaturalized foreign-born residents to own or possess dogs.

Referred to the Committee on Game and Conservation.

SENATE BILL No. 98.

An Act amending the act of April 25, 1929 (P. L. 694) entitled "An act providing for the payment monthly by the counties to the Department of Revenue of the expenses of keeping convicts in State penitentiaries" changing the counties which are responsible for the upkeep of convicts in State penitentiaries.

Referred to the Committee on Counties.

SENATE BILL No. 115.

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" establishing a monetary limit to the amount of funds in the Special Administration Fund and discontinuing authorization to erect buildings.

Referred to the Committee on Labor Relations.

SENATE BILL No. 116.

An Act amending the act of June 3, 1937, (P. L. 1225) entitled "The Game Law" providing for an open season for the hunting of male and female deer each year with bows and arrows.

Referred to the Committee on Game and Conservation.

SENATE BILL No. 142.

An Act amending the act of June 1, 1933, (P. L. 1172)

entitled "Borough Rural State Highway Law" adding a new route in Delaware County.

Referred to the Committee on Highways.

SENATE BILL No. 172.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" providing for the erection of stop signs bearing the legend "Four Way Stop."

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 198.

An Act requiring all tunnels on the Pennsylvania Turnpike to be painted white or lined with a light colored material and be equipped with continuous lighting.

Referred to the Committee on Highways.

SENATE BILL No. 199.

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike between the Donegal and Bedford interchanges.

Referred to the Committee on Highways.

SENATE BILL No. 202.

An Act authorizing and directing the Department of Highways to accept a bridge across Redbank Creek and the approaches thereto, connecting the State highways system in Armstrong County with the State highway system in Clarion County.

Referred to the Committee on Highways.

SENATE BILL No. 203.

An Act amending the act of June 21, 1939 (P. L. 565) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "The Pennsylvania Workmen's Compensation Act' as reenacted and amended * * *" providing for withdrawal of election and acceptance to be covered by act.

Referred to the Committee on Labor Relations.

SENATE BILL No. 207.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" exempting blind veterans from the payment of certain fees.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 234.

An Act to further amend section six of the act approved the third day of June one thousand eight hundred eighty-five (P. L. 62) entitled "An act to provide for the establishment and maintenance of a home for disabled and indigent soldiers and sailors of Pennsylvania" by extending its provisions to veterans of armed conflicts.

Referred to the Committee on Military Affairs.

SENATE BILL No. 277.

An Act authorizing and empowering the Delaware River Port Authority a body corporate and politic functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey and the express consent of the Congress of the United States to appoint policemen make rules and regulations for the prevention of disorder the preservation of safety and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate to prevent the evasion of the payment of tolls and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls.

Referred to the Committee on State Government.

SENATE BILL No. 286.

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route in Penndel Borough Bucks County.

Referred to the Committee on Highways.

SENATE BILL No. 287.

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding a new route in Middletown and Bristol Townships, Bucks County.

Referred to the Committee on Highways.

SENATE BILL No. 288.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" regulating issuance of special registration plates and fixing fees therefor in certain cases.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 305.

An Act amending the act af August 9, 1955 (P. L. 323) entitled "The County Code" regulating contract procedures and advertising for bids.

Referred to the Committee on Counties.

SENATE BILL No. 306.

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945" regulating contract procedures and advertising for bids.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 307.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" regulating contract procedure and advertising for bids.

Referred to the Committee on Boroughs.

PORTER—TOWER HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Porter-Tower High School of Schuylkill County under the supervision of their teacher, Mr. Lehman. They are the guests of the gentleman from Schuylkill, Mr. Knecht, and the Assistant Chief Clerk of the House, Mr. Earl Price.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. WEIDNER, ADAMS and PIPER.

RESOLUTION No. 52.

In the House of Representatives, March 12, 1957.

On Wednesday, February 6, 1957, it was publicly reported that sometime during the first week in February, narcotics of a value of about $500 had been stolen from the vault of the Charles H. Miner State Hospital at Hamburg, Berks County, Pennsylvania. The missing narcotics were reported to consist mainly of cocaine-hydrochlorid, quantities of morphine, nembutal and

codine, in tablet, and capsule and bulk powder form which drugs were used in the hospital's surgical department as local anesthetics. The circumstances surrounding the reported theft were peculiar in that the above mentioned narcotics were stored in a vault with double doors which bore no signs of forcible entry.

Circumstances such as these indeed reflect unfavorably upon the administration of the hospital and considering the grave problem that police authorities normally face with the illegal traffic in narcortics, and its attendant circumstances in the perpetration of crimes, in the community, the House of Representatives expresses its deep concern over the entire matter, therefore be it

Resolved, That His Excellency, the Governor of Pennsylvania is requested to investigate the theft of narcotics from the Charles H. Miner State Hospital, and to investigate other irregularities in the administration of the hospital, and be it further

Resolved, That His Excellency, the Governor of Pennsylvania, is requested to make a report of his findings, together with recommendations for measures necessary and appropriate for the correction of the irregularities to this session of the General Assembly.

Referred to the Committee on Rules.

Messrs. WORLEY, VAUGHAN, JOHNSTON and JUMP. RESOLUTION No. 53.

In the House of Representatives, March 12, 1957.

The race for supremacy in armaments which exists today generates a condition of continual unrest among nations. It also requires enormous expenditures of funds which could accomplish much if directed into peaceful channels.

Now the Soviet Union has advocated partial reduction in armaments which are grossly inadequate; therefore be it

Resolved, That in order to make conflicts among nations less probable and to enable the use of funds for the happiness and advancement of mankind and not for its destruction, the House of Representatives of the Commonwealth of Pennsylvania advocates the total disarmament down to police level of all nations of the world with free and unhampered inspection by the United States General Assembly to insure compliance therewith; and be it further

Resolved, That Francis Worley be directed to bring the contents of this Resolution to the attention of the proper authorities with a view to its communication to all the nations of the world.

Referred to the Committee on Rules.

Messrs. ERB and H. G. MILLER.

RESOLUTION No. 54.

In the House of Representatives, March 12, 1957.

One-tenth of a mile west of the Borough of Duncansville, Pennsylvania, in the Township of Allegheny, County of Blair, there exists a highway intersection, said intersection consisting of highways known and numbered as State Highway Routes 22, 220 and 764.

Said intersection is located and serves a geographical area of some two hundred thousand residents of which the City of Altoona, Pennsylvania, is the principal area, said city in the proximity of six miles from said intersection.

Said intersection is located on the principal route from East to West (Routes 22 and 220) across the Commonwealth of Pennsylvania (excepting only the Pennsylvania Turnpike), and on a principal route from North to South (Route 764), and is, therefore, heavily traversed by not only local residents, but all persons using the facilities of the Commonwealth.

Said intersection, as constructed, has been in existence since August 9, 1955, and in the eigheten-month period to date, there have been twenty-seven (27) motor vehicle accidents, resulting in forty-three (43) persons injured and five (5) deaths.

It is the unanimous opinion of the citizens of the area that said accidents were due, for the most part, not to the negligence of the motorists, but to confusion caused by the physical plot itself.

The citizens of the area of said intersection, being shocked and appalled at the conditions there existing, have repeatedly requested the Pennsylvania Department of Highways to either correct the inherent dangerousness of the intersection or to provide additional facilities to warn motorists of the intersection's dangerous propensities.

The Pennsylvania Department of Highways has failed to take the remedial measures as requested by the citizens.

The citizens themselves raised funds and purchased and installed signal lights on June 1, 1956, but said efforts on the part of the citizens, though helpful, have proved inadequate.

The citizens are deeply shocked and appalled by the accidents at said intersection and the failure of the Pennsylvania Department of Highways to adopt remedial measures in the interest of public welfare; therefore, be it

Resolved, That, in the interest of the public welfare and in the interest of the good name and reputation of the citizens of this area in particular, and in the Commonwealth of Pennsylvania generally, for the regard of human life and property, that the Governor be requested to order and direct the Pennsylvania Department of Highways to study and observe the said dangerous intersection, and to eliminate the hazards to life and property there existing, either by reconstruction or by the installation of adequate safety devices.

Referred to the Committee on Rules.

By Messrs. AUKER and OGILVIE.

(Concurrent) RESOLUTION No. 55.

In the House of Representatives, March 12, 1957.

The National Cemeteries located at Gettysburg, Pennsylvania and at Philadelphia, Pennsylvania, have been closed to additional interments due to reported exhaustion of burial space.

The cemetery located near Philadelphia has long been associated with the deceased of the Revolutionary War and the area is now considered a National hospital for the living rather than the dead, and the cemetery at Gettysburg has long been associated with the Civil War and more recently as a tourist attraction to an historical shrine, and therefore neither place can now be considered appropriate nor do they have sufficient facilities for a site of a last resting place for those who will die today, or who will leave us in the future.

It is the opinion of veterans in Pennsylvania that a new National Cemetery should be established within the Commonwealth of Pennsylvania at an entirely new location, and that cemetery be associated with the present and future requirements from the wars of modern times.

It is known, from official sources, that there is available within the Commonwealth of Pennsylvania, a tract of one hundred acres to three hundred and fifty acres situated at the Indiantown Gap Military Reservation, and this could be made available to the United States Department of the Army, for the purpose of establishing a new National Cemetery. Bills to accomplish this purpose have been introduced in the House of Representatives and the Senate of the Eighty-fourth United States Congress, and are designated respectively as House Bill No. 1096 and Senate Bill No. 580; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact into legislation the measures establishing a new National Cemetery in Pennsylvania, and to take favorable action on House Bill No. 1096 and Senate Bill No. 580; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of the Congress of

the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Messrs. POST and CURWOOD.

RESOLUTION No. 56.

In the House of Representatives, March 12, 1957.

Legislative route 40033 in Luzerne County, a highway starting at Dewey Park in Nanticoke City and terminating at Franklin Brewery Hill in Hanover Township, was built five years ago. During those five years it has been the scene of forty automobile accidents, seven of them involving fatalities.

It is obvious that the safety conditions of this highway require study and improvement; therefore be it

Resolved, That the Secretary of Highways is hereby requested to investigate into the safety conditions and traffic hazards of Legislative route 40033, and take such actions as the investigation indicates are needed, and in addition to any other action the Secretary of Highways is specifically requested to remove the mushroom type medial dividers on the highway and replace them with solid medial divider and to erect additional guard rails along the route; and be it further

Resolved, That a copy of this resolution be forwarded to the Secretary of Highways.

Referred to the Committee on Rules.

By Mr. WALL. (Concurrent) RESOLUTION No. 57.

In the House of Representatives, March 12, 1957.

The importance of milk and milk products to the health of young and old alike is a scientific fact which should be made known to everyone. Milk the most perfect food known to man is vitally essential to the growth and development of strong teeth and sturdy bones and the proper supply of milk in a person's diet is one of the most effective natural combatants of disease. The milk industry is important not only to the health but also to the economy of our Commonwealth as thousands of persons are engaged therein for a livelihood. In recent years however the use of milk and milk products has not kept pace with the population growth; therefore be it

Resolved (the Senate concurring), That the Department of Agriculture of the Commonwealth of Pennsylvania undertake a campaign of advertising by the use of billboards, posters, newspapers and other media of communication to advance the sale and use of Pennsylvania milk and milk products; and be it further

Resolved, That a copy of this resolution be transmitted to the Secretary of Agriculture.

Referred to the Committee on Rules.

By Messrs. UJOBAI, ASHTON, BROWN and WILLAREDT.

RESOLUTION No. 58.

In the House of Representatives, March 12, 1957.

The Commonwealth of Pennsylvania will be the honored host to over 50,000 Boy Scouts, Explorers, and Scouters as they assemble for their Fourth National Jamboree between July 12 and 18, 1957.

These young future citizens represent the highest type of young American boyhood, led by dedicated volunteer leaders who practically exemplify the character embodied in the respected Scout Oath and Law.

These 50,000 Scouts and Scouters do represent the 4,500,000 boys and leaders now active in the Boy Scouts of America and are typical of the 26,000,000 active members who have passed through the ranks of Scouting during these forty-seven years, they have been an effective force in American life.

They have chosen as their jamboree symbol the illustration of George Washington kneeling in prayer at Valley Forge, thereby graphically demonstrating the strength of their slogan for their Four-Year Program, "Onward for God and My Country," and through camping on the hallowed ground of the Valley Forge State Park they are proving that today's youth respect the traditions and sacrifices of their forebears.

These Scouts do come from the forty-eight states of our nation, from its possessions, and from its neighbors both near and far, bringing with them the fire of youth and the determination of a generation of citizens of character in the making.

The Commonwealth of Pennsylvania is proud of the accomplishments of Scouting and proud that it has chosen this State for its great national convocation; therfore be it

Resolved, That this House of Representatives does extend a warm welcome to the Scouts and Scouters who will assemble at Valley Forge in July; that we officially commend the hundreds of volunteer leaders who will direct their activities; that we especially commend the hundreds of dedicated Pennsylvanians who give of their time, effort, and resources in the furtherance of the Scouting program; and that we salute the national leadership of this great movement for what they are doing in leading boyhood "Onward for God and My Country;" and be it further

Resolved, That copies of this resolution be spread upon the records of this body and that copies of it be sent to each local Boy Scout Council in the Commonwealth of Pennsylvania, to the National Council of the Boy Scouts of America, and to the national leaders of this great youth program.

Referred to the Committee on Rules.

By Messrs. SHIELDS, FLOYD, Miss DUFFY and Mr. GELFAND.

RESOLUTION No. 59.

In the House of Representatives, March 12, 1957.

It has been called to the public's attention that numerous hate and subversive groups have been recently organized in Philadelphia and other places within the Commonwealth of Pennsylvania and that the purposes of such groups is to cause or engender hatred and violence among the heterogeneous racial and religious groups in our great Commonwealth.

It has been noted that the aforementioned hate and subversive groups, such as the White Citizens Council and the Seaboard White Citizens Council, and others operate on a multistate and national basis sending literature and personnel from state to state to conduct their undemocratic hate programs and hereby creating a national as well as a local problem.

We, the Members of the Pennsylvania House of Representatives are unequivocally committed and dedicated to the Federal and State constitutional provisions which prohibit racial and religious discrimination and the opinions of the Unted States Supreme Court which prohibit racial and religious discrimination in public schools and public transportation.

The democratic principles of our Commonwealth could possibly be weakened and the welfare of our citizens as they traveled through the various states could be adversely affected by the aforementioned undemocratic and unconstitutional practices in other states by hate groups which have sanctioned and encouraged personal violence in opposition to the laws of the land, which hate groups send literature from other states into our State; therefore be it

Resolved, That the Attorney General of the United States is hereby urged to place hate and subversive groups such as the White Citizens Council and the Seaboard Citizens Council on his list of subversive organizations; and be it further

Resolved, That the Clerk of the House of Representatives is hereby directed to forward a copy of this resolution to each United States Senator and Representative from the Commonwealth of Pennsylvania so that they may urge enactment of national legislation which will guarantee to all citizens of our nation that their constitutional rights of freedom from discrimination and segregation will be protected and effectively enforced by our National Government; and be it further

Resolved, That a copy of this resolution be sent to the

Department of Justice, attention of Attorney General Brownell and J. Edgar Hoover, that they use their offices to investigate all illegal groups whose programs are conducted to encourage violence against Negroes and others who are merely attempting to exercise their constitutional rights as guaranteed to them by the Federal Constitution and the United States.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 478

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 12, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 478, Printer's No. 140, entitled "An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-five and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-seven."

GEORGE M. LEADER.

REPORT OF COMMISSION ON GOVERNMENTAL REORGANIZATION

The SPEAKER laid before the House the following communication and report of the Commission on Governmental Reorganization.

The communication was read as follows:

13 March 1957

To The Honorable
The President of the Senate
and Speaker of the House of Representatives:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Personnel Administration.

Respectfully,

encl.

A. J. DREXEL BIDDLE, JR., Major General,
Chairman, Governmental Reorganization Commission

The SPEAKER. Copies of the report have been distributed to the Members.

COMMUNICATION FROM GOVERNOR

The Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REPORT OF COMMISSION ON HIGHER EDUCATION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 12, 1957.

To the Honorable the Members of the General Assembly of the Commonwealth of Pennsylvania:

Inasmuch as education plays such an important part in our budget thinking, it occurred to me that the attached copy of a Report from the Governor's Commission on Higher Education may be of extreme interest to you.

As you probably know, the Commission has been conducting its research for well over a year and has come up with important findings and recommendations. In order that you might study them for yourself, I have asked that a copy be made available to each member of the Legislature.

At the present time these recommendations are receiving full consideration by this Administration. I have said that I think the report can be the basis for meeting the anticipated expanded need for higher education in the Commonwealth.

It is my hope that you will find in the pages of this report a basis for legislative action in this field.

Sincerely yours,

GEORGE M. LEADER.

The SPEAKER. Copies of the Report has been distributed to the Members.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 17.

An Act amending the act of July 12, 1935 (P. L. 677) entitled "An act to fix the status of officers and employes of the Commonwealth and political subdivisions thereof . . ." including members of the United States Coast Guard Reserve.

HOUSE BILL No. 287.

An Act abolishing the Pennsylvania Tunnel Commission assuming its obligations and appropriating money from the Motor License Fund.

HOUSE BILL No. 322.

An Act making certain bridges in the Commonwealth toll free providing for the payment of certain bond issues requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 15, 216, 253, 260, 266, 273 and 280.

Resolution for concurrence Serial No. 113.

CONRAD WEISER STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Conrad Weiser School Berks County, under the supervision of their teachers, Mrs. Howard Suler, Miss Dorothy Sechrist, Mr. Carl Burkhart and Mr. Nicholas Fister. They are the guests of the gentleman from Berks, Mr. Piper.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Wynd for Mr. FOX for today's session.

Mrs. B. Z. Miller for Mr. POMEROY because of being hospitalized.

Mr. SWARTZ for himself for Monday's session.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 11.

An Act authorizing incorporated towns to regulate junk yards.

HOUSE BILL No. 17.

An Act amending the act of July 12, 1935 (P. L. 677) entitled "An act to fix the status of officers and employes of the Commonwealth and political subdivisions thereof . . ." including members of the United States Coast Guard Reserve.

HOUSE BILL No. 76.

An Act reenacting and amending the act of July 7, 1955 (P. L. 256) entitled "An act creating a temporary advisory commission to examine report upon and recommend reorganizations of agencies and functions of the State Government * * *" reactivating and extending the life of the commission

HOUSE BILL No. 161.

An Act amending the act of May 2, 1949 (P. L. 873) entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections * * *" clarifying the provisions of the act as to its application in townships

HOUSE BILL No. 287.

An Act abolishing the Pennsylvania Tunnel Commission assuming its obligations and appropriating money from the Motor License Fund

HOUSE BILL No. 322.

An Act making certain bridges in the Commonwealth toll free providing for the payment of certain bond issues requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. The Chair requests the gentleman from Bradford, Mr. Moscrip to preside temporarily.

Mr. MOSCRIP IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 34, entitled:

An Act relating to the distribution sale or transportation of deficient or misbranded insecticides fungicides rodenticides and other pesticides * * * and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 87, entitled:

And Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487) requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged by streets and house numbers or alphabetically.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 93, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) authorizing the exposure of poison to meadow mice and pine mice under certain conditions and conferring powers and imposing duties upon the Secretary of Agriculture.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 134, entitled:

An Act authorizing counties of the fourth and fifth classes to regulate air pollution from any sources including provisions for the payment of inspection and certificates of compliance * * *

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 173, entitled:

An Act requiring court approval of contracts between registered architects or registered engineers and counties * * * and providing payments on such contracts may be made out of proceeds of temporary loans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 262, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) extending the area in which school directors may attend meetings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 300, entitled:

An Act regulating rights and duties of teachers in schools from the teaching and training of the mentally retarded functioning within the Department of Welfare and in schools for the teaching and training of the physically handicapped functioning within the Department of Health.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 362, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing conveyance by school districts of the second class of unused and unnecessary lands and buildings to the city borough town and township coterminous with the district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 391, entitled:

An Act amending the act of July 11, 1917 (P. L. 802) entitled "An act authorizing county commissioners to repay moneys collected on forfeited recognizances in certain cases" providing for the return of forfeited recognizances upon application therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 462, entitled:

An Act amending the act of May 29, 1917 (P. L. 322) entitled "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs tadpoles and terrapin * * *" permitting settlement of penalties for violations on field receipts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 556, entitled:

An Act relating to criminal prosecution permitting defendants to make motions for discharge on the ground that the evidence is insufficient to sustain the charge and providing for the effect thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 610, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing coroners and chief deputy coroners to attend State association meetings the expenses therefor to be paid by the county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 734, entitled:

A Supplement to the act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" regulating expenditures and commitments by administrative bodies boards and commissions during a portion of each biennium.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 123, entitled:

An Act amending the act of Augut 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" permitting county commissioners to hold their organization meeting on the day after a holiday.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER (W. Stuart Helm) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman for presiding, and for the splendid way in which he conducted the business of the House.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 381, entitled:

An Act fixing fees to be received by the prothonotary in counties of the first class and providing for the time of payment.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 579, entitled:

An Act requiring the Pennsylvania Turnpike Commission to change the names of certain interchanges on the Pennsylvania Turnpike.

The first section was read.
On the question,
Will the House agree to the section?
Mr. HOCKER offered the following amendment:

Amend Sec. 1, page 2, line 1, by striking out ""West Shore" and inserting in lieu thereof "Harrisburg-West.

It was agreed to.
The section was agreed to as amended.
The second section and title were separately read and agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

PENNSYLVANIA MILITARY COLLEGE STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of political science students from the Pennsylvania Military College of Chester, Pennsylvania, Delaware County, under the supervision of their teacher, Mr. Rolosofson. They are the guests of the gentlemen from Delaware, Messrs. Bell, Isaacs and Murphy.

BILLS ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 301, entitled:

An Act amending "The Fourth to Eighth Class Assessment Law," approved May 21, 1943 (P. L. 571) increas-

ing compensation and providing for travel expenses of assesors.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Adams,	Erb,	Leonard,	Renwick,
Agnew,	Eshleman,	Light,	Rigby,
Amarando,	Ewing,	Limper,	Rovansek,
Anderson, M. S.,	Farabaugh,	Lovett,	Royer,
Anderson, S. A.,	Fetterolf,	Lutty,	Rudisill,
Andrews,	Filo,	Magee,	Schuster,
Ashton,	Fineman,	Mahan,	Schwartz,
Auker,	Frascella,	Markley,	Seltzer,
Blair,	Gailey,	Marsh,	Sherman,
Boies,	Garlock,	Maxwell,	Silverman,
Bowman,	Gelfand,	McCann,	Smith,
Brand,	George,	McGee,	Snare,
Breisch,	Gibb,	McInroy,	Snider,
Brennan,	Gibson,	McKeever,	Spray,
Brenninger,	Goldstein,	McLaughlin,	Steckel,
Breon,	Goodrich,	Merry,	Stevens,
Brown,	Guthrie,	Mikula,	Stimmel,
Brucker,	Hamilton,	Miller, B. Z.,	Stone,
Bucchin,	Haudenshield,	Miller, H. G.,	Stoner,
Buchanan,	Heavey,	Mills,	Strausser,
Capano,	Heffner,	Moody,	Stroup,
Carson,	Henzel,	Moscrip,	Stuart,
Cianfrani,	Hocker,	Moyer,	Thompson,
Cioffi,	Holt,	Muldowney,	Toll,
Cleveland,	Horst,	Munley,	Ujobai,
Comer,	Ide,	Murphy,	Varner,
Cooper,	Isaacs,	Murray, H. P.,	Vaughan,
Cummins,	Jenkins,	Murray, P. G.,	Verona,
Curwood,	Jim,	Musto,	Wall,
Dalrymple,	Johnson,	Naugle,	Walsh,
Davis,	Johnston,	O'Brien,	Wargo,
DeLong,	Jones, T. H. W.,	O'Dell,	Weidner,
Dengler,	Jump,	Ogilvie,	Welsh,
Dennison,	Kamyk,	Parry,	Whittaker,
Devlin,	Kehler,	Pashley,	Willard,
Dietterick,	Keller,	Phillips,	Willaredt,
Donahue,	Kernaghan,	Piper,	Wilt,
Donaldson,	Knecht,	Polaski,	Worley,
Dougherty,	Kooker,	Post,	Wyatt,
Down,	Korns,	Price,	Wynd,
Duffy,	Krakow,	Pursley,	Yatron,
Dunn,	Lafore,	Ragot,	Zimmerman,
Edwards,	Lee, A. M.,	Readinger,	Helm,
Eilberg,	Lee, K. B.,		Speaker

NAYS—4

Barton,	Goodling,	Gramlich,	Gross,
Bower,			

NOT VOTING—30

Bell,	Kornick,	Monroe,	Taylor,
Boory,	Lippincott,	Mullen,	Tompkins,
Breth,	Lopresti,	Petrosky,	Trusio,
Floyd,	McCormack,	Pomeroy,	Varallo,
Flynn,	Metz,	Reidenbach,	Wescott,
Foster,	Mihm,	Scarcelli,	Wheeler,
Fox,	Miller, W. H.,	Shields,	Williams,
Jones, G. E.,			Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

Senate Bill No. 124, Printer's No. 74

was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 10, Printer's No. 96 and

House Bill No. 253, Printer's No. 126

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 268, entitled as follows:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), changing the dues payable by the township for membership in the State Association of Township Supervisors.

And said bill having been read at length the third time, considered an agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—92

Agnew,	Erb,	Korns,	Readinger,
Anderson, M. S.,	Eshleman,	Krakow,	Renwick,
Bowman,	Ewing,	Lafore,	Rigby,
Brand,	Fetterolf,	Lee, A. M.,	Seltzer,
Brennan,	George,	Lee, K. B.,	Silverman,
Brenninger,	Gibb,	Leonard,	Steckel,
Brucker,	Gibson,	Magee,	Stevens,
Buchanan,	Goldstein,	Markley,	Stimmel,
Carson,	Goodrich,	Metz,	Stoner,
Cianfrani,	Gramlich,	Mikula,	Stroup,
Cioffi,	Guthrie,	Miller, B. Z.,	Stuart,
Comer,	Haudenshield,	Moody,	Thompson,
Curwood,	Henzel,	Muldowney,	Varner,
Dalrymple,	Hocker,	Murphy,	Vaughan,
Davis,	Isaacs,	Murray, H. P.,	Weidner,
DeLong,	Jenkins,	Murray, P. G.,	Willard,
Dengler,	Johnson,	Naugle,	Willaredt,
Dennison,	Johnston,	Ogilvie,	Wilt,
Dietterick,	Jones, T. H. W.,	Parry,	Wood,
Donahue,	Jump,	Phillips,	Worley,
Donaldson,	Keller,	Polaski,	Yatron,
Down,	Kernaghan,	Post,	Zimmerman,
Edwards,	Kooker,	Ragot,	Helm,
			Speaker

NAYS—82

Adams,	Fineman,	Lutty,	Piper,
Andrews,	Flynn,	Mahan,	Pursley,
Ashton,	Frascella,	Marsh,	Rovansek,
Auker,	Gailey,	Maxwell,	Rudisill,
Barton,	Garlock,	McCann,	Scarcelli,
Bell,	Gelfand,	McGee,	Schuster,
Blair,	Goodling,	McInroy,	Schwartz,
Boies,	Gross,	McKeever,	Snare,
Breon,	Hamilton,	McLaughlin,	Snider,
Brown,	Heavey,	Merry,	Spray,
Bucchin,	Heffner,	Miller, H. G.,	Strausser,
Capano,	Horst,	Mills,	Toll,
Cleveland,	Ide,	Moscrip,	Ujobai,
Cooper,	Jim,	Moyer,	Verona,
Cummins,	Kamyk,	Munley,	Wall,
Devlin,	Kehler,	Musto,	Walsh,
Dougherty,	Knecht,	O'Brien,	Wargo,
Duffy,	Light,	O'Dell,	Welsh,
Dunn,	Limper,	Pashley,	Whittaker,
Farabaugh,	Lovett,	Petrosky,	Wyatt,
Filo,			Wynd,

NOT VOTING—35

Amarando,	Fox,	Monroe,	Stone,
Anderson, S. A.,	Holt,	Mullen,	Taylor,
Boory,	Jones, G. E.,	Pomeroy,	Tompkins,
Bower,	Kornick,	Price,	Trusio,
Breisch,	Lippincott,	Reidenbach,	Varallo,
Breth,	Lopresti,	Royer,	Wescott,
Eilberg,	McCormack,	Sherman,	Wheeler,
Floyd,	Mihm,	Shields,	Williams,
Foster,	Miller, W. H.,	Smith,	

Less than the majority required by the Constitution

having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection
House Bill No. 269, Printer's No. 134
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 315, entitled as follows:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the borough of Kingston and Plains Township both situate in Luzerne County.

And said bill having been read at length the third time, considered an agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Erb,	Lee, A. M.,	Readinger,
Agnew,	Eshleman,	Lee, K. B.,	Renwick,
Amarando,	Ewing,	Leonard,	Rigby,
Anderson, M. S.,	Farabaugh,	Light,	Rovansek,
Anderson, S. A.,	Fetterolf,	Limper,	Royer,
Andrews,	Filo,	Lovett,	Rudisill,
Ashton,	Fineman,	Lutty,	Schuster,
Auker,	Flynn,	Magee,	Schwartz,
Barton,	Frascella,	Mahan,	Seltzer,
Blair,	Gailey,	Markley,	Sherman,
Boies,	Garlock,	Marsh,	Silverman,
Bower,	Gelfand,	Maxwell,	Smith,
Bowman,	George,	McCann,	Snare,
Brand,	Gibb,	McGee,	Snider,
Breisch,	Gibson,	McInroy,	Spray,
Brennan,	Goldstein,	McKeever,	Steckel,
Brenninger,	Goodling,	McLaughlin,	Stevens,
Breon,	Goodrich,	Merry,	Stimmel,
Brown,	Gramlich,	Metz,	Stone,
Brucker,	Gross,	Mikula,	Stoner,
Bucchin,	Guthrie,	Miller, B. Z.,	Strausser,
Buchanan,	Hamilton,	Miller, H. G.,	Stroup,
Capano,	Haudenshield,	Mills,	Stuart,
Carson,	Heavey,	Moody,	Thompson,
Cianfrani,	Heffner,	Moscrip,	Toll,
Cioffi,	Henzel,	Moyer,	Ujobai,
Cleveland,	Hocker,	Muldowney,	Varner,
Comer,	Holt,	Munley,	Vaughan,
Cooper,	Horst,	Murphy,	Verona,
Cummins,	Ide,	Murray, H. P.,	Wall,
Curwood,	Isaacs,	Murray, P. G.,	Walsh,
Dalrymple,	Jenkins,	Musto,	Wargo,
Davis,	Jim,	Naugle,	Weidner,
DeLong,	Johnson,	O'Brien,	Welsh,
Dengler,	Johnston,	O'Dell,	Whittaker,
Dennison,	Jones, T. H. W.,	Ogilvie,	Willard,
Devlin,	Jump,	Parry,	Willaredt,
Dietterick,	Kamyk,	Pashley,	Wilt,
Donahue,	Kehler,	Petrosky,	Wood,
Donaldson,	Keller,	Phillips,	Worley,
Dougherty,	Kernaghan,	Piper,	Wyatt,
Down,	Knecht,	Polaski,	Wynd,
Duffy,	Kooker,	Post,	Yatron,
Dunn,	Korns,	Price,	Zimmerman,
Edwards,	Krakow,	Pursley,	Helm,
Eilberg,	Lafore,	Ragot,	Speaker

NAYS—0

NOT VOTING—26

Bell,	Kornick,	Monroe,	Taylor,
Boory,	Lippincott,	Mullen,	Tompkins,
Breth,	Lopresti,	Pomeroy,	Trusio,
Floyd,	McCormack,	Reidenbach,	Varallo,
Foster,	Mihm,	Scarcelli,	Wescott,
Fox,	Miller, W. H.,	Shields,	Wheeler,
Jones, G. E.,			Williams,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection
House Bill No. 317, Printer's No. 60
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 326, entitled as follows:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

And said bill having been read at length the third time, considered an agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Erb,	Lee, A. M.,	Readinger,
Agnew,	Eshleman,	Lee, K. B.,	Renwick,
Amarando,	Ewing,	Leonard,	Rigby,
Anderson, M. S.,	Farabaugh,	Light,	Rovansek,
Anderson, S. A.,	Fetterolf,	Limper,	Royer,
Andrews,	Filo,	Lovett,	Rudisill,
Ashton,	Fineman,	Lutty,	Schuster,
Auker,	Flynn,	Magee,	Schwartz,
Barton,	Frascella,	Mahan,	Seltzer,
Blair,	Gailey,	Markley,	Sherman,
Boies,	Garlock,	Marsh,	Silverman,
Bower,	Gelfand,	Maxwell,	Smith,
Bowman,	George,	McCann,	Snare,
Brand,	Gibb,	McGee,	Snider,
Breisch,	Gibson,	McInroy,	Spray,
Brennan,	Goldstein,	McKeever,	Steckel,
Brenninger,	Goodling,	McLaughlin,	Stevens,
Breon,	Goodrich,	Merry,	Stimmel,
Brown,	Gramlich,	Metz,	Stone,
Brucker,	Gross,	Mikula,	Stoner,
Bucchin,	Guthrie,	Miller, B. Z.,	Strausser,
Buchanan,	Hamilton,	Miller, H. G.,	Stroup,
Capano,	Haudenshield,	Mills,	Stuart,
Carson,	Heavey,	Moody,	Thompson,
Cianfrani,	Heffner,	Moscrip,	Toll,
Cioffi,	Henzel,	Moyer,	Ujobai,
Cleveland,	Hocker,	Muldowney,	Varner,
Comer,	Holt,	Munley,	Vaughan,
Cooper,	Horst,	Murphy,	Verona,
Cummins,	Ide,	Murray, H. P.,	Wall,
Curwood,	Isaacs,	Murray, P. G.,	Walsh,
Dalrymple,	Jenkins,	Musto,	Wargo,
Davis,	Jim,	Naugle,	Weidner,
DeLong,	Johnson,	O'Brien,	Welsh,
Dengler,	Johnston,	O'Dell,	Whittaker,
Dennison,	Jones, T. H. W.,	Ogilvie,	Willard,
Devlin,	Jump,	Parry,	Willaredt,
Dietterick,	Kamyk,	Pashley,	Wilt,
Donahue,	Kehler,	Petrosky,	Wood,
Donaldson,	Keller,	Phillips,	Worley,
Dougherty,	Kernaghan,	Piper,	Wyatt,
Down,	Knecht,	Polaski,	Wynd,
Duffy,	Kooker,	Post,	Yatron,
Dunn,	Korns,	Price,	Zimmerman,
Edwards,	Krakow,	Pursley,	Helm,
Eilberg,	Lafore,	Ragot,	Speaker

NAYS—0

NOT VOTING—26

Bell,	Kornick,	Monroe,	Taylor,
Boory,	Lippincott,	Mullen,	Tompkins,
Breth,	Lopresti,	Pomeroy,	Trusio,

Floyd,	McCormack,	Reidenbach,	Varallo,
Foster,	Mihm,	Scarcelli,	Wescott,
Fox,	Miller, W. H.,	Shields,	Wheeler,
Jones, G. E.,			Williams,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 369, Printer's No. 110
House Bill No. 370, Printer's No. 111 and
House Bill No. 371, Printer's No. 112
House Bill No. 384, Printer's No. 128 and
House Bill No. 448, Printer's No. 119

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 553, entitled as follows:

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Clarion River * * *.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Clarion, Mr. Varner.

The SPEAKER. Will the gentleman from Clarion, Mr. Varner, permit himself to be interrogated?

Mr. VARNER. I shall, Mr. Speaker.

Mr. READINGER. Will the gentleman tell the House whether this bill will order and direct the Highway Department to construct a high level bridge over the Clarion River?

Mr. VARNER. Mr. Speaker, it would merely authorize the Highway Department to construct a bridge.

Mr. READINGER. And I believe $3 million is estimated as the maximum cost of this.

Mr. VARNER. That is written in the bill.

Mr. READINGER. Limiting the Highway Department to not more than $3 mililon, is that correct?

Mr. VARNER. That is correct.

Mr. READINGER. May I ask the gentleman whether he has consulted with the Highway Department to find out whether this bridge is on the plan or any plan of the Highway Department for future construction?

Mr. VARNER. Yes, I have had some correspondence with Mr. Lawler concerning this bridge.

Mr. READINGER. Will the gentleman tell the House whether any decision has been made by the Highway Department or whether he has been encouraged to believe this bridge will be built?

Mr. VARNER. Mr. Speaker, I have been encouraged to believe there would be a new bridge built at this point on Route 322 for many years, not only this year but many past years.

Mr. READINGER. How many past years?

Mr. VARNER. Since about 1949, Mr. Speaker.

Mr. READINGER. May I ask the gentleman whether he knows if any decision has been made by the Highway Department, the present Secretary of Highways, as to whether this bridge should or should not be built at the present time?

Mr. VARNER. Mr. Speaker, I do not know just what their feelings are at the present time.

Mr. READINGER. Does the gentleman believe we should pass a bill authorizing the Highway Department to do this with the approval of the Governor?

Mr. VARNER. Yes, Mr. Speaker, I believe that.

Mr. READINGER. In other words, does the gentleman want us as a House of Representatives to indicate that we desire the Highway Department to build this bridge and we desire the Governor to authorize and approve it? Is that the intent of this bill?

Mr. VARNER. That is right, Mr. Speaker.

Mr. READINGER. This does not, by law, make them do it?

Mr. VARNER. That would be correct.

Mr. READINGER. This, in effect then, is a resolution expressing the sentiment of the House that something should be done?

Mr. VARNER. Mr. Speaker, that is what the gentleman is saying.

Mr. READINGER. Is that correct?

Mr. VARNER. I do not know, Mr. Speaker.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, it seems to me we had better go slowly on some of these expressions of sentiment here in the House until we get a better idea as to what the Highway Department has been planning for the next biennium, as it appears clear the Highway Department is not going to have the six cents per gallon, but only the five.

We might be setting forth some expressions of intention here which mean that more necessary construction by the Highway Department could not be undertaken, or would not be undertaken, within the amount of money we are giving to the Department.

I think it would be wise to defer action on bills of this kind until we have a clearer picture of what the present plans of the Highway Department are and how much money they are going to get.

Mr. VARNER. Mr. Speaker, this bill was introduced to try to spur the Highway Department into action by persuasion. I have never had much success with the present administration or past administrations.

I might cite the figures that I received yesterday from Colonel E. J. Henry, Commissioner of the State Police, in regards to accidents at this point on the U. S. Route 322, which is near Clarion. This bridge, incidentally, would replace one which is now posted to a 15-ton weight limit. It is approached by 90 degree curves from either end, from the west approach and the east approach. Some of you no doubt have passed over at that point. In fact, some of my colleagues commute over it each week.

In 1947 there were 16 bad accidents at this point on this highway. In 1948 there were 12; in 1949, 9. State Police records are rather inconclusive in that they skip the figures for about four years. In 1953 there were 12 accidents; 1954, 12; 1955, 16 and in 1956, 13. A number of these accidents have been fatal accidents. In 1951 a car went over the bridge. It went into the river. The river, incidentally, at this point is about 50 feet deep. Two persons were drowned at this point. It is recognized in northwestern Pennsylvania as one of the worst traffic

hazards in that area. By this legislation I am planning to get the Highway Department to do something about a pressing need.

Mr. ANDREWS. Mr. Speaker, I do not rise specifically to either oppose or support this measure but simply for the purpose of calling attention to the precedent we are creating.

There is not a Member of this House who cannot bring into this chamber bills or resolutions for highway improvements in his county, running into five, six, eight or ten million dollars.

We have in my County of Cambria several situations similar to the one complained of by the gentleman from Clarion. In one instance there are a series of underpasses under the Pennsylvania Railroad on Route 53. It would require at least $18 million to remedy that situation.

I would have as much right, and any other Member would have as much right to bring in bills or resolutions which would in their total intent represent the entire amount of money which could be expended by the Highway Department.

The proposition we face is whether we intend to continue operating under the Highway Code passed by this House some years ago, a Code which was designed to end piece-meal construction on the part of the Legislative branches of this government, to attempt to actually administer the Department of Highways, whether we should continue that or whether we should place responsibility for the program in the keeping of the Highway Department for the purpose of promoting continuity and seeing to it that the roads constructed link up one with another instead of having piecemeal construction.

We are making a basic decision. Either we want to administer in this House the operations of the Highway Department, place ourselves in the place of administrators, or we want to continue operating under the Highway Code which vests compelling authority in the Highway Department.

I believe we are creating a bad precedent. If we are going to get into the grab bag, I want to come across with bills for the things we need in Cambria County because when I go back home they say to me, "Well the gentleman from Clarion, the gentleman from this county, the gentleman from the other county, got a bill through the House for improvements in their counties, what is the matter with you? Are you not at Harrisburg, too?" It will be a matter of political expendency on the one hand or an effort to get something that is not in the Highway Department's plan, and I think it is a bad precedent. If that is the precedent we are going to create, then I advise every Member of this House to come forth with the bills outlining the needed highway improvements in his county. As I say, I can present bills for desirable road improvements in Cambria County totalling $40 million. I would not have any right to get the $40 million, but if the gentleman from Clarion can get $3 million for a danger point in his county, I ought to have $3 million for my county, and you ought to have $3 million for your county.

I say to you, gentleman, we are creating a bad, bad precedent.

Mr. JOHNSON. Mr. Speaker, in connection with this bill up for consideration today, we have had in past sessions that I have been here numerous bridge bills of this character and of a similar character.

I would not say we are establishing any precedent here today if we pass this bill. I realize our House Rules do say we cannot have a special highway bill, as such on the calendar. But we can have special bridge bills, and it has been the custom in the past to have quite a number of bills of this kind.

I understand from one of the Members on this side that a bridge bill was passed in 1949 having to do with Lancaster and Dauphin counties. The bridges have never been built, but the authorization is there in the Highway Department.

I can hearken back to last session. When the classified income tax bill passed, the words were still ringing here that the Clerk should transmit the bill to the Senate for concurrence—which by the way was not done—when an immediate committee meeting was called and out popped a bridge bill for Beaver County. We all said it was a pay-off. I do not know whether it was or was not, but it is in the record that it happened, so there is precedent for it, ample precedent.

I would say to all of you, if you want bridge bills, put them into committee, give us evidence like Mr. Varner did of a critical situation existing, of extreme hazard to the traveling public, numerous accidents, many of them fatal, and I believe that we will give it due consideration. So I would say, "Move this bill."

I have been at this very bridge. To get across that bridge on that important highway you must make a complete 90 degree turn. There is a restaurant right at the dead-end you might say and many, many a car has ended up right inside that restaurant at the end of that bridge.

It is a very dangerous condition there, and I am asking the membership in the House to please vote "aye" on the bill.

Mr. ANDREWS. Mr. Speaker, I also ask the Members of the House to vote "aye" on this bill and to come back next week with similar measures to preent for the consideration of the committee.

Mr. GOODLING. Mr. Speaker, since the bridge bill of 1949 has come into the picture, I think we should clarify the record.

Those of us who were interested in the two bridges which were mentioned in that bill insisted that we write into the bill the fact that they were to be toll bridges. That is the way I think all bridges should be built, and the bill of 1949 specifies that.

Mr. HEAVEY. Mr. Speaker, I am at a loss to understand the logic of my friends on the other side. One day they deprive the Highway Department of money by reducing license fees, the next day they want the Highway Department to build a new bridge. That is something I cannot understand.

Mr. PETROSKY. Mr. Speaker, just a word or two on this measure to clarify a situation.

We have a number of these bills appearing on the calendar. However, let us recognize the import of these bills and the value of them. Right now you can find over in the Highway Department's musty files approximately 2,000 to 2,500 bills of a like nature which are just gathering dust there.

You have to recognize that practically all of these ridges which we authorize the Department to build are eing built on Federal Aid primary, Federal Aid secondry or Federal Aid interstate highways. You must reognize, too, that these must be approved by the United tates Bureau of Public Roads.

There comes into the picture whether we should change he administration of the Highway Department. If any ody here wants to create a Frankenstein, it is perfectly ll right with me, but recognize the fact that you cannot eceive Federal funds by sitting here and passing legisation which would make it mandatory for the Highay Department to build certain projects when those rojects would not be approved. I dare say for the amount hich would be necessary for projects in each individual egislative district of the membership of this House, there ould not be 106 people here who would have the courge to vote sufficient revenues to build the projects ey would request for their respective districts.

Let's face it. Let's be honest about it. There is no use ringing in a flurry of bills of this nature, because if ou do it on the basis of changing the method by which he Highway fund is administered then you are going to ave to sit here and pass sufficient revenue to take care f at least 107 men and their individual districts, and the otals of that would be tremendous.

Take the $3 million figure in this bill, a high level idge at $3 million. I said two years ago when I was hairman of the Highways Committee that the legislaon we pass on these various bridges is nothing more an paper. They are not worth any more than the paper ey are written on. A high level bridge on an interate system, which is contemplated to be built on U. S. between Fayette and Washington counties, is estimated cost $16.5 million. All we have to do is just keep nning around in circles and thinking about the idea changing the administration of that fund and legise projects to be built, then recognize that you will rtake of very little of the Federal allocation.

Recognize, too, that you will have to raise the revenues ght here to pay for those individual projects. Let us t build a Frankenstein. Let us have an orderly, wellnned and well-designed administration of the highway ogram to meet the needs of all the people and to enance the welfare of the Commonwealth in moving ahead th its sister states on this most vital problem that connts us today, the construction of needed highways.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas ad nays were taken and were as follows:

YEAS—132

Adams,	Eshleman,	Korns,	Ragot,
Agnew,	Ewing,	Lafore,	Rigby,
Anderson, M. S.,	Fetterolf,	Lee, A. M.,	Royer,
Andrews,	Filo,	Lee, K. B.,	Schuster,
Ashton,	George,	Light,	Seltzer,
Auker,	Gibb,	Lovett,	Silverman,
Barton,	Gibson,	Magee,	Snare,
Bell,	Goldstein,	Mahan,	Snider,
Blair,	Goodling,	Markley,	Spray,
Boyer,	Goodrich,	Marsh,	Steckel,
Bowman,	Gramlich,	McCann,	Stevens,
Brand,	Gross,	McInroy,	Stimmel,
Bresch,	Guthrie,	McLaughlin,	Stoner,
Brenninger,	Hamilton,	Merry,	Strausser,
Brown,	Haudenshield,	Metz,	Stroup,
Brown,	Heffner,	Mikula,	Stuart,
Brucker,	Henzel,	Miller, B. Z.,	Thompson,
Buchanan,	Hocker,	Moody,	Ujobai,
Carson,	Horst,	Moscrip,	Varner,
Cleveland,	Ide,	Moyer,	Vaughan,
Comer,	Isaacs,	Murphy,	Wall,
Cooper,	Jenkins,	Murray, H. P.,	Weidner,
Dalrymple,	Johnson,	Murray, P. G.,	Whittaker,
Davis,	Johnston,	Musto,	Willard,
DeLong,	Jones, T. H. W.,	Naugle,	Willaredt,
Dengler,	Jump,	O'Dell,	Wilt,
Dennison,	Kamyk,	Ogilvie,	Wood,
Dietterick,	Kehler,	Parry,	Worley,
Donahue,	Keller,	Phillips,	Wyatt,
Donaldson,	Kernaghan,	Piper,	Wynd,
Down,	Knecht,	Polaski,	Zimmerman,
Dunn,	Kooker,	Post,	Helm,
Edwards,	Kornick,	Pursley,	Speaker
Erb,			

NAYS—40

Amarando,	Farabaugh,	Limper,	Readinger,
Boles,	Fineman,	Maxwell,	Renwick,
Brennan,	Flynn,	McGee,	Rudisill,
Bucchin,	Frascella,	McKeever,	Scarcelli,
Capano,	Gailey,	Mills,	Schwartz,
Cianfrani,	Garlock,	Muldowney,	Toll,
Cummins,	Gelfand,	Munley,	Walsh,
Devlin,	Heavey,	O'Brien,	Wargo,
Dougherty,	Jim,	Pashley,	Welsh,
Duffy,	Krakow,	Petrosky,	Yatron,

NOT VOTING—37

Anderson, S. A.,	Jones, G. E.,	Monroe,	Stone,
Boory,	Leonard,	Mullen,	Taylor,
Breth,	Lippincott,	Pomeroy,	Tompkins,
Cioffi,	Lopresti,	Price,	Trusio,
Curwood,	Lutty,	Reidenbach,	Varallo,
Eilberg,	McCormack,	Rovansek,	Verona,
Floyd,	Mihm,	Sherman,	Wescott,
Foster,	Miller, H. G.,	Shields,	Wheeler,
Fox,	Miller, W. H.,	Smith,	Williams,
Holt,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

Senate Bill No. 24, Printer's No. 63.

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 100, entitled as follows:

An Act amending the act of May 9, 1949 (P. L. 908) * * * " authorizing county commissioners to destroy or dispose of certain records and papers

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Eshleman,	Lee, K. B.,	Readinger,
Agnew,	Ewing,	Leonard,	Renwick,
Amarando,	Farabaugh,	Light,	Rigby,
Anderson, M. S.,	Fetterolf,	Limper,	Rovansek,
Anderson, S. A.,	Filo,	Lovett,	Royer,
Andrews,	Fineman,	Lutty,	Rudisill,
Ashton,	Flynn,	Magee,	Schuster,
Auker,	Frascella,	Mahan,	Schwartz,
Barton,	Gailey,	Markley,	Seltzer,
Blair,	Garlock,	Marsh,	Sherman,
Boles,	Gelfand,	Maxwell,	Silverman,

Bower,	George,	McCann,	Smith,
Bowman,	Gibb,	McGee,	Snare,
Brand,	Gibson,	McInroy,	Snider,
Breisch,	Goldstein,	McKeever,	Spray,
Brennan,	Goodling,	McLaughlin,	Steckel,
Brenninger,	Goodrich,	Merry,	Stevens,
Breon,	Gramlich,	Metz,	Stimmel,
Brown,	Gross,	Mikula,	Stone,
Brucker,	Guthrie,	Miller, B. Z.,	Stoner,
Bucchin,	Hamilton,	Miller, H. G.,	Strausser,
Buchanan,	Haudenshield,	Mills,	Stroup,
Capano,	Heavey,	Moody,	Stuart,
Carson,	Heffner,	Moscrip,	Thompson,
Cianfrani,	Henzel,	Moyer,	Toll,
Cioffi,	Hocker,	Muldowney,	Ujobai,
Cleveland,	Holt,	Munley,	Varner,
Comer,	Horst,	Murphy,	Vaughan,
Cooper,	Ide,	Murray, H. P.,	Verona,
Cummins,	Isaacs,	Murray, P. G.,	Wall,
Curwood,	Jenkins,	Musto,	Walsh,
Dalrymple,	Jim,	Naugle,	Wargo,
Davis,	Johnson,	O'Brien,	Weidner,
DeLong,	Johnston,	O'Dell,	Welsh,
Dengler,	Jones, T. H. W.,	Ogilvie,	Whittaker,
Dennison,	Jump,	Parry,	Willard,
Devlin,	Kamyk,	Pashley,	Willaredt,
Dietterick,	Kehler,	Petrosky,	Wilt,
Donahue,	Keller,	Phillips,	Wood,
Donaldson,	Kernaghan,	Piper,	Worley,
Dougherty,	Knecht,	Polaski,	Wyatt,
Down,	Kooker,	Post,	Wynd,
Duffy,	Korns,	Price,	Yatron,
Dunn,	Krakow,	Pursley,	Zimmerman,
Edwards,	Lafore,	Ragot,	Helm,
Eilberg,	Lee, A. M.,		Speaker
Erb,			

NAYS—0

NOT VOTING—26

Bell,	Kornick,	Monroe,	Tompkins,
Boory,	Lippincott,	Mullen,	Trusio,
Breth,	Lopresti,	Pomeroy,	Varallo,
Floyd,	McCormack,	Reidenbach,	Wescott,
Foster,	Mihm,	Scarcelli,	Wheeler,
Fox,	Miller, W. H.,	Shields,	Williams,
Jones, G. E.,		Taylor,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 161, Printer's No. 75

was passed over at the request of the SPEAKER.

HOUSE RESOLUTION No. 50

Mr. BOWER. Mr. Speaker, I call up on page 8 of today's calendar, House Resolution No. 50.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 12, 1957.

Resolved That the Speaker of the House of Representatives shall appoint a committee composed of three members of the House who shall review consider and report upon all bills which have as their subject matter or deal with any phase of pensions or retirement with respect to any system of employment in the Commonwealth.

COMMITTEE APPOINTED

The SPEAKER. Pursuant to House Resolution No. 50 just adopted, the Chair appoints Messrs. Bower, Wood and Mihm, as a committee to deal with any phase of pensions or retirement with respect to employment in the Commonwealth.

PERMISSION TO ADDRESS HOUSE

Mr. SCHWARTZ asked and obtained unanimous consent to address the House.

Mr. Speaker, we who read the newspapers see that there is great concern in the Commonwealth of Pennsylvania about our educational system and about whether the schools we have at the present time, the colleges we have at the present time, will be sufficient to meet the need in future years.

This is especially true concerning colleges in the state of Pennsylvania. I am sure all of the Members are familiar with the fact that this year tuition rates have been increased, especially at one institution in the City of Philadelphia. So today for a boy or girl to matriculate and receive a college education the tuition is about $1,000, roughly $22 per week, certainly more than the average family in this Commonwealth can afford to pay for the education of its young.

In reading the Bulletin yesterday, I came across a very interesting editorial which I would like to read for the record. It is entitled: "Worth a Trial."

> Superintendent of Public Instruction Boehm has come up with an idea that seems worth a speedy, though perhaps limited, trial.
>
> He suggests that modern high school buildings be used afternoons and evenings as junior colleges, which could be staffed with high school faculty members competent to teach college groups.
>
> Dr. Boehm believes this would permit the needed expansion of Pennsylvania Colleges with a minimum of expense, and would have the added advantage of providing the schools in localities where pupils can reach them easily. It would permit attendance by persons who are holding full time jobs.
>
> Students who prove incapable of completing college work or whose interest lags could be screened out in these junior schools. Existing college facilities could be devoted more largely to work in the junior and senior years.
>
> Not only would this plan reduce greatly the need for construction of costly facilities, but it would also make the junior colleges self-supporting, or nearly so, through tuition fees. Legislation to permit local districts to collect the tuition would be the principal need to allow a trial in a number of communities."

As far back as I can remember, Legislators from the city of Philadelphia have introduced bills every session for a free city college. Those bills have laid in committee, there has been no action taken upon them. It is just as serious in other sections of the Commonwealth as it is in the city of Philadelphia.

I intend to introduce legislation next week to try to bring about what the Superintendent of Public Instruction speaks of in this particular editorial and see if this

system would not be feasible. Slight fees could be charged to the students to bear part of the cost. It seems to me that it is a pretty good idea. At that time I am going to invite co-sponsorship from the other side of the House to see if we cannot get such a program enacted.

ADJOURNMENT

Mr. CLEVELAND. Mr. Speaker, I move that this House do now adjourn until Monday, March 18, 1957 at 4:30 p. m.

The motion was agreed to, and (at 11:55 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, MARCH 18, 1957. No. 25.

SENATE

MONDAY, March 18, 1957.

The Senate met at 4:00 o'clock p.m.(Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. Doctor FERDINAND DERK, Pastor of the First Methodist Church, Shickshinny, offered the following prayer:

Let us bow our heads in prayer.

O God, the strength of all those who put their trust in Thee, mercifully accept our prayers. Help us by Thy grace so that, in keeping Thy comandments, we may please Thee in will and deed.

O God, our Father, bestow upon us at the beginning of this week that grace which shall keep us in the Christian way and grant unto us that heavenly guidance and control in all our labors, pleasures and trials, which shall maintain our hearts in peace with one another and with Thee.

Graciously help and prosper us in the doing of our various duties with a willing and cheerful mind, defending us by Thine almighty power, both from inward evil and from outward harm.

This we pray in our Heavenly Father's Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. EHRGOOD, further reading was dispensed with, and the Journal was approved.

STUDENTS FROM WILSIN COLLEGE PRESENTED TO SENATE

Mr. ELLIOTT. Mr. President, I would like to call your attention, and the attention of my colleagues, to the fact that among our many guests and visitors this afternoon, we have a small but representative group of students from Wilson College in Chambersburg, Franklin County.

These students are both political science majors and members of the political science department at the college. They are accompanied by their two professors, Doctor J. M. Clark and Mr. Robert Curtis.

The PRESIDENT. Will the students please arise in order for us to see you?

The Chair, on behalf of all the Members of the Senate, wishes to extend to this group a cordial welcome. We hope that you enjoy your visit with us and come back again some day

LEAVE OF ABSENCE

Mr. RUTH asked and obtained leave of absense for Mr. MILLER, for the week, due to illness.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, which was read as follows:

APROVAL OF SENATE BILL No. 82

March 15, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 82, Printer's No. 15, entitled "An Act to provide for an additional law judge of the court of common pleas in the twelfth judicial district"

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonweatlh, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Guy S. Miller, 2090 Chestnut Street, Washington, Washington County, for appointment as a member of the Board of Trustees of Mayview State Hospital, for the term of four years and until his successor is appointed and qualified, vice Thomas M. Reese, Canonsburg, resigned.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF RETREAT STATE HOSPITAL

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Fay, 1490 North Church Street, Hazleton, Luzerne County, for appointment as a member of the Board of Trustees of Retreat State Hospital, for a term of four years, and until his successor is appointed and qualified, vice Paul McNelis, Hazleton, deceased.

GEORGE M. LEADER.

MEMBER OF THE MIFFLIN COUNTY BOARD OF ASSISTANCE

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Reed Hayes, Jr. (Democrat), R. D. 1, Belleville, Mifflin County, for reappointment as a member of the Mifflin County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Lycoming County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Dr.) Joseph Nelson Dunston (Democrat), 624 Park Avenue, Williamsport, Lycoming County.

(Dr.) Kenneth D. Poust, Sr. (Democrat), Hughesville, Lycoming County.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Roman, Box 25, Hamlin, Wayne County, for appointment as Justice of the Peace in and for the Township of Salem, Wayne County, to serve until the first Monday of January 1958, vice Annamae Collins, resigned.

GEORGE M. LEADER.

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., March 18, 1957.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

I transmit herewith for consideration of your Honorable Body legislation in regard to the Pennsylvania Turnpike system which may well be the most important matter to come before you in this session.

We have ample reason in the mismanagement and corruption which unfortunately characterized the administration of the Turnpike system to take a hard and serious look at its operations and its prospects. The results of the special Grand Jury investigation initiated by the Department of Justice of this Administration, indicate to date that a former Chairman of the Commission and his relatives did indeed plan and participate in what I was forced to call "the greatest public swindle of all time." While such misconduct in office and abuse of trust is a matter primarily of individual and political responsibility, it is also an indicaton of weaknesses n the law itself and the methods which the Legislature had previously devised for the management of the Turnpike system.

Nevertheless, shocking as such abuses may be, they are not in themselves the primary reason why this comprehensive legislation is submitted. We are not looking backward to lock doors from which millions of dollars were stolen; we are looking forward to the future of the Turnpike system and all that it means to the economy and convenience of the people of Pennsylvania.

Operating efficiency can be accomplished by the simple process of appointing dedicated administrators, and by doing what should have been done long ago—requiring the Turnpike Commission to obey the same laws as to competitive bidding which are applied to all other State operations under the Administrative Code.

But we must go much further, if we are to meet our responsibilities in adjusting the Turnpike system to the new circumstances which now confront us.

That is the essence of this legislation.

Briefly, it is based upon the supposition that we cannot have a system of superhighways that is half toll and half free. The passage of the Federal Highways Act of 1956 has made the concept of toll highways obsolete and unworkable. The Pennsylvania Turnpike Commission is thereby freed of its responsibility to extend, as economic feasibility made possible, the Turnpike system. It is finished. We cannot anticipate the construction of another mile of new toll road in Pennsylvania.

Accordingly, we need conservators for the existing Turnpike system as provided in this legislation. The obsolete authorizations to build toll roads are repealed, and the Department of Highways will undertake the responsibility of constructing equivalent free highways in cooperation with the Federal program.

The conservators will have the duty of fulfilling the contractural obligations and indentures which were entered into by the Turnpike Commission. The legislation now submitted has been most carefully prepared by the Department of Justice. It has been reviewed by eminent bond counsel who generously volunteered, without compensation, to assist in the drafting of the bill. We have no doubt that the contractural rights of the bondholders are fully preserved.

The conservators will have, in addition to their responsibility to the bondholders, a responsibility to the people of the Commonwealth. That responsibility will be the

efficient and economical operation of the Turnpike system; its reasonable and gradual integration with the regular state highways system; and the very difficult and most important duty of developing a plan for freeing the Turnpike system of tolls at the earliest possible date.

The conservators will not have an easy job.

The original Turnpike system was brilliantly conceived and economically sound. There is grave doubt that more recent extensions were so wisely planned, and based on present prospects, it is touch-and-go as to whether the Northeast extension will truly pay its way. Present default is prevented by what are in effect payments out of principal—the excess construction funds—which in itself is a scandalous evidence of miscalculation and mismanagement.

It must be our hope that the future administrators of the Turnpike system will be able to cope with the mistakes of past administrations. So that they may be better prepared to do so, this legislation proposes a new concept in management. The old way has diffuse responsibility. No one is the real chief executive. A strong chairman seizes the power. A weak chairman scatters it into the hands of a staff that has no central direction. The legal officer is independent of the attorney general.

In frankness, we must all admit that the job of Turnpike Commissioner, well paid and with 10 years of tenure, was used for political reward. It was a questionable system.

It is now proposed, under this legislation, that the members of the Pennsylvania Turnpike Board, the conservators whom I have mentioned, will serve without pay. There should be no political contention for the place. Instead, the Governor will be able to appoint six citizens of Pennsylvania with special abilities in such fields as finance, public administration, industrial management, personnel and labor policy, civil engineering—the skills which the directors of such an enterprise should have. They must be evenly divided in their party membership. The Secretary of Highways will be the seventh member, ex officio.

One additional and compelling reason for a nonsalaried Board is this: no member of the Turnpike Board should have a personal interest in prolonging its life by a single day. The member should be dedicated to their own abolition. The Board will name an Executive Director, who will be responsible for executing the policies it sets.

It may be pointed out that the proposal is similar to the system we have long accepted for the operation of Penn State University, the school districts of the State, and many successful public authorities.

The Board will be responsible for the salary schedules and personnel policies of the system; it will contract for maintenance services with the Department of Highways; it may let major repair and reconstruction contracts under competitive bidding! and, as long as tolls are in effect, it will set the rates, collect the money, and make its proper payments for operating costs and debt service.

It is not solely for the benefit of users of the present Turnpike system that we should press for the elimination of tolls and the use of the Turnpike as a free highway. That it would be desirable in itself goes without saying, but the great pressure to free the system comes from the fact that it cannot economically survive as a toll road without doing a grave injustice to the people of Pennsylvania. The continuance of tolls on the Turnpike system indefinitely will mean:

I. In the years to come, the great majority of the Nation's express highways will be free. They will be equal to or superior to the Pennsylvania Turnpike, which will be toll. We will be the victims of discrimination in the Nation's highway system.

2. Future highway planning and construction in Pennsylvania will be seriously hampered by the considerations which must be given the Turnpike's economic stability. If we protect the Turnpike from free highway competition from other cross-state routes, our industrial development and transportation opportunities will suffer. If we do not so protect the Turnpike, and build our highway system according to our true needs, the Turnpike itself may deteriorate to a dangerous degree due to lack of funds for maintaining its surface, adding to its lanes, and doubling its tunnels.

The dilemma is such that we must prepare ourselves for a course of action which will make free and equal all the major limited access highways in the Commonwealth.

This legislation opens two methods for that accomplishment.

The first is the best. It is the development of such a conclusive case as to the points I have enumerated that we, and the other states with toll roads, will prevail on the Congress to bring them into the interstate system as free roads. Under such a plan, the outstanding bonds would be called in and paid off from the proceeds of Federal appropriations for 90 per cent and State appropriations for 10 per cent made available for the purpose.

In the event that such Federal action cannot be achieved, there is a second method which might be acceptable. Under this proposal, the Commonwealth's own Motor License Fund could finance the retirement of Turnpike debt under a lease agreement between the Highways Department and the Turnpike Board. The Turnpike system would then become, in effect, a freeway financed as a long-range capital improvement of the State's general highway program.

I do not think that we can allow this problem to drift much longer. It would seem to me that the General Assembly will appreciate its importance equally with the executive branch.

To sum it up, this carefully drawn and thoughtful legislation will:

1. Provide the Turnpike system with better management during the period of its remaining life as a toll road.

2. Give the system the benefit of nonpolitical direction.

3. Install a program of competitive bidding for the purchases and construction contracts of the system.

4. Build proper defenses now against the possibility of future defaults on Turnpike bonds.

5. Make the Turnpike free of tolls at the eariest practicable date, so that it can achieve its maximum usefulness as part of an integrated interstate highway system for use of the people of our Commonwealth and of the United States.

George M. Leader.

The PRESIDENT. This communication will be printed in the Legislative Journal. For the information of the Sena-

tors, copies of this communication have been placed on each Senator's desk.

GENERAL COMMUNICATION

REPORT OF THE COMMISSION ON GOVERNMENTAL REORGANIZATION, DEALING WITH ADMINISTRATIVE ORGANIZATION; PUBLIC BUILDINGS

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

(SEAL)

18 March 1957.

THE ADJUTANT GENERAL
ANNVILLE, R. D. 2, PENN.

To The Honorable
The President of the Senate
and Speaker of the House of
Representatives:

Gentlemen:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Administrative Organization; Public Buildings.

Respectfully,

/s/ A. J. Drexel Biddle, Jr.
A. J. Drexel Biddle, Jr.
Major General
Chairman
Governmental Reorganization Commission

encl.

The PRESIDENT. This communication will be noted in the Legislative Journal, and the Report will be printed in the Appendix.

The Chair wishes to announce also that copies of this Report are on the Member's desks.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 77

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. FLEMING, WHALLEY and DENT, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the difference existing between the two houses in relation to Senate Bill No. 77.

Ordered, That the Clerk inform the House of Representatives accordingly.

RULE 2 SUSPENDED

Mr. MAHANY. Mr. President, I move that Senate Rule No. 2 be suspended, and that the Senate proceed to the consideration of today's calendar.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

HOUSE BILL No. 337 CALLED UP

Mr. MAHANY. Mr. President, I call up, from Page 4 of today's Third Reading Calendar, House Bill No. 337, Printer's No. 160.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 337, entitled:

An Act amending the act of March 6 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts changing and clarifying certain definitions making further exemptions changing the procedure for the collection of the tax and the administration of the act and providing appeals.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DENT. Do you know of any amendments that will be offered from your side to this legislation?

Mr. MAHANY. There are not any presently contemplated, Senator.

Mr. DENT. Do you have any intention to object to amendments offered by this side?

Mr. MAHANY. I do not have any intention to object to the offering of amendments, Senator.

Mr. DENT. Thank you.

Mr. President, I do not know whether it will serve any purpose to go through the necessary motions to revert this bill back to second reading in order to put it into position for amendment. I believe the same purpose will be fulfilled if you allow the introduction of the amendments and, inasmuch as the merits of the amendments will not be considered in the final outcome of the vote, we believe it will expedite matters and make the record clear if we offer the amendments that we have and the vote be taken on the amendments as they come in.

Therefore, Mr. President, before I introduce the few amendments which I have, I would like to preface the introduction of these amendments with some remarks which may be apropos to the situation in which we find ourselves.

First of all, I know that my remarks will not make me any friends. So having already, in my own mind, resolved that position, I must of a necessity carry forth the duties as I see them to be mine at this time. I regret very much that over the week end a Member of the Senate decided to answer debate given on the floor by going to the newspapers with arguments that would have been better said and expressed here on the floor of the Senate of Pennsylvania.

I believe that I have always tried to carry to the Senate the impressions, as I gather them, from my Democratic colleagues who have elected me their Leader for quite a number of years. I have often stated on the floor that it is not a matter of personal feeling; it is a matter of party principle. Our two parties stand for government in their own peculiar ways. I believe my

party has always stood for the principles of government which guarantee an equality to all, in both the benefits which come from government as well as the taxation that must be placed upon all of us to pay for the benefits of government.

I am sure, Mr. President, that the people are willing and have been willing to pay their proportionate share of the taxes. However, when a deliberate action is taken to make a disproportionate base for revenue-raising in Pennsylvania, as the spokesman for the Democratic Party and for the people as I see it, I must object as strenuously as I can. I am very sorry that my good friend and colleague, Senator Kessler, found it necessary to become a little personal in his remarks concerning the Minority Leader. However, that is neither here nor there in so far as the welfare of the people is concerned.

Mr. President, I have taken the presentation that I presented to the Senate last week and I have studied it carefully. I find that in this presentation, I have tried to pick out the chapters and verse of the Act, itself, and give you the benefit of the study which was made. However, in referring to this—and I want this in the record because I believe in things appearing in the record—my good colleague had this to say. He said that Senator Dent's presentation "from the desk of the Minority Leader was a sneering piece, full of hit-and-run arguments, distortions of sense and out-and-out misquotation."

Senator Kessler further stated as follows:

"Its author writes much in the vein of the men whose cynical and capricious decisions have made sales tax administrations up to this time a burden on the Commonwealth and taxpayer alike. The author is a very smart fellow,"—and I thank him for that statement—"no doubt, and certainly a propagandist of no mean abilities."

Mr. President and Members of this Senate, I find a great deal to criticize in that statement, but I will not; particularly to that section of it. What Senator Kessler thinks of me is of little importance. What this bill does to the people of Pennsylvania is of great importance.

In one of the statements made by Senator Kessler he said, and I quote:

"This has been an honest effort, and one into which I, personally, and many members of the Committee and other Senators, have put a great deal of time and careful study."

Mr. President, I went to the Members of the Senate from the Democratic side, who are on this committee, Senator Barr, Senator Lane, Senator Seyler, Senator Silvert and Senator Weiner. I asked them if they ever attended any meetings whatsoever of that committee. I asked them if they had ever been called to attend any meetings of that committee relative to amending the sales tax. I asked them if they had ever been consulted or had ever been talked to about the amendments. Lo and behold, as members of that committee, they have had no invitation to meet with Senator Kessler, or any other member of that committee, to work upon this legislation. They told me that the only, and the first, information they had concerning the amendments was given to them at a meeting held back in the "Love Nest," the day that the bill was presented to the floor. It was a meeting which lasted between eight and ten minutes. A shaft of amendments was given not to each member, but strictly to the desk and that was their only knowledge of any work being done on the bill.

Mr. President, to say today that no amendments can be offered does not give consideration to the duties of the Membership of this Senate. There are many amendments needed, aside from the revenue-raising angle. There are many amendments needed to clarify the situation. There are many amendments required in this bill to make the collection of this tax at least as easy as it can be made. After the amendments which have been introduced by the Republican Membership of this Senate, it will be almost impossible to collect and audit this tax measure. I say that because I have studied it and I know whereof I speak. I have talked to the department. Too much emphasis has been put on personnel, and blame upon personnel, in so far as this bill is concerned and the Act which is now upon the books.

Let us look into the reasons for the noncollection of the tax. I have listened to all kinds of arguments about the inability of the Department of Revenue to perform its proper functions. I have read in the newspapers of the damaging evidence that has been pressed against this department because it has not been able to collect the tax. However, let us look and see who the real culprits were in the matter. Is it because of the fact that they were out collecting the tax? A great number of people in this Commonwealth, either associated together in business or associated together in principle, have refused to pay the tax under any conditions, waiting for the amendments that were promised to them and, therefore, they would not have to pay the tax. That was proven by the fact that they had placed into this Act an amendment, making retroactive all of the exemptions now placed into the bill, back to the date of the original inception of the Act, March 7, 1956.

Mr. President, even after they argued on the floor that I was wrong, they came to the floor the very next day and amended that particular retroactive feature out of the Act. However, they did not go far enough. There has been no saving clause put into the bill. An interpretation of this Act, taken to court, could very well resolve into a retroactive feature being placed into the Act by a determination of the court. Therefore, if no other amendment is acceptable by this Senate, they must accept, if they believe in the inequity of a retroactive feature of the bill, a saving clause contained in the amendment which I shall offer when I offer the remainder of the amendments that I have before me today.

Mr. President, let us go into just a few of the features of the act. While they were taking out the clause that took the retroactive feature out of the Act, there was another amendment inserted. Naturally, when the amendments go across the desk, it is difficult to analyze exactly what they do until the bill is printed. So, we left the next day before a copy of the act was in our hands. I waited and when I received a copy of the bill, I read it. I was very much surprised, Mr. President, because I found that there had been an amendment inserted that does something in Pennsylvania that is not allowed in any other State in the Union. When the act was first and originally conceived, we discussed certain features of the act having to do with fabricators and processors. Somehow or other, the final copy of the bill did not have the restrictive covenant in it that we had agreed upon.

As I look at the clock, I want it clearly understood that it is just as hard for me to say these things and to stand here as it is for you to listen. I hope you will withhold your criticism of the time I take because when there is a job to be done, someone has to do it and in this instance, I feel it my duty to do it.

This particular amendment, Mr. President and Members of the Senate, in effect, would do this. We have a tax which we believe is on building materials. Now with the amendment inserted on Wednesday, this is a practical demonstration of what will happen. A big contractor may need 500,000 or 1,000,000 cinder or cement blocks—

Mr. MAHANY. Mr. President, will the gentleman yield?

Mr. DENT. I will, Mr. President.

Mr. MAHANY. Senator Dent, it would help us all, when you refer to these amendments, if you would give us the page on which the amendments appear in order for us to follow your remarks more closely.

Mr. DENT. I will be glad to do it.

On page 7 of House Bill No. 337, Printer's No. 160, up until the amendment was introduced, this is the way the section read:

" 'Sale at retail' shall include the producing fabricating processing printing or imprinting of tangible personal property for a consideration for persons who furnish either directly or indirectly the materials used in the producing fabricating prosessing" and so forth.

However, Mr. President, what happened on Wednesday was that an amendment was inserted which struck out the words "producing fabricating processing."

To go back to my example of what will happen under this amendment, all contractors, when they take out the prints to put in a bid, will take the blueprints and send to some steel fabricating company the blueprints and ask for a price on steel. They will get a price; they will get two prices. They will get a price on steel delivered and erected, and they will get a price on steel fabricated as to the specifications contained within the plans of the building.

Under this amendment, Mr. President, instead of paying the sales tax on the steel as a fabricated, finished, manufactured product, they can go into the steel company and buy the steel by the ton or weight, as raw steel, and then subcontract to the processor for the fabricating of that steel to meet the specifications of the contract. Now that is what they can do. They can go out and order thousands of cement block, buy the materials going into the block, pay for the materials and subcontract for the manufacture of the block. We had, we thought, a bill which taxed building material. We thought that when a man, who owns a little home, goes out to buy a lintel for over a window, or a piece of steel for a clothesline post or anything else for which he might need steel, that he would pay for the steel when he purchases it. He does do that and he will do it, but certain persons who will be exempted under this act will pay for the steel but will not pay for the product.

Mr. President, what are we getting into? We say that we have a tax bill. We want a broad base tax. I have listened for years to the cries for a broad base tax. However, every time that we have ever had a bill, starting from the first one per cent tax passed under Governor Fine, until this moment, after we pass a broad base tax, we start narrowing the base and narrowing the base by exemptions until we get to the point where the only individual paying the tax is the individual person back at the retail level, and I spell retail in capital letters. By doing that, you cannot get enough money. History has proven that in every State which has ever passed a broad base tax.

If you want to have a sales tax, and it appears that the Republican Party has committed itself to nothing except a sales tax, then let us have a sales tax. I assure you that we on this side will join you if you will pass a tax that falls equally upon the shoulders of all the peoples of the Commonwealth and not upon certain peoples because of the use.

This tax bill, in my opinion—and I am not a lawyer, so it is only a layman's opinion—is as unconstitutional as any piece of legislation that was ever presented to the floor of this Senate. If I go out and buy a screwdriver, I have to pay a tax on it. However, if any of the steel companies or a shipbuilding company or any manufacturer goes out to buy a screwdriver, they do not pay a tax on it. Where is the tax? Is the tax upon the consumer or is the tax upon the article? Is this a retail tax upon the consumer or is this a retail tax based upon the article which is being taxed?

In every other State in the Union where they do have a tax of this kind, they do not go down into the fine points and relieve from the tax people such as the shipbuilding companies. Let us take what happened in the shipbuilding amendment.

The shipbuilding amendment, according to the figures received from the Department of Revenue, will cost $12,000,000 in the next biennium. Why? Because, under the amendments allowed to the shipbuilding companies in this State, they are set upon a pedestal of their own. Although we cry about manufacturers, we are not going to exempt manufacturers to the same extent that we are exempting ship repair outfits or shipbuilding companies, because in their amendments, I doubt whether you could tax them for the pencils, pens or inkwells or anything else that they buy throughout the entire operation of their company, although there is some reason to believe that we could tax some of the other companies for these simple items. I cannot get through my mind, Mr. President, why the major shipbuilding company in this State, cannot pay taxes on pencils and pens and stationery, but can contribute $216,000 to the Republican Campaign Committee in the year of 1956. I am wondering how many pencils could be bought with $216,000.

We can go on and on and on with the inequities in this bill, and it will not make a bit of difference because the rules are to push it through, regardless of what happens on the entire tax bill. If you want a sales tax and you will pass a general sales tax, I will stand up on this floor and fight with you but when you do, let us do it right. Let us take a sales tax in Pennsylvania and tax every item, no matter who uses it. Let us not make fish out of some and fowl out of others. When we do that, Mr. President, we can give industry the kind of a lift which would be the only kind of a reduction that would be understood outside the borders of this State. If we do it and do it right, Mr. President, we can say to the people in the surrounding States, "We have a broad base tax and that is the only tax that we have upon industry."

Let me tell you that if you will pass the type of tax

which is now in vogue in the State of California, we can immediately wipe from the books the capital stock tax in toto, the franchise tax, the excise tax, the nuisance taxes, and we can reduce the corporate net income tax in Pennsylvania two per cent. If you want to do something for industry, then let us do it that way. We will then have a bill which is workable, one which is collectible and one which is auditable. That is the right kind of legislation and not the kind of legislation which makes fish out of some and fowl out of others.

I have had men come to see me over the week end and they said, "Now look, we did not complain about paying the tax. However, why should we be put into the position where when we go home—we represent our clients in the halls of the Senate and in the halls of the House. Some representatives, representing certain clients, have been able to take care of their clients and have them exempted from the tax bill, but I cannot get my people out."

Now they tell me that the door is closed. There will not be any more amendments; they will not let anybody else out. Was it only to take care of a certain few? You cannot have an exemption type tax in the Commonwealth of Pennsylvania, in my humble opinion, because if you exempt, you exempt only in a category. That is why I fought for a categorical tax. I said that if a pencil or a pen is taxed to an individual, it should be taxed to whoever buys it. If another item is taxed, whatever it is, it should be taxed to whoever buys the article. We should not say that it is taxed to this person and not taxed to that person.

Under some of these amendments, when you get into some of these amendments, Mr. President, I do not know how any person is going to be able to regulate this Act, and the most important thing is that I do not know how they can possibly audit the Act. You have gone so far in these amendments that under no conditions can you possibly ever have good administration. I know what is going to happen. I am not a clairvoyant, a fortuneteller, and I cannot see too much into the future, but I know exactly what is going to happen. Here is what is going to happen, Mr. President. I want to put it into the record in order that it will not come as a surprise to those of my colleagues who hear me.

This bill will make the next biennium short by probably somewhere between $100,000,000 and $140,000,000. It is difficult to estimate correctly because of the fact that we had so many who paid nothing. Although they were taxed under the law, they paid nothing into the till. Therefore, you have no way of figuring exactly how you are going to tax or how much you are going to lose. For instance, the yields have been estimated by three different persons. We have gone from $472,000,000 to $480,000,000 and now we are up to $500,000,000. How can any person honestly say that this bill, which further exempts many taxable items, is going to produce more money than the bill is producing now when it taxes the items that will be exempted? They will say, "Well, the reason for that is that you do not know how to collect it. Therefore, you ought to elect the Republican Party because they are such great administrators and they know how to collect the tax."

Of course, every person knows what is happening in tax collections. For instance, in the month of April, the first month of the tax collection itself, there were three weeks of the month of March collected and the tax collection for those particular three weeks, as they were reported at the end of the month of April, showed to be about four and three-quarter million dollars. However, as of January 1, 1957, in the related collection which was collected through the next nine months and had to be credited to the month of March because it came in in dribbles over the next nine month period, the collection for the three weeks in the month of March has reached a total of $9,000,000. So it is throughout this thing.

It is a cumulative tax and it will be collected over the coming months rather than immediately in the month of the payment of the tax. Although we are going to have a monthly collection of the tax, we are still going to have a quarterly report and a yearly report. I say to you if you stand before the people and say that the money can be collected, but it just is not being collected because they do not know how to collect it, that will not be true and it cannot be true if you do not have the items to tax. For instance, Mr. President, throughout this whole piece of legislation, you find hundreds of articles that were taxed before, but which are no longer taxed now. If you exempt items from taxation, how do you expect to accumulate revenue? Let me give you an illustration.

In Senator Kessler's analysis, he said that I was all wrong; perhaps I am. However, what I did with my statement was I took it both to the Department of Revenue and to the Department of Justice. They analyzed it and they came back with approval, saying that my analysis of the Act and your amendments was exactly what they would say would be the correct analysis. If I am wrong, so is the Department of Revenue which is charged with the responsibility, and so is the Department of Justice because they, too, agreed that my analysis of the bill is right.

Let us go a little further in this tax bill. This morning, I read a very interesting item. It said that industry pays thirty-nine per cent of the taxes in Pennsylvania and that the broad base tax only collects five per cent. Of course, I cannot read that into the figures. It is put out by my good friends of the Chamber of Commerce, but let us take a good look at this thing. Here are the revenue sources right out of the budget. What does it say? It says the following: "1957-1959, Corporate Net Taxes in Pennsylvania will total $314,000,000." Let us go across and see what other direct tax there is on industry. "Capital Stock and Franchise Taxes. In 1957-1959, there will be $140,000,000 collected from the industries in Pennsylvania and those who do business in the Commonwealth of Pennsylvania."

Now if you add those two figures together, you would have $140,000,000 and $314,000,000 which amounts to $454,000,000. You would have $454,000,000 as related to tax program estimated to yield $1,504,000,000. This does not amount to thirty-nine per cent, no matter how you figure.

Mr. President, let us take a look at the utility situation. When I said something on the floor about the Cyclops Corporation going into Ohio,—I am happy to say that Senator Mahany immediately followed and more or less corroborated what I said—I was condemned because they said I did not know what I was talking about. On my birthday, which was March 10, an article appeared in the Pittsburgh Press. Let me read you the title of it:

"Towns Here Starve Atop 'Bread Pile' Due to Old Tax Rule." The subheading reads as follows: "Supreme Court's

Verdict Century Ago Putting on New Financial Pinch Today."

I would like for you to read this article; those of you who would like to read it. I will spare you my reading because I am rather tired today. I am not feeling too good.

What the article deals with, Mr. President, is the fact that in Pennsylvania, the communities cannot place any real estate tax on utilities. Everytime we have ever tried to talk any kind of tax on utilities in this State, we have been told that that kind of a tax is a foolish tax because it is only reverted back to the people anyway. Let us see if that is true. Let us just see how that affects other States. I think it is important that we do this. Remember, what I am saying today is not said for the purpose of trying to have a tax bill passed on utilities or anybody else. I am only saying that it is unfair. It is unfair to increase the admission price on the bleachers and reduce the admission price on the box seats. I say that this is no time to reduce taxes on industry and the utilities when you turn right around and increase the tax on people. Let us just see what happens.

Pennsylvania, the State that is heralded by certain people in this State as the worst State in the Union in which to do business,—I deny that and say it is the best State in the Union to do business—charges the railroads $1,378 per mile of tax which is all inclusive, State, local and otherwise. Ohio charges $2,211 per mile; New York charges $5,344 per mile; New Jersey charges $10,083 per mile; Maryland charges $3,517 per mile.

Let us go into another situation, Mr. President, into all of the State and local taxes in the United States, paid by the telephone companies. In Pennsylvania, they pay 2.72 of the entire national tax burden, and in Pennsylvania they have 6.75 miles of wire, as against the low total. In Ohio, the great State they are talking about in which to do business, the taxes are 4.25 against 5.57 miles of poles; in New York, 20.93 of the national total, against 13.94 miles; in New Jersey, 4.92 per cent as against 4.41 per cent of the mileage of wire. Even little Maryland, where they only have 1.94 per cent of the mileage of wire, they pay 1.78 per cent.

Resident telephones in Pennsylvania pay $7.41; resident telephones in Ohio, $6.03; resident telephones in New Jersey, $4.63; and in Maryland, $1.94.

Mr. President, these utilities have to get the taxes they receive out of the rates they charge. Although they are paying from two to ten times as high a tax in other States as they are paying in Pennsylvania, their rates are lower than in the State of Pennsylvania.

Now, Mr. President, let us go to the real issue at stake, the real issue at stake on why many of the industries are leaving Pennsylvania. I am not going to be the authority on this. I am going to let others speak, men who know a great deal more than I ever hope to know about the subject. Let us take the utility powers, the electric light companies. This is illuminating to those of us who are not seeking to place more taxes on utilities. We are just seeking to keep more taxes from being placed upon the shoulders of the little people of the Commonwealth. I am not a demagogue when I talk about the little people, because I come from the little people and I know their problems. I know them inside and out. I know it is just as tough for a man who has ten children to buy a fountain pen as it is for Republic Steel to buy a fountain pen. I think it is.

Let us see this. In Pennsylvania, mind you, the State and local taxes on power companies is seventy-five cents per thousand kilowatt hours, and the revenue per thousand kilowatt hours is $18.42. In Ohio, the State and local taxes on a thousand kilowatt hours is $1.32 and the operating revenue received in Ohio is $16.86. Now if the taxes are related to the charges made to the consumer, why is it that in Ohio, where they have sixty-six per cent more tax, they have twelve and one-half per cent less charge upon the consumer for the power? Let us go into the State of New York where they have $2.64 State and local taxes paid on every thousand kilowatt hours of power, as compared to seventy-five cents in Pennsylvania and on down the line. New Jersey is the highest of all; New Jersey has $2.87 per thousand kilowatt hours.

You must recognize that if you are not going to tax utilities, if you are not going to tax manufacturers, if you are not going to tax shipbuilding companies and you are not going to tax all of the other people whom you have exempted under the sales tax, then that burden will fall upon the people. If the direct burden of taxation in this State falls to the tune of three-quarter per cent or, rather, seventy-two per cent of the total, the best figures we can come up with if this bill passes,—and this was before the fabricating and processing amendment went in—we came up with a figure of twenty-seven per cent business and industrial taxes and seventy-two per cent personal taxes. If that is true, then if you pass this budget of $1,500,000,000, are we then going to take approximately $1,100,000,000 out of the payrolls of Pennsylvania? That is what you are doing. This is an income tax in reverse. We are giving the money to the individual and then we say we are going to take it back from you to pay the expense of government. If governments were only created to protect the people, then, of course, you could say, "You are the only one receiving the benefits of government and you shall pay for them." However, governments are not created only for that purpose. Governments are created for all, regardless of whether they are in industry, whether they are a business or whether they are persons. They are created and we have to pay a proportionate share of the tax. I know this is not going to have any effect upon the vote. I know that they are going to say that I am wrong in my estimates. However, let us see what happens on this power situation.

In an argument placed before the United States Senate, by Robert Moses of the State of New York, who I believe is known to all as the head of the Public Power Authority, the Port Authority, the Redevelopment Authority and every other Authority in the city of New York. He is recognized all over the world as an authority. This is what he said about Pennsylvania and Ohio. This is very important because I think we are being misled. I think we are being led astray from our duties to protect the people of this Commonwealth by propaganda, the very word that Senator Kessler accuses me of using. Remember that I have no way of disseminating my propaganda. I might talk for an hour and get two lines in a newspaper. That does not interest me. What does interest me is that we place upon the record, for the future to see, exactly where we stood when it came to the position of voting on taxes affecting the people of this Commonwealth. Let me quote from Mr. Moses:

"Pennsylvania has lots of coal. Burning coal produces steam. Steam produces power. The cost of coal is the largest component in the cost of power. The cost of transportation is often the greater part of the cost of coal. In Pennsylvania coal can be used to produce power without substantial transportation costs.

"I am sure you are also familiar with the Ohio Valley." This is the point I want you to get. "This valley, because of the availability of coal, has become a great center for industries like aluminum and others, where the cost of power is an important factor in doing business. Power plants, on top of coal mines, produce power as cheap as, or cheaper, than any hydroelectric plant that can be built today."

Mr. President, when they put the word "coal" in there, they put exactly one-half of the reason for the movement to Ohio. The second big reason is water. I know what I am talking about. A few years ago, we created in Westmoreland County, the Westmoreland County Water Authority. It now has probably the second best water system in the entire United States. Yet, having that water system, they have found that it is insufficient, inadequate. Why? Because twelve new industries have moved into Westmoreland County, twelve new industries and expansions of great proportion. Right now, they have five more asking for admission, based upon the water resources that we have.

What are we doing about it? We are not coming down here screaming for lower taxes on industry. We are doing something about it on a local base. This Authority is building a $200,000,000 water viaduct, which will carry water from the hills down into the communities and we will be able to feed water to Fayette, Westmoreland, Washington Counties and even Allegheny County when we are finished with that water authority.

We found that the greatest attraction that we can offer today is water and power. You give us cheap power in Pennsylvania, you give us a good water supply and we will not need to worry about Ohio, West Virginia or anywhere else. Why did your Aluminum Company move to West Virginia? Did they move because of our tax structure? Their tax structure is worse. Why do most of the companies that are moving, move into Ohio? They are moving because of cheap power, they are moving because of the water and they are moving also because of the rolling flat land which is conducive to cheap construction of new industry. These are important things and we should realize them. We should not make the mistake today of exempting taxpayers from a just tax, if there can be anything just in taxation.

Two years from now, four years from now, in the increasing economy of our State, where are we going to go to get the money, back to the people? You do not mean to tell me that you will ever be able to muster strength enough in this Senate and in the House of Representatives to bring back under the tax bill those which you are exempting today. Are you going to be able to open it up and say, "Well, from now on, we are going to tax the trucks and the automobiles used to repair utilities?" You are going to be able to tax the foundations and, incidentally, as a builder, I wonder where the foundation stops and where the structure starts. I wonder how much exemption is going to come under that foundation. I wonder where such an argument can be raised. I wonder how many auditors and investigators we are going to have to put on to enforce that simple little feature. It can cost—according to this little list made up by the Department of Revenue, just as a simple figure, not knowing themselves where they are going because there has been, as you know, you could almost call it a conspiracy in keeping from paying the tax in Pennsylvania—but just as a small reminder, that item alone, insignificant as it is, can cost us $13,000,000. There is no measurement by which you can say how much went into the foundation and how much went into structure.

For instance, Mr. President, you are now going to say to me that the manufacturing and shipbuilding, how much will it cost? They do not know but, based upon the meager collections that they have made to date, in the twenty-four months ahead of us, it will cost approximately $18,800,000, based upon the collections as they are to date. The utilities will save $8,579,000. If they are going to save $8,579,000, are we to assume then that Pennsylvania's utilities will come down in price to the consumer? Are we saying that any savings we put in here, the cost of materials manufactured in Pennsylvania will be reflected in a lower cost to the consumer in this State?

Mr. President, I do not believe anybody wants to do more to make this a better State to live in than what it is. It is just a question in my mind as to how you make it a better State. I do not know how many of you are thinking of the future of this State. I do not know how many of you are thinking of the great weight that public servants will have to carry when automation reaches its near final point of perfection. We have removed from the taxing field everything that deals with not only machinery in the process of manufacturing, but machinery and tools, mind you, from the time the process starts until the process is finished. As we go along, we all know that automation has been coming in stronger every year and in greater volume in a greater number of industries, and we find ourselves in this period of readjustment between the time that men are left out of their jobs until the increased production takes up and gives more employment.

That was true in the old days because so many people had so little. So many people had practically nothing of a mechanical nature, of a manufactured nature in their possession, and so, when a new machine was invented that produced goods that was put out on a mass production base, the distribution was great because no one had these items. However, we have reached the stage where the 170,000,000 of our peoples, and almost everybody who can afford either on a long-term debt or by cash purchase, has almost every item that you can think of. Now we are almost a one and one-half car family now. We might get to be two car families, but I cannot conceive that we will get to be three car families. We are a one refrigerator family now. We may go to one and one-half or two refrigerators. We might all buy two or three television sets. We all may have a half dozen radios; I do not know. However, I do know this; that there comes a point where there is a saturation not only in the ability to buy the article, but in the ability to use the article. Automation will not stop. Automation will not stop, because right here is the answer to that. I do not intend to read this for you, but as you know I try my best to get some information about what I am talking about. So, being the year end when dividends are being paid, and

the year end reports are going out from the various corporations, I happen to have a few, borrowed from some of my Republican friends. I have Bethlehem Steel and I have quite a few others here; Bethlehem, St. Regis Paper Company and a couple that my good friend, Mr. Mahany, thinks are good.

Now if any of you want to review and see whether I am telling the truth or not about the future, I want you to read these particular statements from these companies and then tell me whether or not we are justified, as representatives of the people in this State, to exempt from taxation under this bill and to exempt under the capital stock tax exemption, and to exempt under the excise tax elimination and further, in every effort that we make, to say that we must exempt all manufacturing, shipbuilding, utilities and all other income producing corporate institutions and put it upon the shoulders of payroll-receiving individuals. When you take $1,000,000,000 out of the peoples' pockets, whether you take it in pennies or you take it in dollar bills or you take it in $100 notes, you are removing $1,000,000,000 worth of purchasing power in the common market. When you do that, you are going to eliminate the very markets that these people depend upon. You cannot shift this tax burden any further. It has gone too far already.

For twenty years I have said on the floor of the Senate, and the record will prove, that a movement was started to shift the tax base from the corporate stock dividend producing companies to the shoulders of the people, and after twenty years we have come a full cycle. We are now in a position where the people pay seventy-two per cent and corporate dividend producing companies pay twenty-seven per cent. Twenty years ago, corporate companies paid eighty per cent and the people paid twenty per cent. You have come a complete full cycle.

Now where do we go from there? You say, "Why are you so distrubed over a man walking in and buying a fountain pen? Why, the tax is only maybe three cents or six cents, and he will not miss it." If you take $600,000,000 or $500,000,000 in three cent and six cent and nine cent bites, you have that much money that is not there to buy fountain pens with or anything else.

I know what the next move is. When we come in two years from now, after being roundly condemned because we could not administer the bill, we will be short. There will be mandated increases. They are already on the books. You will have a shortage of $250,000,000 to $300,000,000 in the next biennium. What will you do? You will look around for more items to tax. You may put the sales tax up another per cent or two. You will tax clothing, you will tax shoes and then you will have somebody coming in here and exempt from the clothing tax, any clothing bought by manufacturers. It sounds silly, does it not? However, you will see that they will ask for safety shoes to be exempted, I know, and they will ask for all other items that in any conceivable way can be withdrawn from the tax field to be exempted.

Now somewhere along the line, somewhere along the way, somebody has to speak up, and I say to you Republican Senators that it does not matter much how long any of us are here, but this is an injustice that should not at this time be foisted upon the people of the Commonwealth of Pennsylvania.

I want to tell you that I am tired, very tired; tired physically, mentally, politically and getting tired morally.

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. BARR. On page 7 when you were talking about this fabricating business, I remember a few months ago there were bids taken, and I think the Fort Pitt Bridge got a contract of four million and some dollars and U. S. Steel got six million and some dollars for a new bridge to join the tunnel. I know at that time they figured the three per cent sales tax, but now a great portion of that will be relieved from them under this bill, and that will be another bite out of the taxpayers' pocket. Is that right?

Mr. DENT. That is exactly the point I was trying to make. They got a contract for $10,000,000 for the bridge. That means there will be $300,000, if my arithmetic is right, that the State of Pennsylvania will not receive from that tax item.

Mr. BARR. They will get the money?

Mr. DENT. Yes, if they have a contract, they will get the money.

Mr. WATKINS. Mr. President and gentlemen of the Senate, I do not often arise to take issue with my colleague from Westmoreland County, but I find today that it is just impossible to sit still and listen to him travel up and down the State, and with every breath he brings out the word shipyard.

For the information of the gentlemen of the Senate, there is only one large shipyard in the State of Pennsylvania to by knowledge, that being the Sun Ship Building and Dry Dock Company located in Chester, Pennsylvania, in the county of Delaware, which I represent.

I am a little amazed at the Senator, and I know that if his father had talked this thing over with him, the great gentleman—and I have the greatest respect for his father—would have certainly told the gentleman that in order for people to work and earn a living to practice anything, they must have a place to work in.

Here is a shipyard which I can remember at one time had 33,000 people working there. At the present time there are only 2,900 people working in this shipyard and I cannot understand just why the shipyard is still operating. Personally, from a financial standpoint, I can not see any reason whatsoever for it being there.

Then the gentleman slides along to attack a man by the name of Pew, of the good family of Pew, in the State of Pennsylvania. That does not pertain to this bill and I do not know why the gentleman had the privilege to bring the name of Pew into this thing.

I would like to say to the gentleman that the Pews are honorable people, decent people, industrialists that have invested their money in the State of Pennsylvania. They have supplied labor and have supplied the highest type of jobs that men could ever demand from any State. They have supplied those positions to Pennsylvanians; they have supplied the wages to them. They have kept the family and built a fine county. At least they have played their part in building up one of the finest counties in the State of Pennsylvania. Yes, that belongs to the Pew family in some way or other. Their contribution and the money, which they have spent, has helped that situation along, Senator Dent.

At the present time, as I said before, they have 2,900 people working there. Would the good Senator who always represents labor—and I hear the cry over on the other side—want this shipyard to close and lay off 2,900 union men? How would that set with him? Is that what he wants? Does he want this industry to close? Does he want this shipyard down there in Delaware County—which I judge that he knows the Delaware River flows along side—to move up to Westmoreland County? Is there enough water running down in those hills that we could ship this plant from the Delaware River up to Westmoreland, where business conditions are better and more inviting?

I think that you have hit a new low, Senator, when you stood upon this floor and tried to drag the name of Pew down into politics. I do not see any politics in this bill. It is a sales tax bill. I do not see anybody saying anything about McCloskey or the Kellys or the Greenfields, who poured their money into the coffers of the Democratic Party. I do not hear a word murmured about those gentlemen. Would the good Senator from Westmoreland not like to have the Pew's contribute to the Democratic Party? Certainly he would, and he would be just as :aken if they contributed. However, they happen to be Republicans. There must be Republicans, you know; we :annot all be Democrats.

I resent very much to think that this has happened. I vould like the gentlemen in the Senate to just realize hat here is an industry that is faced with competition cross the river at Camden, where they have no sales tax, n Boston, in New York, in Newport News, in New Orleans, in Japan and in every foreign country in the world hat is underbidding American shipbuilders, and just not nink that the Senator is doing such a great favor for the 'ew industry when he talks about the great shipbuilding iat is being exempted.

I say to you, Mr. President, in keeping this shipyard pen and operating, they are doing a great service to the eople of Delaware County, Philadelphia County, Chester ounty, and Montgomery and Bucks Counties. Maybe a w Westmoreland people are working there. I hope they e, because I have never met anybody from Westmorend that I did not think was all right. I have met people ho come up and pull figures out of the air which I nnot find in the books and do not know where to look ir them but, nevertheless, he has got them somewhere er there, I guess. I do not know.

Now to make fish out of some and fowl out of others, es the good Senator want to protect an industry that is ffering and no longer in a position to make a profit? Des he want to drive this industry from the State of Pnnsylvania? Does he want to lay off these 2,900 men? I vould like to know how he feels about that.

I would like to call to his attention, too, that the Gove nor of the State of Pennsylvania is doing everything t t he can to encourage industry here, so I am told, and I m told that things are so good that he will do most a ything to get them here. I remember last year there ws no complaint from the gentleman when we set up sme 40,000 acres of land for the Curtis airplane people at $1.00 an acre a year or some figure of that sort.

May I say to him just this? It is not fair to tax this industry called shipbuilding. It is not fair to tax this one shipbuilding company that we have. Instead of taxing them, we should help them, and that is just exactly what we are trying to do. I think we would readily agree to help not only the shipbiulding industry but any industry in Pennsylvania, any industry that we could find that was failing due to the fact that competition from the other States was driving their business from the State.

Now the Senator did not mention one thing and I know it will come, so I will answer it very quickly and try to give Senator Mahany a chance to answer these other long, fabulous stories. I would just like to say this to him. Yes, there is an exemption for products that are sold to the ships, the food supplies that the ships handle and serve. If Senator Dent does not want that business, it would be very easy for them to put their stores on at many other ports, Baltimore or some of the others that I have already named. They would all be very happy to get that business. Now if he does not want that business in Pennsylvania, let him put up a strong argument and maybe he will convince somebody that we should tax that, too.

I say to you, Senator Dent, be yourself, and stand for what you know is right and what is not crippling to any industry which you know needs help.

Mr. DENT. Mr. President, I think most of us know that Senator Watkins comes from Delaware County, and it is perfectly all right for him to make sure that the contributions go to the right places.

I do not believe that the Senator quite understood what I was talking about. I was not objecting to the exemptions to the shipbuilding companies as they were contained in the bill that was passed two years ago. I voted for it. We exempted the shipbuilding and ship repairing, but they were not satisfied with that, Senator, and I think you ought to know this. They have now asked for an exemption and are receiving the exemptions on every item that they might use in their company; their trucks, personnel cars. No other company is getting that.

I know that they had 33,000 people working for them. You know, we used to have 18,000 coal miners out where I live, but there are only about 800 or 1,000 now. Do not tell me that if we pass this bill, you are going to get 33,000 people working in the Sun Ship Building Company. I do not think that is true because if they left there, they left there long before Governor Leader became Governor and I did not see you standing on this floor nor hear you crying then for relief for the Sun Ship Building Company. I never heard of you introducing any legislation to remove the capital stock tax from industry or from the manufacturers or the shipbuilders in the sixteen years that the Republicans were in power. However, all of a sudden, now that we are in power for two years and invoking the same taxes that were on the books during those sixteen years, we have suddenly become the ogre that is chasing industry out of Pennsylvania. I just do not believe that. I have lived through that. It is a myth that started in 1937 when I was a Member of this Senate, and it was blown apart then and it will be blown apart now. Industry will go where industry can best do business.

I do not think that I made any attack upon Mr. Pew. To say that he is not political is, of course, the furthest stretch of imagination that we ever had on this floor. I only made the comment, Senator, that if the

family could give $216,000 to the Republican Party in 1956 and if the Sun Oil officials could give $140,000 to the Republican Party in 1956, they could pay the three per cent sales tax the same as a man with ten kids could pay it in Pennsylvania.

Mr. KESSLER. Mr. President, may I remark at the start that if the Senator from Westmoreland is tired, he certainly does not show it?

Last summer, for the first time in our lives, Mrs. Kessler and I took a trip West. It was not political. It was not atending any of the State functions. It was simply a vacation. While in Los Angeles, we took one of the bus trips around the town to see the sights and all the homes of the movie people. As we went along, the guide on the bus called out various places. When we got to one house, he said, "Now this is the Davis home." A young lady in the bus said, "Oh, you mean Marion Davies?" He said, "No, Henry Davis."

We went a little further and the guide pointed out a house that he said was the Roger's home and this lady said, "Do you mean Buddy Rogers?" "No," said the guide with disgust, "Will Rogers."

As we got back down toward town, we passed a church and the guide said, "Here is the First Church of Christ Scientist." The little lady was kind of cowed by that time. She did not say anything, but one of the other men in the bus said, "Go ahead and ask him, Miss, you cannot be wrong all the time; ask him whether it is Jesus Christ."

I feel a little bit as though I cannot be wrong all of the time on this tax proposition. I just cannot understand, in fact I cannot believe that this analysis of House Bill No. 337, which Senator Dent presented to us last week, is his. If it is his, then I offer him an apology. When I made my rebutal statement, I was assuming that this was written by someone else. It is full of errors and I feel if what Senator Dent has said is correct, that the Department of Revenue has checked over his analysis and said it is correct, then I can see why the Department of Revenue is having difficulty collecting revenue under this sales tax. To become a little more specific, from reading the amendment on page 7, which says that the "'sale at retail' shall include the printing or imprinting of tangible personal property for a consideration for persons who furnish either directly or indirectly the materials used in the printing or imprinting," how in the world you can infer that that is going to be used for steel or cinder blocks is just beyond by imagination, Senator, and further how you can say that it is going to cost revenue. In fact, the purpose of putting this thing into the bill was to increase the revenue.

Now there are many people who take paper, tags, and various kinds of cards and have them imprinted to their own design, their own wording, by a printer. They avoid the sales tax by buying the paper, and all that they pay the tax on is the small amount of print ing charge. We are trying in this bill to collect some additional revenue from that source.

The retroactive feature that we originally put in the bill has been withdrawn and should not be a subject of further debate, but let me just say this. The interpretation of this bill, under the regulations issued by the Department of Revenue, is such that they simply destroy the original intent of what we passed.

Senator Dent was a member of the committee that worked in drafting this bill. In fact, credit for the categorical classification I believe can be given to Senator Dent. I do not like that today any more than you do, Senator Dent. I would much rather have a general sales tax. Nevertheless, we have this tax and we have to live with it. I believe it will produce the revenue which you said it would last year and, as evidence of that, let me say that in November and December of 1956 the reports indicated that 20,000,000 was collected in each of those months. The report from McKinsey and Company indicates also that twenty per cent of the returns, or $40,000 roughly, had been set aside by the Department of Revenue for internal audit, and the checks which accompanied those returns were not made available to the State. If that is the case, then we certainly should collect more than $20,000,000 a month.

I agree with you that as we proceed with this tax, the revenue is going to increase and with the monthly transmittal reports which have been provided for in this bill, we should collect in the next biennium which is twenty-five months of collection, if I can figure correctly, $20,000,000 a month times twenty-five months will bring you up to $500,000,000, which is the last estimate that I have released on the collection from this tax.

Senator Dent has a very effective and powerful way of speaking. You cannot help but admire his plea for the little man. I think we all are sympathetic with the little man, but we cannot overlook the fact that all of us are going to have to pay taxes. I think someone, in writing about the Internal Revenue Code, said that you have got to go where the money is, and the bulk of the money, the bulk of it, rests with the little people because God made so many of them.

I would like to refresh the Senator's memory a little bit, if I can. I do not have the figures, but I wish you would refer to page 5 (a) of the Governor's Tax Study Committee Report which was issued last fall. They have comparative figures on the effect in Pennsylvania of a sales tax and also of an income tax. It was agreed by all of the members of that committee, including the labor members, that the sales tax was better by far for the average citizen of Pennsylvania than any other form of tax. That is why the Tax Study Commission recommended that if we needed additional revenue this year, the sales tax should be expanded or enlarged.

I would like to offer, Mr. President, the statement that Senator Dent distributed to each Senator last week and my rebuttal to that, for printing in the Journal. I would like to request that that be done.

The PRESIDENT. The statements will be made a part of the remarks of the Senator from Lancaster, Mr. KESSLER, and printed in the Legislative Journal.

PRELIMINARY ANALYSIS OF HOUSE BILL No. 337 PRINTER'S No. 138

Refund is made a matter of right without filling in various loopholes presently existing and exemptions introduced by this Bill are made retroactive to May 24, 1956. As a result many persons who legally paid taxes on transactions which are exempted by this bill would be entitled to refunds which will in effect be bonanzas. Furthermore, the provisions regarding a monthly

transmittal return do not become effective until July 1, 1957. As a result April, 1957 revenues will not come in this biennium.

p3 L18 This extends the manufacturing, mining, ship building and research exemptions to include all equipmnet used from the first production stage (whatever that may be) to the final packaging of the item to be transferred to another.

p4 L4 Printing equipment, supplies and materials are exempted from tax.

p4 L11 The ship building exemption is technically broadened by including rebuilding. p21 L14—No "Direct" requirements and all limitation applicable to manufacturing are not applicable to ship building.

p8 L2 Foundations for productive machinery and equipment are exempted. This would include possibly even for foundations of manufacturing buildings and certainly the heavy bases of productive units such as blast furnaces, chemical distillation columns, etc.

p8 L9 The limitation of the productive (manufacutring, farming, utility) exemption is rewritten in such a way as to exempt from tax, trailers and semi-trailers used to move material-in-production from one manufacturing unit to another. Also, equipment used in the construction repair or maintenance of public utility facilities is exempt from tax even though such equipment is used or owned by an independent construction contractor. (p9 L5) The proposals may even be interpreted by a Court so as to exempt all materials and equipment used to construct manufacturing, farming, and utility buildings. (p9 L8) In addition, it clearly exempts all utility real estate other than buildings. As a result, all utility real estate of any type and character and supplies and equipment used in the construction of such real estate may be exempt from tax.

p10 L15 Under the present law the manufacturing and farm exemption did not extend to "property used or consumed in connection with maintenance facilities." The proposal taxes only the actual maintenance facilities and not the property used in connection therewith. For instance, under the present law both the paint and the paint brush used to paint a factory machine are subject to tax. The amendments exempt the paint from tax.

p10 L18 The present law taxes all property used in connection with administrative facilities. The amendments eliminate this limitation on the productive exemptions and substitute a tax on all property used or consumed in "managerial sales or other non operational activities." This eliminates from tax a great many administrative functions which cannot be considered to be "managerial other than operational." (What ever that is)

p11 L5 A new concept of Predominate use is introduced to broaden substantially the productive and utility exemptions. Under the present law an item is subject to tax when substantially or regularly used in a taxable function even though on occasion it may be used for an exempt activity. The amendments would entirely exempt all property purchased for the "purpose" of 51% or more use in an exempt activity. (This creates difficult if not impossible auditing and enforcement problems.)

p12 L14 Under the prosposals a caterer need not collect tax when catering on the premises of a school, church, or hospital even though the catering is in conjuction with a private social affair.

p16 L9 Use of words "any of the operations of" is a legal gimmick which may broaden the manufacturing, farm, and utility exemptions.

p20 L2 A contractor having a pre-March 7th fixed price construction contract is afforded an extended exemption on repair parts purchased to be partially used or consumed in the fulfillment of such contracts. Only supplies and materials used in the fulfillment of such contracts are now exempt. The amendments make supplies and materials "partially used" or "purchased for use" also exempt.

p22 L3 Exemp ion for sale of ship's stores to vessels operated principally outside the limit of the Commonwealth.

p22 L18 A new exemption is provided for false teeth and materials used by a dentist in dental treatment. The balance of this section merely particularizes exemptions presently afforded by regulation.

p29 L 7 Authority to establish effective rates is eliminated.

p29 L 17 Requirement that notice of assessment shall set forth "explicitedly and in detail the amount of the assessment or estimated assessment and grounds for making such assessment or estimated assessment." Legal problems will inevitably arise as to what is suffiiciently explicit and detailed. This will create many technical legal defenses against otherwise proper and valid assessments. The principal of a estimated assessment is that the taxpayer should demonstrate his actual tax liability to overcome the assessment. This section is written so as to create legal technicalities by which an estimated assessment could be contested on the grounds not that the estimate is inacurate or that the actual tax liability is less than that estimated but that the basis of estimation is defective.

p30 L10 This eliminates the power of the Department to prescribe the form of exemption certificate.

p31 L11 Refund is made a matter of right with petition being filed directly with Board of Finance and Revenue rather than the Department. The principal of refund as a matter of right although a substantial departure from historical Conmmonwealth practice is desirable. Refund procedures should be the same as reassessment procedures. It is essential that all the many loopholes in the present Act be corrected in order to preclude substantial refund obligations accruing and that refunds under the new procedures should be made only with respect to transactions occurring after the effective date of the amending Act.

p34 L10 5% penalty for negligence may not be imposed by reason of a mere existence of a deficiency. This will create substantial problems of proof on the part of the Department where there is an understatement of tax but the Department cannot establish the reason for the understatement. It will thus hinder enforcement by destroying an incentive for the taxpayer to file an accurate return.

p35 L14 The penalty for an attempt to evade or defeat the tax is eliminated.

p36 L12 Inserted language would, in effect, enable a taxpayer and his accountant to give the Department a run-around by the taxpayer claiming that the information regarding his financial transactions is not within his knowledge. Thus he can legally rationalize an inaccurate return.

p38 L19 These provisions will permit methods which in the case of a substantial taxpayer are open invitations to fraud and improper practices. The Act should not detail these methods but rather should merely state after the word "method" on page 38, line 19, "that clearly sets forth the segregation of tax receipts from other receipts all in accord with good accounting and business practices."

—31 L1 The requirement of a bond on the filing of a reassessment petition is eliminated thus permitting a taxpayer to use a reassessment petition as an instrument of delay and jeopardize the eventual receipt of revenues by the Comomnwealth.

STATEMENT OF SENATOR EDWARD J. KESSLER

In May of 1956, the Pennsylvania a Legislature passed a Selective Sales and Use Tax Act.

Today, March 15, 1957, the Legislature is considering a bill making extensive amendments to the 1956 Act.

We are under the necessity of passing House Bill 337 in order to insure that the people of this Commonwealth will be taxed in accordance with the intentions of their elected representatives, and not according to the whim or fancy of bureaucrats operating on the policy that "the taxpayer is always wrong."

Almost from the day that the Sales Tax became effective, taxpayers big and little have been plagued by burdensome and capricious rulings and interpretations by the men chosen by Governor Leader to administer and enforce the act.

But did these taxpayer harassments result in bringing in more revenue? If the report of the Governor's special consultants on operation of the Sales Tax Bureau is to be believed, the efforts of the men charged with this responsibility were very far from successful. The money didn't come in.

Thus, when the 1957 Session convened, we faced a situation where our intentions expressed in the Sales Tax Act of 1956 had been misinterpreted and ignored and where the revenue from the act had fallen short.

Therefore, the Republican majority of this Legislature set to work to repair the damage, so far as possible, and to set the tax once more on a proper course, designed to produce budget-balancing revenues for the Commonwealth.

The House found it necessary to continue the rate at three percent in order to meet higher Administration spending. The Senate Finance Committee has endeavored to do two important things: First, to hold the line against new exemptions, and unwarranted broadening of existing ones; Second, to write into the bill such language as will leave the Governor's bureaucrats no room for freakish interpretations, costly to taxpayer and Commonwealth alike.

This has been an honest effort, and one into which I, personally, and many members of the Committee and other Senators, have put a great deal of time and careful study. We have probed into the actual operations of a great many businesses to see the taxpayer's prbolems at first hand. Big and little taxpayers have come to my office and told me their troubles. In a good many cases, we had to say, regretfully, "You have a good case, we know you're telling the truth, but it's clear to us that the way the act is written, you're taxable, and we are duty bound not to open up the law for new exemptions." In some cases, we saw manifest misinterpretation of the intent of the Legislature, and we set about it to make amends—to make such amends, that is, as we could without sacrificing either revenue to the Commonwealth, or the principle upon which we had set our course.

Conscientious though this hardworking Committee's efforts were, it was inevitable that we would meet some opposition in the Senate to the amended bill. I anticipated the sort of direct, honest opposition we have come to expect from the Minority Leader of this Senate. But the unsigned document distributed at his request to the members of this Senate on Tuesday, and orally presented by Senator Dent from the desk of the Minority Leader, was a sneering piece, full of hit-and-run arguments, distortions of sense, and out-and-out mis-quotation. Its author writes much in the vein of the men whose cynical and capricious decisions have made sales tax administration up to this time a burden on Commonwealth and taxpayer alike. The author is a very smart fellow, no doubt, and certainly a propagandist of no mean abilities.

There is sometimes a pretty narrow line between propaganda and fact, but as the propaganda line develops, it diverges more and more from the line of fact, and it lures the brain with come-ons in the form of labels, and imaginative concepts.

On the ensuing pages, I have attempted to draw clearly the line between the truth of House Bill 337, and the propaganda and distortion that screams from every paragraph of the document transmitted to this Senate through Senator Dent this week.

CORRECT ANALYSIS OF HOUSE BILL NO. 337

Any illusion that bonanzas had been conceived for the overburdened Pennsylvania taxpayer by enactment of a retroactive refund provision has been dissipated by an amendment on March 13th to H. B. 337 so this baseless assertion no longer exists as a possibility.

The obvious right of refund for erroneous tax payments is still recognized in H. B. 337 as a matter of common justice.

It was never thought that April, 1957, revenues would come in this biennium so this should provide no surprise.

p3 L18 This definitely establishes that manufacturing is to include only the production activities of a manufacturer, and that the shipping, receiving and other aspects of the manufacturer's business (other than research) are in the taxable area. The amendment merely clarifies what was originally intended. It extends no exemption.

p4 L4 The background of proposed amendments which specifically make printing a form of manufacturing provides an excellent example of the necessity for making the amendments to the Selective Sales and Use Tax Act. On July 16, 1956, the Department of Revenue issued a Regulation "No. 230-Printers," which provided that printers were manufacturers and were, therefore, entitled to the manufacturing exemption. On

August 11, 1956, this Regulation was modified to provide that printing, other than printing of newspapers, was not manufacturing, and therefore the printing industry was not entitled to the manufacturing exemption. On February 14, 1957, a new Regulation 230 was issued holding that printing is a form of manufacturing. When the Department of Revenue within one year changes its mind three times as to whether or not printing is or is not manufacturing, it is little wonder that this Session of the General Assembly finds it necessary to make clarifying amendments to the Selective Sales and Use Tax Act. It is true that printers are now accorded the exemption for manufacturers, but who knows what the Department of Revenue will decide next week. If the Department of Revenue cannot or will not properly interpret the statutes passed by this General Assembly, the General Assembly must put its manifest intent beyond administrative misconstruction.

p 4 LII "Rebuilding" is within the scope of the present law, but was inserted as clarification to forestall a strained interpretation that rebuilding is not an exempt activity. The additional change was made to avoid placing the ship building industry along the Delaware River at a serious competitive disadvantage with the ship building industry across the river in New Jersey, all in the spirit of the Tax Advisory Committee Report of December, 1956.

p8 L2 Foundations of a type specially constructed for machinery and equipment are certainly part of the machinery and equipment and were always intended to be exempt. Despite this logical analysis of the machinery and equipment exemption, the Department of Revenue treated foundations for machinery and equipment as taxable. No further exemption than that originally intended is granted. The Administration is conveniently loose or strict in its interpretation of the law, as necessity dictates, and by no stretch of the imagination can the words "machinery and equipment and parts and foundations therefor" be construed to include the foundation of a building as an exempt item.

p8 L9 There is absolutely no true basis for the statement that the material on page 8, line 9, has been rewritten to exempt trailers and semi-trailers from tax. The sole purpose in the changes made was to simplify the otherwise complicated language of the Selective Sales and Use Tax Act. Existing law provides that there shall not be excluded from tax the transfer of any motor vehicle, trailer, semi-trailer or tractor required to be registered under the Vehicle Code or the Tractor Code. The amending language merely says that any vehicle required to be registered under the Vehicle Code or the Tractor Code shall be taxable. "Vehicle" is defined in Section 2 of the Vehicle Code to include motor vehicles, trailers and semi-trailers.

p9 L5 There is no more basis for reading an exemption for an independent contractors' equipment used in maintining the facilities of a public utility into the amendments to the Selective Sales and Use Tax Act than there is to make such an argument under the existing law. No change is made or intended, and it must be concluded that the objections raised are imaginary. The proposition that the language of the amendments to Section 2 (j) may be construed to exempt the materials and equipment used to construct manufacturing, farming and utility buildings is absolutely ridiculous. The amendments specifically state "that the exclusions provided in paragraphs 1 and 2 shall not apply to materials and supplies to be used or consumed in any construction, etc. of real estate other than machinery, equipment or parts or foundations therefor that may be affixed to such real estate." The public utility exemption in Subsection 3 of Section 2(j) is, of necessity, broader than the exemption for farmers and manufacturers since most of the facilities used by a public utility constitute real estate. This amendment was made necessary by the fantastic proposals of the Administration to the effect that the property purchased by a public utility which becomes real estate under local law will not be entitled to the exemption provided in the sales tax law. It was, of course, never the intention of the Legislature to exempt the buildings of a public utility or the materials used in erecting such buildings, and these items are specifically taxed. If there is any loss of revenue in this amendment, it is revenue which the General Assembly did not intend to collect when it passed the Selective Sales and Use Tax Act. These items were specifically discussed in many instances by the Conference Committee which reported the Conference Committee Report on the original Act. Because the Administration has refused to recognize the express intention of the Legislature, it is necessary to reaffirm that original intent.

P10 L15 This objection is also totally groundless. The basic exemption is given to tangible personal property used or consumed in manufacturing, farming and rendering of a public utility service. The language on page 10 clearly makes taxable materials constituting maintenance facilities or tangible personal property to be used or consumed in managerial, sales or other non-operational activities. Obviously, painting is part of "other non-operational activities" and is subject to tax.

P10 L18 This objection does not make sense. The present law taxes property used in connection with administration facilities. The amendments limit any exemption to operational activities and the amendments tax all non-operatonal activities. The quotation "managerial other than operational" in the material submitted to the Senate by Senator Dent nowhere appears in the law. Any fair reading of the present bill will indicate that the amendments define the taxable areas to a greater extent than the existing law. The burden would rest upon the taxpayer claiming exemption to show that the activities are operational activities.

P11 L 5 Of all the objections raised to the proposed amendments to the Selective Sales and Use Tax Act, this objection is indeed the most hypocritical. In Printer's No. 1703 of H. B. 2101 of the 1955-56 Session of the General Assembly, the predominant use language was used. In the conference committee meetings and report the language was removed at the request of the Administration because of doubts expressed as to what it would do to other areas of the law. It was represented, however, that the predominant use concept expressed in these amendments would be utilized in issuing regulations under the Selective Sales and Use Tax Act. The present amendment is an attempt to restore good faith and original intent to their proper places.

It is no answer to say that the making of exemptions creates auditing problems. Other states are able to meet these problems and a competent sales tax administration should be able to do so in Pennsylvania.

P12 L14 Again Senator Dent's informants are tilting at windmills. "A private social affair" is hardly within the ordinary course of the activities

of a school, church or hospital. The true purpose of this amendment is to require drive-in restaurants to collect the tax and to make clear that a church need not distinguish between the sales to its members and sales to its non-members when it holds a church dinner. The latter has been the distorted interpretation of the Department of Revenue.

P16 L9 To attribute the use of "a legal gimmick" to the Senate Finance Committee is most reprehensible. These words are abusive and unwarranted. They are plainly insulting. They are harmful to the cordial relations which ordinarily obtain on the part of the Senate, its Finance Committee, and the Administration. There is no attempt to broaden this exemption beyond that which was originally intended in May of 1956. The Department has construed "directly" so narrowly as to practically deprive industry in this Commonwealth of the exemptions for the activities vital to it.

I cite, for example, legal unit ruling No. 148—in which it is held that filling, packing or otherwise placing a manufactured product into a container is not a direct production activity.

If these operations are not directly a part of manufacturing, then there is little left of the exemption.

p22 L3 Section 203(k) exempts the purchaser of ships stores in Pennsylvania from the tax. This was deemed necessary to place the ports of the Commonwealth of Pennsylvania in a competitive position. Why this deserves comment is beyond imagination.

p22 L18 Section 203 (1) is substantially the same exemption found in the 1953 Consumer's Sales Tax, for crutches, artificial limbs false teeth, eye glasses, braces and supports. These items being of the same category, it was considered they should be treated similarly.

p29 L7 It is not true that effective rates have been eliminated. Section 541 has been amended by removing the sole authority of the Department of Revenue to establish effective rates and make arbitrary assessments. This power can be the subject of grave abuse. At the same time Section 581 is amended to allow the Department of Revenue and the vendor by mutual agreement to reach effective rates which can be applied to the total gross receipts of the vendors, thereby simplifying the auditing procedures and collection problems of both parties.

p29 L17 The amendments to Section 541 merely place in the statute a fundamental rule of fair play. The Administration should have adhered to this principle without the necessity of legislation.

It has come to the attention of the Senate Finance Committee that the Department of Revenue has made assessments and has refused to supply the taxpayer with the reasons and the basis for the making of the assessment. I quote from Senator Dent's informant, "The principal (sic) of a estimated assessment is that the taxpayer should demonstrate his actual tax liability to overcome the assessment." Thus the Department of Revenue would require the taxpayer to reconstruct his entire operation involving, in many cases, hundreds of thousand of invoices and transactions, before the taxpayer can overcome what well may be an arbitrary and unconscionable assessment. Furthermore, Section 542 which allows the taxpayer to file a petition for reassessment requires the taxpayer to "set forth explicitly and in detail the grounds upon which the taxpayer claims that the assessment is erroneous or unlawful." May I ask how the taxpayer is to set forth explicitly and in detail the grounds upon which the assessment is erroneous or unlawful if the Department of Revenue refuses to inform the taxpayer of the nature of the underpayment?

p30 L10 Senator Dent's informant again makes a conveniently erroneous statement. The Department of Revenue has the general authority to prescribe forms and returns in the administration of taxing statutes. It is the purpose of this amendment to eliminate the possibility that the Department of Revenue may invalidate an exemption certificate if it fails to comply with an unessential requirement of the Department.

The Department of Revenue has already issued no less than 13 forms of exemption certificates and the end is not yet in sight because in some instances the Department has still to issue certificates to cover particular types of transactions.

It is submitted that slight deviations from the required form should not be made the basis for the invalidation of an exemption certificate. Is it any wonder there is general consternation and confusion on the part of the public?

P34 L10 Section 571 (b) is amended to make it clear that the 5% penalty provided therein should be added to the deficiency only in the case of negligence or intentional disregard of rules and regulations and that the mere existence of a deficiency does not constitute negligence or intentional disregard of rules and regulations. It has come to the attention of the Senate Finance Committee that the Department of Revenue is adding the penalty to all deficiencies. If the Legislature had intended a 5% penalty for all deficiencies, it obviously would not have put in the words "negligence or intentional disregard of rules and regulations." This Section would not have been changed had it been intelligently administered. For example, a case has come to the attention of the Committee where a 5% penalty was added to a deficiency for the period from March 7 through June 30, 1956. Since the regulations were not issued until after July 16, 1956, there were no regulations to disregard and if anyone was negligent, it was the Department of Revenue and not the taxpayer.

P35 L14 Section 572 (b) is amended to remove the 100% penalty against any person who wilfully attempts to evade or defeat the tax. The Department of Revenue in Regulation 420 (f) erroneously interprets Section 572 (b) as imposing a fraud penalty on accountants, attorneys, and others who advise taxpayers as to the non-taxability of transactions under the Act and who then do not disclose such transactions on the return of the taxpayer. The Act, as amended, preserves a 50% fraud penalty as to taxpayers.

P36 L12 This amendment was made because it has come to the attention of the Committee that taxpayers and their agents are, in some cases, being required to take an affidavit as to information which is not within the personal knowledge of the person required to take the affidavit.

P38 L19 These provisions are adopted substantially from the present regulation TRa-502. Any "open invitations to fraud and improper practices," therefore, must be those of the Department of Revenue.

P31 L11 Within the last several days, the Department of Revenue has issued regulation TRa-601 which would require every taxpayer petitioning the Department of Revenue for reassessment,

to file a bond in the amount of the assessment plus 10%, with a surety. This questionable requirement is based on Section 585 (a), which says that the taxpayer may be required to file a bond on such occasion. Section 585 contemplates such a bond only when the Department has reason to believe that the taxpayer is filing a petition for reassessment to delay the payment of the tax and when such a delay will pace the ultimate collection of the tax in jeopardy.

It was never the intention to require such a bond in the case of all petitions for reassessment. Such a requirement imposes a severe hardship in the case of small taxpayers who will be required to go to the expense of filing bonds with their petitions for reassessment. Section 585 has been amended to remove the authority of the Department of Revenue to require bonds in the case of petitions for reassessment. This is another instance in which the Department of Revenue has demonstrated its inability to use intelligently an enforcement provision given to it by the General Assembly.

In summary, it has been demonstrated, item for item, that the Senate has been presented through Senator Dent, perhaps unintentionally on his part, with an entirely misleading and inaccurate analysis of H. B. 337.

It is submitted that any fair reading of the amendments establishes their justification.

And the question recurring,

Shall the bill pass finally?

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Kessler.

The PRESIDENT. Will the gentleman from Lancaster, Mr. KESSLER, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. DENT. Why did you leave out the fact that you amended out of the bill the words "fabricating and producing"?

Mr. KESSLER. Because we did not know exactly what that was doing. This amendment came from Mr. Garfinkel, of the Attorney General's office. When he spoke to us originally, he talked about the people who were bypassing the tax as a result of buying paper and then having it imprinted, and we agreed that we would try to incorporate that. We took his language, which included these other words, and it goes way beyond what we intended to do.

Mr. DENT. Is it not true, Mr. Kessler, that the illustration that I used here is not only conceivable but the reason for taking out these particular amendments?

Mr. KESSLER. I do not see how it can be.

Mr. DENT. Would you say then that if a contractor gets a contract to build a bridge and he asks the steel company to give him a bid, could the steel company give him a bid on the bridge materials fabricated or non-fabricated whereby the contractor would pay the tax only upon the weight of the steel used?

Mr. KESSLER. I do not believe I quite understand you, Senator.

Mr. DENT. Let us put it this way. There is a bridge built. The contract for the steel is $8,000,000. Of the $8,000,000 approximately, there might be $3,000,000 of that which would be the cost of the steel in the raw. However, after they bend it to shape and weld it, cut it and drill it, the cost of that steel is $8,000,000. Now where would you place the tax?

Mr. KESSLER. If who buys the steel?

Mr. DENT. The contractor is buying the steel.

Mr. KESSLER. The contractor buys the steel?

Mr. DENT. That is right.

Mr. KESSLER. That is no different than it is today; that is, there has been no change in the tax from that angle. I understand that there are some large companies in Pennsylvania who will buy steel and have it fabricated because it is cheaper for them. Ordinarily, however, when steel is purchased for bridges, it is purchased in sections or fabricated sections, as you well know.

Mr. DENT. Well, do you not realize that on page 7 you have removed the fabricating of that steel from the tax? Maybe I cannot — —

Mr. KESSLER. No, we have not. If we have, then, Senator Dent, the original bill did not call for it because the only thing we are putting in is that in addition to these other definitions of sale at retail, we say that the sale at retail shall include this printing and imprinting. Now how you can read into that that it also provides for the fabrication of steel is more than I can see.

Mr. DENT. Well, Mr. Kessler, your amendment originally said, when you wanted to put in the imprinting, it was to protect the department against the very evasion I am talking about. Every State in the Union has that feature in their sales tax. Every State in the Union says that sale at retail shall include the producing, fabricating, processing, printing or imprinting, but what have you done? After the amendment was accepted and because the Department of Justice said that this was an avenue of evasion, then you come along and you put an amendment in and you take out the words "producing, fabricating and processing." Does this not mean that you exclude producing, fabricating and processing when you take it from the act, or do I not know how to read a bill?

Mr. KESSLER. I presume you do, Senator Dent, but please keep this in mind. If that were possible or if it is possible under this amended bill, it was possible under the old act.

Mr. DENT. That is exactly — —

Mr. KESSLER. We have not taken anything from the act. In fact, we have added to it.

Mr. DENT. Exactly what, Mr. Kessler?

Mr. KESSLER. Fabricated material has been added to it.

Mr. DENT. Mr. Kessler, that is true because certain Pennsylvanians took advantage of the situation due to the fact this feature was left out of the original draft of the act, which is contrary to any other sales tax in the entire United States. In no State in the Union can they buy the steel in bulk, and then pay the tax on the bulk steel and not pay on the fabricated bridge sections. There is no other State in the Union where they tax such materials. Yet, you have fixed it in this bill so that they will buy the bulk steel and if you do not think they will, take the amendment out and let the amendment as it came from the Justice Department.

Mr. KESSLER. Mr. President, Senator Dent, as I mentioned, was a party to the drafting of the original bill.

Mr. DENT. That is right.

Mr. KESSLER. We have not removed anything from this section of the bill. We have simply added that the

printing or imprinting of tangible personal property is a sale at retail, which we have added.

Mr. DENT. Thank you, Mr. Kessler.

Mr. President, I know that I am accused of being all kinds of a fast talker, but I can read. I might not be able to read reading real good, but I can read writing.

Mr. President, the reason that that was not in the bill is because it was an oversight in the drafting of it. If every person in this room will remember, when the final draft of the tax bill came over to the Senate, we worked all night and almost all of the day and no Member of this Senate went into the fine points of that bill, no matter who the Member is. When we found that that was missing, other people found that it was missing, too, and they have taken advantage of it.

When the Justice Department came in with this amendment to include "the producing fabricating processing printing or imprinting of tangible personal property for a consideration for persons who furnish either directly or indirectly the materials used in the producing fabricating processing printing or imprinting," it was accepted by the Senate Committee, if such a committee met, because it was included in the first draft of this bill that came to the Senate floor. What happened? From the time it came onto the floor, in less than two days, the people who had been taking advantage of that section of the act, who never belonged in there or should never have been put in it in the first place rather, found they neglected to put it in and after putting it in, then they come along and take out of that amendment the words "producing, fabricating and processing." If it has no affect on the bill, why was it taken out? If it has no affect upon the fabrication of material, why was it removed?

Mr. LANE. Mr. President, I want to advise the Majority side that I have here about thirty-two amendments to the tax bill. It is five minutes to six. Just what do you want to do? If we start, we are going to finish, so maybe the Majority Leader can advise us.

Mr. MAHANY. Mr. President, it would appear as though we are not going to be able to argue the amendments this evening. Therefore, I would suggest to the Senator, unless we decide to hold a meeting later in the evening and I have had no indication that we are going to do that, that he hold his amendments until tomorrow's Session. In the meantime, allow any other Senators who have comments to make them.

I, myself, would want to talk at least fifteen minutes. However, I am not going to be able to do that this evening because that would take us considerably over our deadline. There may be other Senators that might have some short comments to make in relation to what has been said up until now about the sales tax. I would suggest to Senator Lane that he hold his amendments until tomorrow and allow other Senators, who have short comments, to make them, and we will try to adjourn by five or ten minutes after six.

Mr. WEINER. Mr. President, — —

The PRESIDENT. Will the Senator from Philadelphia yield to the Senator from Washington, Mr. Lane?

Mr. WEINER. I will, Mr. President.

Mr. LANE. Mr. President, I agree with the Majority Leader. I do not believe that I should attempt at this late hour to offer these amendments. Therefore, we will be prepared and will offer the thirty-some amendments at tomorrow's Session.

I yield now to Senator Weiner who, I believe, wants to make some remarks.

Mr. WEINER. Mr. President, I would like to point out to the Members of this body, without engaging in any personalities, that if they would take the trouble to read the Governor's Tax Study Commission Report, and after they have completed that if they would lay beside that report the bills that we have presented here, House Bill No. 330 through and including House Bill No. 337, they will find that any similarity between those bills and the Tax Study Commission Report is purely coincidental.

The tax bills are merely an exercise by some of the best attorneys in this State who represent rather large and important clients, as far as they are concerned, in removing them from the tax bill and the tax burden that the people of this State will have to face.

I think it behooves every Member of this Body, before he votes on any of these bills, to read them very carefully and I think to probe his conscience to determine for himself just whom he represents, whether it is the people who elected him or some of the few and narrow interests that make up some of the fabric and industrial parts of this State.

I feel that if any of these gentlemen sitting here today vote on any of these tax bills merely on the say-so of somebody who happens to run the Caucus, either in the Democratic Party or in the Republican Party, they are doing themselves and the State an injustice. Those of us who will be here during the next biennium, and will have to vote on these bills and on other matters of a fiscal nature in this Commonwealth, will find that we face some rather dire as well as serious problems which include all of the Members and all of the persons living in this Commonwealth, not merely the manufacturing and other narrow, selfish interests.

And the question recurring,

Shall the bill pass fiually?

AMENDMENT OFFERED

Mr. DONOLOW. Mr. President, I have an amendment here to introduce at this time which I had no intention of presenting. However, after reading the bill, and the amendments which were presented by the Republican side, and listening to the crocodile tears from the Senator from Delaware County for the great struggling industry of the shipbuilding of Sun Oil and listening to the other Republican Members of the Senate who are always crying great crocodile tears for industry, I am compelled at this time, Mr. President, to offer an exemption on behalf of the little people of this great Commonwealth.

Mr. President, I may say that on March 2, 1956, I did not vote for the sales tax. I did not vote for it then, and I will not vote for it now. I said it was an unjust tax then on the little people and I repeat that today, even more so.

Mr. President, this bill as written today will go down in the history of Pennsylvania as being the greatest bonanza, the greatest give-away, that industry ever secured from this Commonwealth. It will be remembered as the tax bondage into which the little people were voted by the Republican Majority in the 1957 Session.

You took a tax that was to be deducted from three

per cent to two per cent, and you went and you raised that tax back to three per cent so the little people would have to pay it. With the same stroke of the pen, Mr. President, you relieved shipbuilding, the utilities and all big industry in Pennsylvania. Therefore, Mr. President, I submit the amendment, asking that this Body relieve from the payment of this sales tax all those unfortunate members of the Commonwealth who find themselves on public assistance, unemployment compensation, workmen's compensation and social security. If we can relieve Sun Ship, if we can relieve big industry, we can relieve these struggling people.

Accordingly, Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, I understood that it was agreed by the Democratic leadership that amendments would be offered tomorrow and not today. Now I must recognize someone over there in authority, and it was agreed that no amendments would be offered today but they would be offered tomorroy.

Now with that understanding, I would suggest to the Senator that he withdraw his amendment and offer it tomorrow.

AMENDMENT WITHDRAWN

Mr. DONOLOW. Mr. President, I withdraw the amendment. That will give me more time to make another speech when I introduce it tomorrow.

The PRESIDENT. The Senator from Philadelphia, Mr. Donolow, withdraws his amendment.

And the question recurring.

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 337, Printer's No. 160, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 11, entitled:

An Act authorizing incorporated towns to regulate junk yards.

House Bill No. 17, entitled:

An Act amending the act of July 12, 1935 (P. L. 677) entitled "An act to fix the status of officers and employees of the Commonwealth and political subdivisions thereof while in training with the armed forces of the United States," including members of the United States Coast Guard Reserve.

House Bill No. 76, entitled:

An Act reenacting and amending the act of July 7, 1955 (P. L. 256), entitled "An act creating a temporary advisory commission to examine, report upon and recommend reorganizations of agencies and functions of the State government; prescribing its powers and duties; directing cooperation of governmental agencies; and authorizing the issuance of subpoenas," reactivating and extending the life of the commission.

Senate Bill No. 122, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" permitting borough council to hold its organization meeting on first day after a holiday.

House Bill No. 161, entitled:

An Act amending the act of May 2, 1949 (P. L. 873), entitled as amended "An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs ***," clarifying the provisions of the act as to its application in townships.

House Bill No. 267, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), permitting township commissioners to hold their organization meeting the day after a holiday.

House Bill No. 287, entitled:

An Act abolishing the Pennsylvania Tunnel Commission, assuming its obligations, and appropriating money from the Motor License Fund.

House Bill No. 322, entitled:

An Act making certain bridges in the Commonwealth toll free; providing for the payment of certain bond issues; requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof.

House Bill No. 443, entitled:

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WHALLEY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, March 18, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 25, 1957 at four o'clock, p.m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, March 25, 1957 at four-thirty o'clock, p.m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, March 18, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 25, 1957 at four o'clock, p.m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, March 25, 1957 at four-thirty o'clock, p.m., E.S.T.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, March 19, 1957, at 1:00 o'clock, p.m., Eastern Standard Time.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:09 o'clock, p.m., Eastern Standard Time, until Tuesday, March 19, 1957, at 1:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, March 18, 1957.

The House met at 4:30 p. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend CHARLES E. RITTER, JR., Pastor of St. John's Evangelical Lutheran Church, White Haven, Pa., guest Chaplain and guest of the gentleman from Luzerne, Mr. Post, offered the following prayer:

Unto Thee, O Lord, do I lift up my soul. O my God, I trust in Thee, let me not be ashamed, let not mine enemies triumph over me. (Psalms 25:1, 2).

O God, who seest that of ourselves we have no strength, and who knowest that without Thee we are not able to please Thee, or do any good work. Give unto us Thy Holy Spirit to be with us and help us in all our deliberations. Preserve us from falsehood and error from strife and vain glory, from pride and selfishness, from arrogance and greed, from complacency and hardness of heart, from idleness and sloth, from intolerance and indifference to the opinions, rights, and needs of others, that, as Thy humble servants elected by Thy people and called by Thee, we may be faithful stewards and worthy of the confidence and trust that has been placed in us. Help us, we humbly beseech Thee, to always think those things that be right. And give us, by the same spirit a right judgment in all things and such knowledge of Thy truth and goodness, that whatever we do here may be in accordance with Thy will, to the edification of Thy people, and to the eternal praise, Glory and Honor of Thy Holy Name, through Jesus Christ, Thy Son, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journals for Monday, March 11, Tuesday, March 12, and Wednesday, March 13, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. O'DELL and POLASKI. HOUSE BILL No. 822.

An Act amending the act of April 2, 1830 (1829-30, P. L. 147), entitled "An act for regulating hawkers and pedlars," further regulating the sale of goods, wares and merchandise at auction.

Referred to the Committee on Judiciary Special.

By Messrs. JUMP, AUKER, DIETTERICK and POST. HOUSE BILL No. 823.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), increasing the compensation of election officers.

Referred to the Committee on Elections and Apportionment.

By Messrs. STROUP, DENGLER and WYATT. HOUSE BILL No. 824.

An Act amending paragraph 3 of section 12 of the act of July 18, 1917, (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, etc . . .," by authorizing the payment of survivor benefits to qualified dependents in lieu of payment of accumulated deductions in the event of the death of a contributor before retirement.

Referred to the Committee on Education.

By Messrs. MUSTO, WARGO, Mrs. MUNLEY and Mr. JUMP. HOUSE BILL No. 825.

An Act amending the "Anthracite Coal Mining Law" approved June 2, 1891 (P. L. 176) regulating the use of electrically operated automotive mining loading or conveying machinery and defining the term "automotive."

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, WARGO, PHILLIPS and JUMP. HOUSE BILL No. 826.

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891, (P. L. 176,) changing duties of mine foremen and assistants with respect to mine examinations and safety.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. McINROY, STRAUSSER and DENNISON. HOUSE BILL No. 827.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), permitting motor vehicles used in delivering United States mail to be equipped with certain warning lights and sign.

Referred to the Committee on Motor Vehicles.

By Mr. YATRON. HOUSE BILL No. 828.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), creating and defining the crime of death by automobile.

Referred to the Committee on Judiciary Special.

By Messrs. DONALDSON and and AGNEW. HOUSE BILL No. 829.

An Act amending the act of May 9, 1889 (P. L. 173), entitled "An act relating to unused streets, lanes and alleys," clarifying the rights of abutting owners.

Referred to the Committee on Highways.

By Messrs. KENNETH B. LEE, McCANN, WYND and WYATT. HOUSE BILL No. 830.

An Act regulating loans and installment payment contracts for real estate improvements; fixing interest rates and collection costs and the liability on notes and other instruments in the form of negotiable instruments given for such obligations; and fixing penalties.

Referred to the Committee on Judiciary.

By Messrs. READINGER and and ANDREWS. HOUSE BILL No. 831.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), providing for an annual salary for members of the State Civil Service Commission.

Referred to the Committee on State Government.

By Messrs. READINGER and ANDREWS. HOUSE BILL No. 832.

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752), changing the coverage provisions and making technical changes in the operation of the act.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 15.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" clarifying provisions relating to certain limitations of prosecutions.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 216.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" empowering the chairman of the Board of Finance and Revenue to appoint a secretary and making certain rules and regulations.

Referred to the Committee on State Government.

SENATE BILL No. 253.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" deleting the requirement that shareholders be given sixty days notice of proposed amendments to increase authorized capital.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 260.

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" authorizing game to be hunted caught taken wounded or killed with auto-pistols.

Referred to the Committee on Game and Conservation.

SENATE BILL No. 266.

An Act amending the act of May 21, 1956, (P. L. 1642) entitled "Commonwealth Mental Health Research Foundation Act" further defining the powers and jurisdiction of the Foundation.

Referred to the Committee on Welfare.

SENATE BILL No. 273.

An Act amending the act of May 15, 1933, (P. L. 624) entitled as amended "Banking Code," increasing the aggregate amount of loans which the bank or bank and trust company may make upon the security of real property.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 280.

An Act transferring money from the Special Disaster Relief Fund to the General Fund.

Referred to the Committee on Appropriations.

SENATE RESOLUTION SERIAL No. 113.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 267.

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" permitting township commissioners to hold their organization meeting the day after a holiday.

HOUSE BILL No. 443.

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 274, 291 and 315.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

PENNSYLVANIA TURNPIKE SYSTEM

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 18, 1957.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

I transmit herewith for consideration of your Honorable Body legislation in regard to the Pennsylvania Turnpike system which may well be the most important matter to come before you in this session.

We have ample reason in the mismanagement and corruption which unfortunately characterized the administration of the Turnpike system to take a hard and serious look at its operations and its prospects. The results of the special Grand Jury investigation, initiated by the Department of Justice of this Administration, indicate to date that a former Chairman of the Commission and his relatives did indeed plan and participate in what I was forced to call "the greatest public swindle of all time." While such misconduct in office and abuse of trust is a matter primarily of individual and political responsibility, it is also an indication of weaknesses in the law itself and the methods which the Legislature had previously devised for the management of the Turnpike system.

Nevertheless, shocking as such abuses may be, they are not in themselves the primary reason why this comprehensive legislation is submitted. We are not looking backward to lock doors from which millions of dollars were stolen; we are looking forward to the future of the Turnpike system and all that it means to the economy and convenience of the people of Pennsylvania.

Operating efficiency can be accomplished by the simple process of appointing dedicated administrators, and by doing what should have been done long ago—requiring the Turnpike Commission to obey the same laws as to competitive bidding which are applied to all other State operations under the Administrative Code.

But we must go much further, if we are to meet our

responsibilities in adjusting the Turnpike system to the new circumstances which now confront us.

That is the essence of this legislation.

Briefly, it is based upon the supposition that we cannot have a system of superhighways that is half toll and half free. The passage of the Federal Highways Act of 1956 has made the concept of toll highways obsolete and unworkable. The Pennsylvania Turnpike Commission is thereby freed of its responsibility to extend, as economic feasibility made possible, the Turnpike system. It is finished. We cannot anticipate the construction of another mile of new toll road in Pennsylvania.

Accordingly, we need conservators for the existing Turnpike system as provided in this legislation. The obsolete authorizations to build toll roads are repealed, and the Department of Highways will undertake the responsibility of constructing equivalent free highways in cooperation with the Federal program.

The conservators will have the duty of fulfilling the contractual obligations and indentures which were entered into by the Turnpike Commission. The legislation now submitted has been most carefully prepared by the Department of Justice. It has been reviewed by eminent bond counsel who generously volunteered, without compensation, to assist in the drafting of the bill. We have no doubt that the contractual rights of the bondholders are fully preserved.

The conservators will have, in addition to their responsibility to the bondholders, a responsibility to the people of the Commonwealth. That responsibility will be the efficient and economical operation of the Turnpike system; its reasonable and gradual integration with the regular state highways system; and the very difficult and most important duty of developing a plan for freeing the Turnpike system of tolls at the earliest possible date.

The conservators will not have an easy job.

The original Turnpike system was brilliantly conceived and economically sound. There is grave doubt that more recent extensions were so wisely planned, and based on present prospects, it is touch-and-go as to whether the Northeast extension will truly pay its way. Present default is prevented by what are in effect payments out of principal—the excess construction funds—which in itself is a scandalous evidence of miscalculation and mismanagement.

It must be our hope that the future administrators of the Turnpike system will be able to cope with the mistakes of past administrations. So that they may be better prepared to do so, this legislation proposes a new concept in management. The old way has diffuse responsibility. No one is the real chief executive. A strong chairman seizes the power. A weak chairman scatters it into the hands of a staff that has no central direction. The legal officer is independent of the attorney general.

In frankness, we must all admit that the job of Turnpike Commissioner, well paid and with 10 years of tenure, was used for political reward. It was a questionable system.

It is now proposed, under this legislation, that the members of the Pennsylvania Turnpike Board, the conservators whom I have mentioned, will serve without pay. There should be no political contention for the place. Instead, the Governor will be able to appoint six citizens of Pennsylvania with special abilities in such fields as finance, public administration, industrial management, personnel and labor policy, civil engineering—the skills which the directors of such an enterprise should have. They must be evenly divided in their party membership. The Secretary of Highways will be the seventh member, ex-officio.

One additional and compelling reason for a nonsalaried Board is this: no member of the Turnpike Board should have a personal interest in prolonging its life by a single day. The member should be dedicated to their own abolition.

The Board will name an Executive Director, who will be responsible for executing the policies it sets.

It may be pointed out that the proposal is similar to the system we have long accepted for the operation of Penn State University, the school districts of the State, and many successful public authorities.

The Board will be responsible for the salary schedules and personnel policies of the system; it will contract for maintenance services with the Department of Highways; it may let major repair and reconstruction contracts under competitive bidding; and, as long as tolls are in effect, it will set the rates, collect the money, and make its proper payments for operating costs and debt service.

It is not solely for the benefit of users of the present Turnpike system that we should press for the elimination of tolls and the use of the Turnpike as a free highway. That it would be desirable in itself goes without saying, but the great pressure to free the system comes from the fact that it cannot economically survive as a toll road without doing a grave injustice to the people of Pennsylvania. The continuance of tolls on the Turnpike system indefinitely will mean:

1. In the years to come, the great majority of the Nation's express highways will be free. They will be equal to or superior to the Pennsylvania Turnpike, which will be toll. We will be the victim of discrimination in the Nation's highway system.

2. Future highway planning and construction in Pennsylvania will be seriously hampered by the considerations which must be given the Turnpike's economic stability. If we protect the Turnpike from free highway competition from other cross-state routes, our industrial development and transportation opportunities will suffer. If we do not so protect the Turnpike, and build our highways system according to our true needs, the Turnpike itself may deteriorate to a dangerous degree due to lack of funds for maintaining its surface, adding to its lanes, and doubling its tunnels.

The dilemma is such that we must prepare ourselves for a course of action which will make free and equal all the major limited access highways in the Commonwealth.

This legislation opens two methods for that accomplishment.

The first is the best. It is the development of such a conclusive case as to points I have enumerated that we, and the other states with toll roads, will prevail on the Congress to bring them into the interstate system as free roads. Under such a plan, the outstanding bonds would be called in and paid off from the proceeds of Federal appropriations for 90 per cent and State appropriations for 10 per cent made available for the purpose.

In the event that such Federal action cannot be achieved, there is a second method which might be ac-

ceptable. Under this proposal, the Commonwealth's own Motor License Fund could finance the retirement of Turnpike debt under a lease agreement between the Highways Department and the Turnpike Board. The Turnpike system would then become, in effect, a freeway financed as a long-range capital improvement of the State's general highway program.

I do not think that we can allow this problem to drift much longer. It would seem to me that the General Assembly will appreciate its importance equally with the executive branch.

To sum it up, this carefully drawn and thoughtful legislation will:

1. Provide the Turnpike system with better management during the period of its remaining life as a toll road.

2. Give the system the benefit of nonpolitical direction.

3. Install a program of competitive bidding for the purchases and construction contracts of the system.

4. Build proper defenses now against the possibility of future defaults on Turnpike bonds.

5. Make the Turnpike free of tolls at the earliest practicable date, so that it can achieve its maximum usefulness as part of an integrated interstate highway system for use of the people of our Commonwealth and of the United States.

GEORGE M. LEADER

REPORT OF COMMISSION ON GOVERNMENTAL REORGANIZATION

The SPEAKER laid before the House a communication from the Report of the Commission on Governmental Reorganization.

The communication was read by the Clerk as follows:

18 March 1957

To The Honorable, The President of the Senate and Speaker of the House of Representatives:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Administrative Organization; Public Buildings.

Respectfully,
A. J. DREXEL BIDDLE, JR., Major General,
Chairman, Governmental Reorganization Commission
(For Report, see Appendix)

encl.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 18, 1957

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 25, 1957 at four o'clock p. m., EST; and when the House of Representatives adjourns this week, it reconvene Monday, March 25, 1957 at four-thirty o'clock p. m. EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 267.

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" permitting township commissioners to hold their organization meeting the day after a holiday.

HOUSE BILL No. 443.

An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Hocker for Mr. WYND for the remainder of the week because of a death in the family.

REPORTS FROM COMMITTEE

Mr. LAFORE from the Committee on Rules, reported as committed, House Resolution No. 54.

Mr. LAFORE from the Committee on Rules, reported as committed, House Resolution No. 56.

MEMBER WELCOMED

The SPEAKER. The Chair is happy to welcome back to the Hall of the House today, after an accident last week the gentleman from Philadelphia, Mr. Pomeroy.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 30, entitled:

An Act amending the act of May 5, 1911 (P. L. 198) entitled "An act to establish a county court for the county of Allegheny * * *" providing for action of the court sitting in banc in cases of desertion and nonsupport.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. AGNEW. Mr. Speaker, I move that this bill be recommitteed to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 31, entitled:

An Act amending the act of May 5, 1911 (P. L. 198) entitled "An act to establish a county court for the county of Allegheny * * *" requiring hearings in case of desertion and nonsupport to be open to the public except at the discretion of the judge when the parties agree the public shall be excluded

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. AGNEW. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 87, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487) requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged by streets and house numbers or alphabetically.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 93, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) authorizing the exposure of poison to meadow mice and pine mice under certain conditions and conferring powers and imposing duties upon the Secretary of Agriculture.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 134, entitled:

An Act authorizing counties of the fourth and fifth classes to regulate air pollution from any sources including provisions for the payment of inspection and certificates of compliance * * *

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study and possible public hearing.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 300, entitled:

An Act regulating rights and duties of teachers in schools from the teaching and training of the mentally retarded functioning within the Department of Welfare and in schools for the teaching and training of the physically handicapped functioning within the Department of Health.

The first section was read.
On the question,
Will the House agree to the section?
Mr. McCANN offered the following amendment:

Amend Section 1, page 2, by inserting between lines 6 and 7 "No teacher shall be employed in any school unless he has a permanent or provisional certificate."

It was agreed to.
The section was agreed to as amended.
The second section was read and agreed to.
Mr. McCANN offered the following amendment:

Amend the bill, page 2, by inserting between lines 15 and 16 "Section 3. The Superintendent of Public Instruction may grant a provisional college certificate to every person who presents to him satisfactory evidence of good moral character and of being a graduate of a college or university approved by the State Council of Education who has completed such work in education as may be approved by the State Council of Education which certificate shall entitle him to teach for three annual school terms."

It was agreed to.
The third section was read.
On the question,
Will the House agree to the section?
Mr. McCANN offered the following amendments:

Amend Section 3, page 2, line 16, by striking out "3" and inserting "4".
Amend Section 3, page 2, line 20, by inserting after "Pennsylvania" "shall"
Amend Section 3, page 3, line 8, by inserting after "the" . . .

They were agreed to.
The section was agreed to as amended.
The fourth section was read.
On the question,
Will the House agree to the section?
Mr. McCANN offered the following amendment:

Amend Section 4, page 4, line 9, by striking out "4" and inserting "5".

It was agreed to.
The section was agreed to as amended.
The fifth section was read.
On the question,
Wil lthe House agree to the section?
Mr. McCANN offered the following amendments:

Amend Section 5, page 5, line 1, by striking out "5" and inserting "6".
Amend Section 5, page 5, line 8, by striking out "device" and inserting "advice".

They were agreed to.
The section was agreed to as amended.
The sixth section was read.
On the question,
Will the House agree to the section?
Mr. McCANN offered the following amendment:

Amend Section 6, page 5, line 18, by striking out "6" and inserting "7".

It was agreed to.
The section was agreed to as amended.
The seventh section was read.
On the question,
Will the House agree to the section?
Mr. McCANN offered the following amendment:

Amend Section 7, page 6, line 4, by striking out "7" and inserting "8".

It was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Section 8, page 7, line 13, by striking out "8" and inserting "9".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 362, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing conveyance by school districts of the second class of unused and unnecessary lands and buildings to the city borough town or township coterminous with the district.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 411, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) fixing the minimum requirements necessary to entitled contributors to the police pension fund to retire further regulating appropriations to the fund and the payment of increments upon retirement.

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendments:

Amend Section 1 (Section 4302), page 2, line 5, by striking out "twenty years."

Amend Section 1 (Section 4302), page 2, lines 5 and 6, by striking out the bracket before "not" in line 5, and after "years" in line 6.

They were agreed to.

The section was agreed to as amended.

The second, third, and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 462, entitled:

An Act amending the act of May 29, 1917 (P. L. 322) entitled "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs tadpoles and terrapin * * *" permitting settlement of penalties for violations on field receipts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 556, entitled:

An Act relating to criminal prosecutions permitting defendants to make motions for discharge on the ground that the evidence is insufficient to sustain the charge and providing for the effect thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 582, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) requiring the Budget Secretary to submit budget material to the chairmen of the Committees on Appropriations of the House of Representatives and the Senate within a specified time.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 610, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing coroners and chief deputy coroners to attend State association meetings the expenses therefor to be paid by the county.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 734, entitled:

A Supplement to the act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" regulating expenditures and commitments by administrative bodies boards and commissions during a portion of each biennium.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. WOOD offered the following amendments:

Amend Sec. 2, page 2, lines 6 to 8, by striking out "and no law" in line 6, and all of lines 7 to 8.

Amend Sec. 2, page 2, by inserting between lines 8 and 9 the following paragraph: "All acts and parts of acts are repealed in so far as they are inconsistent herewith."

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 123, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" permitting county commissioners to hold their organization meeting on the day after a holiday.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

CONGRESSMAN JOHN P. SAYLOR WELCOMED

The SPEAKER. The Chair notes the presence of and welcomes to the Hall of the House the gentleman from Cambria County, the Honorable John P. Saylor, a Member of Congress.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 10 entitled as follows:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" providing for minority party representation in council.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. KAMYK. Mr. Speaker, I would like to interrogate the sponsor of this bill, the gentleman from Allegheny, Mr. Rigby.

The SPEAKER. Will the gentleman form Allegheny, Mr. Rigby, permit himself to be interrogated?

Mr. RIGBY. I shall, Mr. Speaker.

Mr. KAMYK. Mr. Speaker, I would like to ask the gentleman if he sincerely believes this type of legislation is good legislation?

Mr. RIGBY. Mr. Speaker, I certainly do believe this is good and I am sincere in wishing this legislation for the city of Pittsburgh.

Not only do I believe it is good legislation, but all three of the major newspapers in the city of Pittsburgh believe so also. If Mr. Kamyk would read the Pittsburgh newspapers, he would know that.

Mr. KAMYK. Mr. Speaker, I do read the Pittsburgh newspapers. I do not always agree with them, although I agree with them most of the time.

Mr. RIGBY. Mr. Speaker, I will furnish the gentleman with copies of the editorials, if he would like to read them.

Mr. KAMYK. Mr. Speaker, the gentleman can save those for his debate. I want to ask him a couple of questions, if the Speaker will permit.

Mr. Speaker, does the gentleman think that similar legislation should be introduced for third class cities, boroughs and townships?

Mr. RIGBY. No, sir, Mr. Speaker, because the problems of the smaller cities are not similar to the city of Pittsburgh or the city of Philadelphia.

Mr. KAMYK. One further question, Mr. Speaker. I want to ask the gentleman if he knows that the League of Cities is opposed to this bill?

Mr. RIGBY. No, I do not know whether they are opposed to it and, furthermore I do not care.

Mr. KAMYK. I thank the gentleman.

Mr. Speaker, House Bill 10 calls for an amendment to Section 1, Article XIV, of the Act of March 7, 1901, entitled "An act for the government of cities of the second class."

This Act was Charter Act of the city of Pittsburgh. The bill under consideration provides that at each election of councilmen in the city of Pittsburgh there should be elected at least one councilman of the minority political party.

I call to your attention the fact that the history of bills introduced in this session of the Legislature does not include similar legislation affecting third class cities. boroughs and townshps. In the absence of such similar legislation, I can only conclude that this action by the sponsor of this bill is an attempt to deprive the citizens of Pittsburgh of their right to a free expression of their choice of councilmen.

The introduction of this bill certainly cannot be modified by the true belief that all municipalities should have minority representation in council or similar bills would have been introduced and acted upon in conjunction with House Bill 10.

Not all of the Members on the majority side agree with the sponsor of the bill. In evidence I offer the following that appeared in the Pittsburgh Press on Friday, February 1, 1957. I am quoting from the Press:

> GOP Leader Cites Flaw in Council Bill. Fears Plan Would Put Democrats On Borough Boards.
>
> A Sewickley Republican explained today why he is against a bill that would put some members of the GOP on Pittsburgh's now all-Democratic Council.
>
> "I heard the voice of the folks in my district," said State Representative Laurence V. Gibb, "and they don't want any changes in the present good government that we enjoy in the boroughs and townships."
>
> The paper right here was quoting Mr. Gibb.
>
> Now, there is no stronger or more outspoken Republican anywhere than Mr. Gibb. He would not be opposed to seeing some Republicans on Pittsburgh Council. In fact, he would shout "hurrah" if that event occcurred.
>
> But if it's right for the minority Republicans to be represented on Pittsburgh Council then it's equally right for minority Democrats to be represented on councils and commissions of the GOP boroughs and townships, reasons Mr. Gibb.
>
> The bill as now written by Rep. Joseph P. Rigby, Shadyside Republican, applies only to Pittsburgh.
>
> But Mr. Gibb fears that it may be amended on the floor of the House to apply to all cities, townships and boroughs. And he said he has been advised by many borough councilmen and Republican chairmen that they want him to keep on opposing the Rigby bill.

There are a few other remarks, but I do not want to

take too much time of the House, so I will stop right here. This the end of the quote from the Pittsburgh Press.

Further, this bill should be opposed because this bill is wholly opposed to the home rule doctrine which has been debated in this House on many occasions and which has been proven to be favored by this body under this administration and under former administrations. Incidentally, the home rule doctrine is heavily favored by the League of Cities which is comprised of representatives from almost all of the municipalities and which concerns itself with the problems confronting the governments of such municipalities.

In evidence I offer the following that appeared in the Legislative News, Pennsylvania League of Cities. It appeared on February 1, 1957:

> SPECIAL ATTENTION. H. B. 10 (No. 9, Page 6 —Legislative News Letter, January 10, 1957). This bill provides for minority representation in City Council in Pittsburgh, (at least one member). The bill was reported out of committee and will be on first reading calendar in the House, Monday, February 4.
>
> "The provisions of the bill are in direct opposition to the Report of our Resolutions Committee, proposed and adopted by our Philadelphia Convention in December. Resolution No. 1 reaffirmed our support of the principle of HOME RULE. Sub-section (b) opposition to any legislative action in 'determining the political composition of local legislative bodies.' (See January 1957 League Magazine, page 20.)
>
> While the fact that H. B. 10 applies only to Pittsburgh, it could well be that similar legislation could be passed affecting all of our cities, if this attempt it successful.
>
> Your city should take immediate action to oppose the passage of H. B. 10. Advise your representatives in the House and the Majority and Minority leaders. The League office should be advised of your action to strengthen our position on Home Rule in the Legislature.

I urge the Members of this House to vote against the adoption of this bill, first, because it is bad legislation; second, because it is an attempt to deprive the citizens of the city of Pittsburgh of their constitutional right to free elections.

There is one other reason for opposing this bill which, in my opinion, transcends in importance the reasons already given and that is this: If the Members of the majority party in the House will act affirmatively at the request of one of the Members of this House solely because that Member, as in this case, the sponsor of the bill, requests such action with the result that a municipality whose government consists of membership of the opposition party shall be limited in the exercise of a free franchise, then this House will be establishing a precedent unheard of in democratic government anywhere. The net result, of course, will be that the government of every municipality of the Commonwealth will eventually become the absolute servant of the majority party in the Legislature, whether the majority party be Republican or Democrat.

I ask the Members of this House to oppose House Bill No. 10.

Mr. RIGBY. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Kamyk.

The SPEAKER. Will the gentleman from Allegheny, Mr. Kamyk, permit himself to be interrogated?

Mr. KAMYK. I shall, Mr. Speaker.

Mr. RIGBY. Mr. Speaker, I wonder if the gentleman would tell me whether they have minority representation on the Board of County Commissioners in Allegheny County.

Mr. KAMYK. Yes they do, Mr. Speaker.

Mr. RIGBY. Would the gentleman be in favor of ripping that out?

Mr. KAMYK. That is a constitutional provision. It worked just as well as city council of the city of Pittsburgh did. I am not in favor of making any changes.

Mr. RIGBY. Mr. Speaker, I wonder if the gentleman would support legislation that would set up councilmanic districts in the city of Pittsburgh so that we may set up a system similar to the city of Philadelphia.

Mr. KAMYK. I answered before I was satisfied with the councilmanic set up in Pittsburgh as it is.

Mr. RIGBY. I believe the gentleman would be.

Mr. Speaker, of course I introduced this legislation because I feel sincerely that it is very god legislation. It is a piece of legislation that is badly needed in the city of Pittsburgh, and I am not going to stand here and make a lengthy speech because I have in my hand editorials which have been printed in our Pittsburgh papers that very well gives the story. I would like to submit them for the record.

House Bill No. 10

Editorial Reprinted from the Pittsburgh Post-Gazette

Thursday, March 7, 1957

Dissent at City Hall

A bill to put representatives of the minority party on Pittsburgh's City Council has survived the vote of a House committee in Harrisburg and now advances to a vote on the floor of the chamber. If only the bill could be considered on its essential merits, that is, as an aid to better government in Pittsburgh, it would pass both House and Senate handily.

But, unfortunately for Pittsburgh, the bill is a political lightning rod. It draws fiery bolts from the powerful and influential Democratic organization here, which doesn't want its total grip on City Hall weakened in the slightest. It draws angry sputters from Republican leaders of many boroughs and townships where the GOP enjoys one-party government: these leaders fear the precedent of requiring minority representation in a local government.

Politics aside, the bill makes sense. Complete one-party rule in both the executive and legislative offices of the State's second-biggest city, where annual budgets now run well into the forty millions, tends to remove government from the public. It certainly inhibits open debate. Any differences between the Mayor and his Councilmen are threshed out secretly, in what normally would be the equivalent of a party caucus. Where the Mayor and his Councilmen are of one party, and where party discipline is strong (as it surely is here), the secret caucus is the truly deliberative agency while the open Council meeting is simply a formal ratifying body.

There would be far more open debate in City Hall, and thus far more public interest in city

government, if, as the bill in Harrisburg would ultimately require, two of the nine Councilmen were of the minority party. They would ask the nagging, nasty, and often needless questions that would keep the majority party on its toes. Given the enormous registration advantage that Democrats enjoy here, there's not much chance of having such nagging, nasty, and often needless questions asked unless minority representation is required on Council, as it has been on the County Board of Commissioners.

The minority-representation bill concerns only Pittsburgh. It deals with a demonstrated need in the governing of one of the nation's foremost industrial centers. Can't the lawmakers in Harrisburg put politics aside and meet this need by passing the bill?

THE PITTSBURGH PRESS AND THE PITTSBURGH SUN-TELEGRAPH also have commented favorably upon this Bill and have urged its passage.

Editorial Reprinted from the Pittsburgh Press, January 21, 1957.

MINORITY COUNCILMEN?

An effort will be made next week in Harrisburg to get committee approval in the State House of Representatives of a bill that would provide for minority representation in Pittsburgh's City Council.

The idea has merit. The way our city politics works, city government usually is a one-party affair. There was a time, many years ago, when it was all Republican. For some years now, it has been all Democratic.

It would be in the interests of good government to have some provision for minority representation in the city's law-making arm. A vigorous minority would be a check against arbitrary action by the majority; it would also give the minority party a look-see at the machinery of city government and a better chance to develop policies to present to the voters.

A good city administrative need fear no such minority in Council. Its actions are bound to be reviewed in time, in any event—by the voters in the final analysis. A poor, or indifferent city administration might have reason to fear a Council minority—but that's just where such minority representation can be of great service to the voters.

The principle of minority representation is followed in our county government—and the excellence of Allegheny County's government has been remarked for years. The fact that one of our three County Commissioners is a member of the minority party hasn't disrupted county business—in fact, it has strengthened it.

Minority representation has been provided for Philadelphia's City Council under that city's new charter.

The proposal of Rep. Joseph P. Rigby, Shadyside Republican, to extend minority representation to Pittsburgh may have a chance of passage through the present Legislature, in which Republicans hold majorities in both the House and Senate.

Under present-day conditions, minority representation would favor the Republicans by opening up to them seats in Council. Under other conditions, it would help the Democrats.

But regardless of partisanship the proposal is in the interests of the people, giving them an additional safeguard in the conduct of their municipal business.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Rigby.

The SPEAKER. Will the gentleman from Allegheny, Mr. Rigby, permit himself to be interrogated?

Mr. RIGBY. I shall, Mr. Speaker.

Mr. READING. Mr. Speaker, I have been interrupted somewhat in listening to the debate on this, but I would like to inquire whether the gentleman has explained the meaning of the amendment that was put into this bill on second reading.

Mr. RIGBY. Yes, Mr. Speaker. The amendment was suggested by my colleague, Mr. Goldstein, in which the minority party would have to have at least 35 percent of the registered vote at the past general election.

Mr. READINGER. Mr. Speaker, as I read the bill, in order to have a minority representative, the minority party must have had at least 25 percent of the registered electors of that city at the previous election.

Mr. RIGBY. I think the gentleman has an old copy of the bill, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I am looking at Printer's No. 96. Is there a later Printer's number?

Mr. RIGBY. There should be, Mr. Speaker. The amendments called for 25 percent of the registration of the last general election.

Mr. READINGER. Will the gentleman explain why that amendment was put in?

Mr. RIGBY. Well, very frankly we are trying to get a few votes for it, trying to soften them up.

Mr. READINGER. May I ask the gentleman how many councilmen they have on the council in the city of Pittsburgh?

Mr. RIGBY. We have nine men serving on it Mr. Speaker. I would not call them all councilmen.

Mr. READINGER. And 25 percent would be at least one-fourth, would it not?

Mr. RIGBY. That is right.

Mr. READINGER. Does the gentleman believe it is proper to ask for minority representation and then allow them only one for 25 percent or better?

Mr. RIGBY. Of course we wanted two, not one.

Mr. READINGER. May I ask whether the amendment was put in for the purpose of securing votes from some district that would be adversely affected if this amendment had not been put in?

Mr. RIGBY. Well, of course, it was put in to get votes wherever we might be able to get them, naturally. I am not objecting to any votes, of course. I do not know whether you know the registration in the city of Pittsburgh or not.

Mr. READINGER. Does the gentleman believe that 15 percent of the minority party should be deprived of a minority representative under his bill?

Mr. RIGBY. No. I believe the Republican party, which has in round figures 100,000 registered voters, certainly should have some representation in the city of Pittsburgh. I do not know whether you are aware of the fact or not, but we do not even have debate in our city council.

Mr. READINGER. Did I understand the gentleman a

while ago, Mr. Speaker, when he was being interrogated to say that he is in favor of having minority representation in all of the boroughs in Allegheny County?

Mr. RIGBY. Oh no, the gentleman did not hear that, Mr. Speaker.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, in view of several poorly answered questions given during the course of this debate, I am thoroughly convinced that this bill needs a great deal more study.

Therefore I move that the bill be recommitted to the Committee from which it emanated for further study and possible amendment.

The SPEAKER. The Chair would like to inquire before the motion is put if the gentleman from Allegheny, Mr.Goldstein, desires to debate the bill or the motion?

Mr. GLODSTEIN. Mr. Speaker, I desire to debate the bill.

The SPEAKER. Will the gentleman yield for a moment?

Will the gentleman from Berks, Mr. Readinger, withdraw his motion temporarily to permit the gentleman to debate the bill?

Mr. READINGER. I will, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. GOLDSTEIN. Mr. Speaker, I only rise because the Minority Leader raised the question as to the reason for the insertion of the 25 percent.

It was my idea and it was for this reason, there may be a time when either party would have only a very small percentage of the vote, three, or four, or five percent. Under those circumstances, being in the nature of a "spinter part," I felt that it would be unfair that a party, whether it be Republican or Democrat, would have minority representation.

I am hoping for the day when we get back to the Republcans having 98 percent and the Democrats having two percent in Pittsburgh. Under those circumstances we would not want the Democrats to have minority representation.

Mr. ANDREWS. Mr. Speaker, I want to commend the gentleman from Allegheny for his frank admission that if the shoe was on the other foot he would not want any changes.

Mr. Speaker, this is "crybaby legislation," Simply "crybaby legislation." If my party or your party cannot control and elect a full councilmanic ticket, then the thing to do is to come down and have the Pennsylvania House and Senate pass a bill doing something that the people at home do not want done.

It has been pointed out that as times change control of the General Assembly changes. When the Republicans are in control, they enact this kind of legislation, and if the time comes perhaps when the other party is in control, they enact "crybaby legislation."

I am distinctly of the opinion that the people in Pittsburgh, not the Members of this House from all parts of the Commonwealth, are quite competent to determine who should be the members of their council. The party should put up a ticket, both parties, and then be content to abide by the result. If we start "crybaby legislation," we are not likely to see the end of it.

On the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Counties—First—Second and Second Class A for the purpose of further study.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. RIGBY and ANDREWS and were as follows:

YEAS 122

Adams,	Eilberg,	Kornick,	Reidenbach,
Amarando,	Eshleman,	Leonard,	Renwick,
Anderson, M. S.,	Farabaugh,	Limper,	Rovansek,
Anderson, S. A.,	Fetterolf,	Lippincott,	Rudisill,
Andrews,	Filo,	Lopresti,	Scarcelli,
Ashton,	Floyd,	Lutty,	Schuster,
Barton,	Flynn,	Markley,	Sherman,
Boles,	Foster,	Maxwell,	Shields,
Boory,	Gailey,	McCann,	Silverman,
Bowman,	Garlock,	McCormack,	Smith,
Breisch,	Gelfand,	McGee,	Snare,
Brennan,	George,	McInroy,	Snider,
Brenninger,	Goodling,	McKeever,	Steckel,
Breon,	Gramlich,	McLaughlin,	Stimmel,
Breth,	Gross,	Mihm,	Stone,
Brown,	Hamilton,	Mills,	Taylor,
Bucchin,	Heavey,	Moody,	Toll,
Buchanan,	Heffner,	Moyer,	Trusio,
Capano,	Henzel,	Muldowney,	Varallo,
Cianfrani,	Holt,	Mullen,	Verona,
Cioffi,	Ide,	Munley,	Walsh,
Comer,	Isaacs,	Murphy,	Wargo,
Cummins,	Jim,	Musto,	Welsh,
Curwood,	Jones, G. E.	O'Brien,	Wheeler,
DeLong,	Kamyk,	Pashley,	Whittaker,
Dengler,	Krakow,	Petrosky,	Willard,
Devlin,	Kehler,	Piper,	Williams,
Donahue,	Keller,	Polaski,	Willaredt,
Down,	Knecht,	Ragot,	Wyatt,
Dougherty,	Kooker,	Readinger,	Yatron,
Duffy,			Zimmerman,

NAYS 79

Agnew,	Gibson,	Marsh,	Royer,
Auker,	Goldstein,	Merry,	Seltzer,
Blair,	Goodrich,	Metz,	Spray,
Bower,	Guthrie,	Mikula,	Stevens,
Brand,	Haudenshield,	Miller, B. Z.,	Stoner,
Brucker,	Hocker,	Miller, H. G.,	Strausser,
Carson,	Horst,	Miller, W. H.,	Stroup,
Cleveland,	Jenkins,	Moscrip,	Stuart,
Cooper,	Johnson,	Murray, H. P.,	Thompson,
Dalrymple,	Johnston,	Murray, P. G.,	Tompkins,
Davis,	Jones, T. H.,	Naugle,	Ujobai,
Dennison,	Jump,	O'Dell,	Varner,
Dietterick,	Kernaghan,	Ogilvie,	Vaughan,
Donaldson,	Korns,	Parry,	Wall,
Dunn,	Lafore,	Phillips,	Weidner,
Edwards,	Lee, A. M.,	Pomeroy,	Wilt,
Erb,	Lee, K. B.,	Post,	Wood,
Ewing,	Light,	Price,	Worley,
Fox,	Lovett,	Pursley,	Helm,
Gibb,	Mahan,	Rigby,	Speaker

NOT VOTING—8

Bell,	Frascella,	Monroe,	Wescott,
Fineman,	Magee,	Schwartz,	Wynd,

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 253, entitled as follows:

An Act amending the act of June 24, 1895 (P. L. 212) entitled "An act to establish an intermediate court of appeal regulating its constitution * * *" increasing the term of office of Superior Court judges to twenty-one years and limiting them to one term with certain exceptions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—56

Ashton,	Edwards,	Knecht,	Post,
Auker,	Eshleman,	Lafore,	Reidenbach,
Barton,	Ewing,	Lee, A. M.,	Snare,
Blair,	Fetterolf,	Lee, K. B.,	Steckel,
Bower,	Foster,	Light,	Stuart,
Brown,	Gibson,	Mahan,	Thompson,
Carson,	Goodling,	McCormack,	Tompkins,
Cianfrani,	Heffner,	Mihm,	Ujobai,
Cooper,	Henzel,	Miller, H. G.,	Varner,
Davis,	Johnson,	Moscrip,	Vaughan,
Dengler,	Jones, T. H.,	Murphy,	Wall,
Dennison,	Jump,	Parry,	Willaredt,
Donaldson,	Keller,	Phillips,	Worley,
Down,	Kernaghan,	Pomeroy,	Wyatt,

NAYS—139

Adams,	Filo,	Lopresti,	Rovansek,
Agnew,	Floyd,	Lovett,	Royer,
Amarando,	Flynn,	Lutty,	Rudisill,
Anderson, M. S.,	Fox,	Markley,	Scarcelli,
Anderson, S. A.,	Gailey,	Marsh,	Schuster,
Andrews,	Garlock,	Maxwell,	Seltzer,
Bell,	Gelfand,	McCann,	Sherman,
Boles,	George,	McGee,	Shields,
Boory,	Gibb,	McInroy,	Silverman,
Bowman,	Goldstein,	McKeever,	Smith,
Brand,	Goodrich,	McLaughlin,	Snider,
Breisch,	Gramlich,	Metz,	Spray,
Brennan,	Gross,	Mikula,	Stevens,
Brenninger,	Guthrie,	Mills,	Stimmel,
Breon,	Hamilton,	Moody,	Stone,
Breth,	Haudenshield,	Moyer,	Strausser,
Brucker,	Heavey,	Muldowney,	Stroup,
Bucchin,	Hocker,	Mullen,	Taylor,
Buchanan,	Holt,	Munley,	Toll,
Capano,	Horst,	Murray, H. P.,	Trusio,
Cioffi,	Ide,	Murray, P. G.,	Varallo,
Cleveland,	Isaacs,	Musto,	Verona,
Comer,	Jenkins,	Naugle,	Wargo,
Cummins,	Jim,	O'Brien,	Weidner,
Curwood,	Johnston,	O'Dell,	Welsh,
Dalrymple,	Jones, G. E.	Ogilvie,	Wheeler,
DeLong,	Kamyk,	Pashley,	Whittaker,
Devlin,	Kehler,	Petrosky,	Willard,
Donahue,	Kooker,	Piper,	Williams,
Dougherty,	Kornick,	Polaski,	Wilt,
Duffy,	Korns,	Price,	Wood,
Dunn,	Krakow,	Ragot,	Yatron,
Eilberg,	Leonard,	Readinger,	Zimmerman,
Erb,	Limper,	Renwick,	Helm,
Farabaugh,	Lippincott,	Rigby,	Speaker

NOT VOTING—14

Dietterick,	Merry,	Monroe,	Stoner,
Fineman,	Miller, B. Z.,	Pursley,	Walsh,
Frascella,	Miller, W. H.,	Schwartz,	Wescott,
Magee,			Wynd,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

House Bill No. 269 Printer's No. 134

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 317, entitled as follows:

An Act amending the act of May 1, 1913 (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection construction and alternation of public buildings" further regulating the letting of such contracts.

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, I would like to make a brief statement with reference to this bill.

During the past week the Electrical Contractors under the leadership of Paul Gary, who is the Executive Officer of the national office of the Electrical Contractors, has been in conference with the Associated General Contractors. They have been discussing the heart of this very bill and they have been endeavoring to reach a conclusion in which both the General Contractors and the Electrical Contractors will agree upon a program.

I have been informed, but I do not have the official information, that the Electrical Contractors have agreed to the general principle which this bill exemplifies.

Therefore, until we can obtain accurate information as to the results of those conferences, I would like to move that this bill be placed upon the Third Reading Postponed Calendar.

As soon as we have obtained information from Mr. Gary as to just what the agreement was, we will call the bill from the calendar.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. ANDREWS. Mr. Speaker, I move that this bill be placed on third reading postponed calendar.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

House Bill No. 369, Printer's No. 110,

House Bill No. 370, Printer's No. 111, and

House Bill No. 371, Printer's No. 112,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 381, entitled as follows:

An Act fixing fees to be received by the prothonotary in counties of the first class and providing for the time of payment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adams,	Ewing,	Limper,	Renwick,
Agnew,	Farabaugh,	Lippincott,	Rigby,
Amarando,	Fetterolf,	Lopresti,	Rovansek,
Anderson, M. S.,	Filo,	Lovett,	Royer,
Anderson, S. A.,	Floyd,	Lutty,	Rudisill,
Andrews,	Flynn,	Mahan,	Scarcelli,
Ashton,	Foster,	Markley,	Schuster,
Auker,	Fox,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Gelfand,	McCann,	Shields,
Blair,	George,	McCormack,	Silverman,
Boles,	Gibb,	McGee,	Smith,
Boory,	Gibson,	McInroy,	Snare,

Bower,	Goldstein,	McKeever,	Snider,
Bowman,	Goodling,	McLaughlin,	Spray,
Brand,	Goodrich,	Merry,	Steckel,
Breisch,	Gramlich,	Metz,	Stevens,
Brennan,	Gross,	Mihm,	Stimmel,
Brenninger,	Guthrie,	Mikula,	Stone,
Breon,	Hamilton,	Miller, B. Z.,	Stoner,
Breth,	Haudenshield,	Miller, H. G.,	Strausser,
Brown,	Heavey,	Miller, W. H.,	Stroup,
Brucker,	Heffner,	Mills,	Stuart,
Bucchin,	Henzel,	Moody,	Taylor,
Buchanan,	Hocker,	Moscrip,	Thompson,
Capano,	Holt,	Moyer,	Toll,
Carson,	Horst,	Muldowney,	Tompkins,
Cianfrani,	Ide,	Mullen,	Trusio,
Cioffi,	Isaacs,	Munley,	Ujobai,
Cleveland,	Jenkins,	Murphy,	Varallo,
Comer,	Jim,	Murray, H. P.,	Varner,
Cooper,	Johnson,	Murray, P. G.,	Vaughan,
Cummins,	Johnston,	Musto,	Verona,
Curwood,	Jones, G. E.	Naugle,	Wall,
Dalrymple,	Jones, T. H.,	O'Brien,	Walsh,
Davis,	Jump,	O'Dell,	Wargo,
DeLong,	Kamyk,	Ogilvie,	Weidner,
Dengler,	Kehler,	Parry,	Welsh,
Dennison,	Keller,	Pashley,	Wheeler,
Devlin,	Kernaghan,	Petrosky,	Whittaker,
Dietterick,	Knecht,	Phillips,	Willard,
Donahue,	Kooker,	Piper,	Willaredt,
Donaldson,	Kornick,	Polaski,	Williams,
Dougherty,	Korns,	Pomeroy,	Wilt,
Down,	Krakow,	Post,	Wood,
Duffy,	Lafore,	Price,	Worley,
Dunn,	Lee, A. M.,	Pursley,	Wyatt,
Edwards,	Lee, K. B.,	Ragot,	Yatron,
Eilberg,	Leonard,	Readinger,	Zimmerman,
Erb,	Light,	Reidenbach,	Helm,
Eshleman,			Speaker

NAYS—1

Garlock,

NOT VOTING—7

Fineman,	Magee,	Schwartz,	Wynd,
Frascella,	Monroe,	Wescott,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 384, Printer's No. 128,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 448, entitled as follows:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force * * *" extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

BILL PASSED OVER

There being no objection

House Bill No. 579, Printer's No. 158.

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and co sideration of Senate Bill No. 24, entitled as follows:

An Act providing for the rendition of certain repo by joint interstate bodies.

And said bill having been read at length the third tim considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the ye and nays were taken and were as follows:

YEAS—202

Adams,	Ewing,	Limper,	Renwick,
Agnew,	Farabaugh,	Lippincott,	Rigby,
Amarando,	Fetterolf,	Lopresti,	Rovansek,
Anderson, M. S.,	Filo,	Lovett,	Royer,
Anderson, S. A.,	Floyd,	Lutty,	Rudisill,
Andrews,	Flynn,	Mahan,	Scarcelli,
Ashton,	Foster,	Markley,	Schuster,
Auker,	Fox,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Silverman,
Boles,	George,	McGee,	Smith,
Boory,	Gibb,	McInroy,	Snare,
Bower,	Gibson,	McKeever,	Snider,
Bowman,	Goldstein,	McLaughlin,	Spray,
Brand,	Goodling,	Merry,	Steckel,
Breisch,	Goodrich,	Metz,	Stevens,
Brennan,	Gramlich,	Mihm,	Stimmel,
Brenninger,	Gross,	Mikula,	Stone,
Breon,	Guthrie,	Miller, B. Z.,	Stoner,
Breth,	Hamilton,	Miller, H. G.,	Strausser,
Brown,	Haudenshield,	Miller, W. H.,	Stroup,
Brucker,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Moody,	Taylor,
Buchanan,	Henzel,	Moscrip,	Thompson,
Capano,	Hocker,	Moyer,	Toll,
Carson,	Holt,	Muldowney,	Tompkins,
Cianfrani,	Horst,	Mullen,	Trusio,
Cioffi,	Ide,	Munley,	Ujobai,
Cleveland,	Isaacs,	Murphy,	Varallo,
Comer,	Jenkins,	Murray, H. P.,	Varner,
Cooper,	Jim,	Murray, P. G.,	Vaughan,
Cummins,	Johnson,	Musto,	Verona,
Curwood,	Johnston,	Naugle,	Wall,
Dalrymple,	Jones, G. E.,	O'Brien,	Walsh,
Davis,	Jones, T. H. W.,	O'Dell,	Wargo,
DeLong,	Jump,	Ogilvie,	Weidner,
Dengler,	Kamyk,	Parry,	Welsh,
Dennison,	Kehler,	Pashley,	Wheeler,
Devlin,	Keller,	Petrosky,	Whittaker,
Dietterick,	Kernaghan,	Phillips,	Willard,
Donahue,	Knecht,	Piper,	Willaredt,
Donaldson,	Kooker,	Polaski,	Williams,
Dougherty,	Kornick,	Pomeroy,	Wilt,
Down,	Korns,	Post,	Wood,
Duffy,	Krakow,	Price,	Worley,
Dunn,	Lafore,	Pursley,	Wyatt,
Edwards,	Lee, A. M.,	Ragot,	Yatron,
Eilberg,	Lee, K. B.,	Readinger,	Zimmerman,
Erb,	Leonard,	Reidenbach,	Helm,
Eshleman,	Light,		Speaker

NAYS—0

NOT VOTING—7

Fineman,	Magee,	Schwartz,	Wynd,
Frascella,	Monroe,	Wescott,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 161, entitled as follows:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended * * * requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, may I inquire who amended this bill last week? I have forgotten.

Mr. LAFORE. Mr. Speaker, my colleague from Montgomery, Mr. Jones, amended the bill and in his absence I will try to answer for him if the gentleman has any questions.

Mr. READINGER. I desire to interrogate the gentleman from Montgomery, Mr. Lafore.

The SPEAKER. Will the gentleman from Montgomery, Mr. Lafore, permit himself to be interrogated?

Mr. LAFORE. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, will the gentleman tell the House why it was deemed necessary last week to amend this bill to give recorders of deeds the privilege of declining to act as agents for the Department of Revenue in issuing these sales stamps?

Mr. LAFORE. Mr. Speaker, it is my understanding that in certain small counties with a very minimum of real estate transactions it would not be profitable for them to accept this commission.

Mr. READINGER. I thank the gentleman for his honest answer.

Mr. Speaker, I think we should vote against this bill. In the first place it is a purely political ripper bill.

Our Secretary of Revenue now has the privilege of selecting in every county the persons he thinks should issue these real estate tax stamps. So now we impose upon him the duty of appointing all recorders of deeds and we give him no choice.

On the other hand, as the gentleman has so honestly stated a minute ago, if is is not profitable for a recorder of deeds to issue these stamps, the poor Secretary of Revenue has to go looking around the county to find somebody who will do it at his own loss. I suppose that would have to be a Democrat. Surely you could not get a Republican to volunteer to serve for a Democratic Secretary of Revenue at a loss.

I think this bill should not have been reported out and should be soundly defeated as being against good government.

Mr. LAFORE. Mr. Speaker, I must wholeheartedly disagree with the gentleman from Berks. I think he will be the first to agree with me that if a bill is in the public interest and alleviates hardships and inconvenience, particularly on the members of his profession, it should pass regardless of the fact that there are a few isolated instances where the recorder of deeds would not accept this assignment because it was not practical.

I think in the great majority of cases the recorder of deeds would accept it willingly and thus make it a lot easier for the public, and particularly lawyers, to obtain the stamps in connection with the recording of deeds in the same office, instead of making it necessary to go in many cases outside of the court house and get the stamps at some distant place.

Mr. READINGER. Mr. Speaker, may I ask the gentleman one further question?

The SPEAKER. Will the gentleman from Montgomery, Mr. Lafore, permit himself to be interrogated?

Mr. LAFORE. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, can the gentleman inform us in how many counties the recorder of deeds is not now authorized to issue these stamps as agent for the Secretary of Revenue and which counties those may be?

Mr. LAFORE. Mr. Speaker, I can only say that some months ago in my county of Montgomery, also in Delaware, and I believe in several others, the Secretary of Revenue removed this privilege from the recorder of deeds and placed it in an outside agency's hands. There may have been many others, but I am not familiar with them.

Mr. READINGER. May I ask how far removed from the normal place of recording these agents are established?

Mr. LAFORE. It is outside of the court house in Montgomery, I am not sure of the exact location.

Mr. READINGER. It is in the city of Norristown?

Mr. LAFORE. I believe so.

Mr. READINGER. I thank the gentleman.

My argument still goes, I do not believe this is a good bill.

Mr. BELL. Mr. Speaker, would the gentleman from Berks, Mr. Readinger, consent to be interrogated?

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. BELL. Mr. Speaker, will the gentleman state whether he has information as to why the sale of stamps in 1955, I believe it was, was removed from the recorder of deeds in Delaware county to agencies outside of Delaware county?

Mr. READINGER. I had no knowledge of the fact that that was done. I cannot answer the question.

Mr. BELL. Mr. Speaker, in support of this bill I would like to call the attention of the House to the fact that when the sale of the state stamps—that is the real estate transfer stamps—were removed from sale in the office for the recording of deeds in and for the County of Delaware, there was no agency in the county of Delaware that had these stamps for sale. They had to be obtained outside the county or through a title company. I know that from personal experience. It was quite a hardship.

Presently there is a state agency operating in the County of Delaware at the distance of some blocks from the court house where a taxpayer can walk and can buy stamps.

Therefore, Mr. Speaker, I urge that the sale of these stamps be placed where the deeds are recorded, in the office for the recording of deeds.

Mr. ANDREWS. Mr. Speaker, we fortunately have a recorder of deeds in Cambria County, I think we are going to keep him, and so I think I will support this bill.

Mr. MOSCRIP. Mr. Speaker, we have had this both ways in Bradford County, in the hands of a private agency and in the hands of the recorders. We found a

great deal of inconvenience to the people when it was not in the recorder's office.

For one reason, the hours when the stamps were sold were different from the court house. If you happened to close late in the afternoon, very often the papers would have to lay over a day, or perhaps a weekend, before stamps could be secured. It was particularly difficult for people who came to record their papers without lawyers who had to go to two places. Perhaps they would be late and they would have to wait until they came to town the next week.

It is much better and much easier for the public as it is now, in the hands of the recorders, where they can buy everything in one place. If the public has any questions, the deputies in the office can answer them. I think this is a good bill.

Mr. McCORMACK. Mr. Speaker, this bill as it was originally written, I think, was a good bill in that it made it mandatory for the Secretary of Revenue to appoint a recorder of deeds as tax agent.

I certainly agree with the gentleman from Montgomery County, Mr. Lafore, that the sole consideration here is the convenience of the public. I also agree with Mr. Moscrip, but this is not making it mandatory on the part of the recorder of deeds to accept that agency. It gives him discretion and I think it, therefore, is a bad bill. If it were mandatory that the recorder accept the agency, I think I would be glad to vote for it. This is again going to be a political football, and I am going to vote against it.

Mr. ISAACS. Mr. Speaker, the Minority Leader has called this bill "ripper legislation." I want to say to the ladies and gentlemen of this House in the County of Delaware the effects of ripper legislation were accomplished but it certainly was not done by an Act of Assembly but by the present administration at the state Capitol.

I am going to ask the ladies and gentlemen on both sides of this House to support this legislation.

Mr. AUKER. Mr. Speaker, it is not too often that I agree with the gentleman from Philadelphia, Mr. McCormack, but in this case I do. As I said before, there is the old axiom that you cannot have your cake and eat it too. If you are making a thing mandatory, if it is as good as the proponents of the bill say it is, and I agree with them whole-heartedly, then I do not think a recorder of deeds of any county should have the right to decline that appointment. There has not been pointed out one instance on which it could work a hardship on any recorder of deeds to sell these stamps. I am sure no recorder of deeds would be put to any hardship or very little expense, if any, that he would not be more than compensated for by selling these stamps. Therefore, unless the sponsor of the bill agrees to re-amend it to put it in the present form, I am going to be forced to vote against it much as I hate to do so.

Mr. LAFORE. Mr. Speaker, it seems to me that the very fact that the recorder of deeds would not accept this assignment shows that his volume of business is of such minimum that it would not be working a hardship or inconvenience on a very great segment of the population of his county.

Therefore, I should think in the great majority of counties the recorder of deeds would accept it, and by virtue of that fact would eliminate the hardship which is now being imposed upon the public by virtue of having to go to another location to procure these stamps.

I think further it might be of interest, particularly to the minority leader, to know that these amendments were suggested by the Secretary of Revenue in the Cabinet of the Governor, and so I would say they were administration amendments.

Mr. READINGER. Mr. Speaker, I do not know whether the gentleman's last statement is correct or not. I assume it is since he makes it, but I would follow by saying the Secretary of Revenue is not the repository of all wisdom either.

All this bill is doing is saying we are going to let the individual recorders decide to inconvenience the public or the Secretary of Revenue and I would rather have it be the Secretary of Revenue so we can put our fingers right on where it is coming from if somebody is going to be inconvenienced.

I agree with Mr. McCormack in saying if you had not amended this bill last week—and I argued against the amendments then—it would not have been too bad a bill. But the way it is now, it is just no good. If the gentleman thinks he is going to accomplish anything by transferring the right to inconvenience the public from one person to a group of other persons, then I cannot follow his reasoning.

Mr. McCANN. Mr. Speaker, I come from a small county, a sixth class county, in which the recorder of deeds has served in that capacity for a great number of years. Over the years since I have been here in Harrisburg, this has been one of his pet gripes. He has always wanted to get out from under this particular obligation which he feels is not compensatory in a proper manner.

I think the fee is one-tenth of one percent on the tax stamps they handle.

I would, in all fairness, like to see it go back. The deeds have to be recorded in that office, and I think the attorneys, rightfully so who handle the deeds, should be able to negotiate their business and purchase their stamps from the recorder of deeds of that county. Whether or not he wants to be the agent, he holds the public office wherein the people who deal with this matter are important.

I would like to say in a great many rural counties, this is not profitable. There is very little real estate that is transferred in a year in that office. The tax stamp sales are very light, but I think it is a service we owe to the people of that county and particularly to the profession which handles the deeds that have to be recorded.

I wonder if the gentleman from Montgomery would consider amending this bill back to its original form, and have it state that the recorder of deeds has to do this, he shall have no alternative, so that many of us from the rural counties, who want to support this bill, can vote for it.

Mr. LOVETT. Mr. Speaker, I think this bill in its original form was all right. This is one of the times when we should recommit a bill and send it back to committee. I think the committee should study this bill and decide whether those amendments which were offered on the floor were good amendments, or whether those amendments, since they have been offered on the floor, have

to be taken out on the floor. Would the Speaker please inform me as to that?

The SPEAKER. Will the gentleman repeat his question?

Mr. LOVETT. Amendments which have been made on the floor of the House and put into a bill, must they be taken out on the floor of the House rather than in committee?

The SPEAKER. They must be taken out on the floor of the House.

Mr. LOVETT. They must be taken out on the floor of the House? Then I would request that we pass this bill over and give the gentleman an opportunity to take the amendments out of this bill and leave it in its original form.

Mr. STROUP. Mr. Speaker, reading the language in the bill and hearing the comments in this debate, I fail to find any mandatory order upon the recorder of deeds to accept an appointment made by the Secretary of Revenue.

The bill says the Secretary of Revenue "shall appoint," but there is nothing in the bill which says that the recorder of deeds must accept the appointment. I doubt whether a real, literal interpretation of the bill would require the recorder of deeds to accept the appointment as a transfer stamp agent.

Mr. McCORMACK. Mr. Speaker, I would like to interrogate the gentleman from Bedford, Mr. Stroup.

The SPEAKER. Will the gentleman from Bedford, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, I would just like to ask the gentleman the reason for the amendment, then?

Mr. STROUP. I cannot answer that question, Mr. Speaker. That is why I made my suggestion. That is why I interpret the bill the way I have. Originally it was a "may" bill as far as the Secretary of Revenue was concerned. When it was originally written and amended in this session, the words say the Secretary of Revenue "shall appoint." I still maintain under that language the recorder is not required to accept the appointment. Therefore, I doubt the wisdom of the amendment as it is.

Mr. McCORMACK. Mr. Speaker, I would like to ask the gentleman, how would we make it mandatory other than by the use of the word "shall?"

Mr. STROUP. I think if the language read, "The department shall appoint the recorder of deeds in each county and recorder must accept said appointment," it would then be mandatory.

Mr. READINGER. I regret having to speak again on this subject, but I would like to differ with Chief Justice Stroup.

If we impose upon the Secretary of Revenue the duty to appoint a certain individual who is also holding office by virtue of the laws of this Commonwealth, there should be a corresponding duty to accept. There should not be any privilege of rejecting, because if that were the case then we would be telling the Secretary of Revenue to do something and nobody would be there to receive the something he had to do. Therefore, nobody. absolutely nobody, would be authorized to issue these stamps.

Mr. STROUP. Mr. Speaker, it has always been my impression and understanding of the interpretation of language that the question of appointment still leaves open the question of acceptance of said appointment. However, I shall bow to the greater legal knowledge of the gentleman from Berks and concede that it is a debatable question.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—124

Adams,	Dunn,	Knecht,	Price,
Agnew,	Edwards,	Kooker,	Pursley,
Andrews,	Erb,	Korns,	Ragot,
Ashton,	Eshleman,	Lafore,	Renwick,
Barton,	Ewing,	Lee, A. M.,	Rigby,
Bell,	Fetterolf,	Lee, K. B.,	Royer,
Blair,	Foster,	Light,	Rudisill,
Bower,	Fox,	Lippincott,	Seltzer,
Bowman,	George,	Lovett,	Snare,
Brand,	Gibb,	Mahan,	Spray,
Breisch,	Gibson,	Markley,	Steckel,
Brenninger,	Goldstein,	Marsh,	Stevens,
Breon,	Goodling,	Metz,	Stimmel,
Brown,	Goodrich,	Mikula,	Stoner,
Brucker,	Gramlich,	Miller, B. Z.,	Stroup,
Bucchin,	Gross,	Miller, H. G.,	Stuart,
Buchanan,	Guthrie,	Miller, W. H.,	Thompson,
Capano,	Haudenshield,	Moody,	Tompkins,
Carson,	Heffner,	Moscrip,	Ujobai,
Cleveland,	Henzel,	Moyer,	Varner,
Cooper,	Hocker,	Murphy,	Vaughan,
Cummins,	Horst,	Murray, H. P.,	Wall,
Dalrymple,	Ide,	Murray, P. G.,	Weidner,
Davis,	Isaacs,	Naugle,	Whittaker,
DeLong,	Johnson,	O'Dell,	Willard,
Dengler,	Johnston,	Ogilvie,	Willaredt,
Dennison,	Jones, T. H. W.,	Parry,	Williams,
Dietterick,	Jump,	Phillips,	Wilt,
Donahue,	Kehler,	Piper,	Wood,
Donaldson,	Keller,	Pomeroy,	Worley,
Down,	Kernaghan,	Post,	Helm, Speaker

NAYS—71

Amarando,	Flynn,	McCormack,	Sherman,
Anderson, M. S.,	Gailey,	McGee,	Shields,
Anderson, S. A.,	Garlock,	McInroy,	Silverman,
Auker,	Gelfand,	McKeever,	Smith,
Boles,	Hamilton,	McLaughlin,	Snider,
Boory,	Heavey,	Mills,	Stone,
Brennan,	Holt,	Muldowney,	Taylor,
Breth,	Jenkins,	Mullen,	Toll,
Cianfrani,	Jim,	Munley,	Trusio,
Cioffi,	Jones, G. E.,	O'Brien,	Varallo,
Comer,	Kamyk,	Pashley,	Walsh,
Curwood,	Kornick,	Petrosky,	Wargo,
Devlin,	Krakow,	Polaski,	Welsh,
Dougherty,	Leonard,	Readinger,	Wheeler,
Duffy,	Limper,	Reidenbach,	Wyatt,
Eilberg,	Lutty,	Scarcelli,	Yatron,
Farabaugh,	Maxwell,	Schuster,	Zimmerman,
Filo,	McCann,	Schwartz,	

NOT VOTING—14

Fineman,	Magee,	Monroe,	Strausser,
Floyd,	Merry,	Musto,	Verona,
Frascella,	Mihm,	Rovansek,	Wescott,
Lopresti,			Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL ON THIRD READING POSTPONED

TIME EXTENDED ON BILL

Mr. TOMPKINS asked and obtained unanimous consent to extend the time five days on House Bill No. 57, Printer's

No. 33, on page 7 of today's calendar, bills on third reading postponed.

RECONSIDERATION OF VOTE

Mr. BOWMAN. Mr. Speaker, I move that the vote by which House Bill No. 444, Printer's No. 118, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing council to provide for the closing of city offices on Saturday.

was defeated on final passage be reconsidered.

Mr. OGILVIE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Dauphin, Mr. Bowman vote on the final passage of this bill?

Mr. BOWMAN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Dauphin, Mr. Ogilvie vote on the final passage of this bill?

Mr. OGILVIE. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. BOWMAN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

COMMITTEE MEETINGS

CITIES THIRD CLASS, Mr. Mikula, Chairman, Room 521, Tuesday, March 19, at 11:00 a. m.

EDUCATION, Mrs. Markley, Chairman, Room 324, Tuesday, March 19, at 9:30 a. m.

JUDICIARY, Mr. Tompkins, Chairman, Room 145, Tuesday, March 19, at 10:30 a. m.

MOTOR VEHICLES, Mr. Guthrie, Chairman, Room 522, Tuesday, March 19, at 11:00 a. m.

PUBLIC UTILITIES, Mr. Thompson, Chairman, Room 329, Tuesday, March 19, at 10:45 a. m.

STATE GOVERNMENT, Mr. Keller, Chairman, Room 324, Tuesday, March 19, at 11:30 a. m.

ADJOURNMENT

Mr. KORNS. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 19, 1957 at 1:00 p. m.

The motion was agreed to, and (at 6:48 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, MARCH 19, 1957. No. 26.

SENATE

TUESDAY, March 19, 1957

The Senate met at 1:00 o'clock, p.m., Eastern Standard Time.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

The PRESIDING OFFICER. At the request of the President pro tempore of the Senate, the Honorable M. Harvey Taylor, the Chair is presiding at today's Session.

PRAYER

The Chaplain, Reverend Doctor FERDINAND DERK, Pastor of the First Methodist Church, Shickshinny, offered the following prayer:

May we unite our hearts in prayer.

Lord of all being, we acknowledge Thee as the giver of every good. Our lives find their source in Thine. Every moment our strength is renewed from Thy bounty. Our spirits continually rejoice in ever-brightening hope and expectation. Even death cannot frighten us for we are sons of the living God.

Thanks be to Thee, O gracious Father, for Thy constant care, for friends and companionship, for work and play, for love and joy, for home and Country, for liberty and justice.

We join with all Thy servants today who lift their hearts and voices in grateful praise to Thee. We pray for our land and Country. Let Thy wisdom so guide in its affairs that more and more they may serve Thy will. Lift our citizenship to the plane of holy living after the pattern of Jesus, and use us for the glory of Thy Name, we pray. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. WADE, further reading was dispensed with, and the Journal was approved.

STUDENTS FROM ST. THOMAS HIGH SCHOOL, BOROUGH OF BRADDOCK, ALLEGHENY COUNTY, PRESENTED TO SENATE

Mr. SCHMIDT. Mr. President, it is my pleasure this afternoon to present to the Senate a delegation of thirty students from St. Thomas High School, in the Borough of Braddock, Allegheny County. They are students of American History, and they are accompanied today by Sister Rosaire and Sister Eunice.

The PRESIDING OFFICER. The Chair welcomes the visitors from Allegheny County, and hopes that your stay here will be both interesting and informative.

STUDENTS FROM HANNAH PENN JUNIOR HIGH SCHOOL, YORK, PRESENTED TO SENATE

Mr. SEYLER. Mr. President, it is an unusual pleasure for me today to introduce to this Senate a group of students who are here, because this particular group of students, gentlemen, are students from the Hannah Penn Junior High School of which I have the honor to serve as principal. They are brought here by four members of the faculty of that school, led by the teacher of ninth grade civics at the Hannah Penn Junior High School, whose name is Harry A. Seyler and who is my son.

Therefore, Mr. President, it is with a great deal of pleasure that I introduce these students to you.

The PRESIDING OFFICER. The Chair, on behalf of the Senate, certainly welcomes the guests of Senator Seyler. We are, indeed, happy that you are able to be here and see in operation one of the outstanding Members of the Senate of Pennsylvania, your own Senator, Senator Seyler.

INTERROGATION

Mr. MAHANY. Mr. President, in order that these students might further see in operation their own Senator, Senator Seyler, I desire to interrogate the gentleman from York, Senator Seyler.

The PRESIDING OFFICER. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. I will, Mr. President.

Mr. MAHANY. Senator Seyler, in order for your students to observe how you answer questions, I would like to ask you whether or not you carried out the mission that I assigned to you last week, by going over to the Attorney General's office and asking him whether or not he thought that the contract between the Department of Welfare and various individuals was constitutional and in accordance with our law?

Mr. SEYLER. Mr. President, I will be very happy to give that answer in just a moment.

Mr. President, last Wednesday, the gentleman from Crawford, Senator Mahany, asked this question. I subsequently found out that, although he presented this question in his usual ingenuous and naive style, he had been in a previous conference and, as a matter of fact, already knew the answer to the question. Mr. President, this is, I think, what is known as a lawyer's trick and I think

it is considered a very clever one, particularly in the northwestern and more remote regions of the Commonwealth. However, I do not mind answering the question even at that.

Mr. President, I have gone to the Attorney General. The question that Senator Mahany asked me to ask the Attorney General was whether Exhibit No. 5 of this report, which we received from Secretary Shapiro, was illegal. Just to refresh your memory, Exhibit No. 5 is an agreement drawn between one Donald Armsby—it serves as a sample of all the agreements made by the Department of Welfare—and the department so that the said Donald Armsby, as a student, pledged himself, in return for receiving certain sums, to continue to be employed by the department after graduation in the special field for which he was being trained.

The answer from the Attorney General amounts to this, Mr. President. There is nothing illegal, because no illegal action is involved. The agreement itself is better described, I think, as perhaps incomplete. It certainly did not relate the true status of the said Donald Armsby or the other gentlemen involved under the same type of agreement. They were, as a matter of fact, already employees of the Commonwealth.

It has been the policy of the department, I am told, since about 1943, to have certain young men and young women, who select this type of work, to be employed by the department and, at the same time, go to school and learn to better practice the arts and sciences of which their particular specified job is composed. Up to comparatively recently, Mr. President, these persons were employees because they were attached to a certain State institution, and during the time they were not actually engaged in going to school, they were working at that institution. Recently, as you know, the Secretary has attempted to greatly extend that program and with the encouragement of the Legislature, by legislation which we passed in the 1955 Session, he has had increased funds for this purpose and has, therefore, found that arrangement no longer serviceable. Therefore, these persons have been serving as employees, but not attached to any particular institution. However, they are assigned to institutions as the need and opportunity is indicated.

In drawing up this agreement, on the face of it, it seemed to violate Article III, Section 10, of the Constitution, as you know. However, it did not, in fact, violate it because these persons were being employed in exactly the same way as they previously had been. It was simply that the form of the contract was incomplete, and I think the Attorney General, at one point, used the expression "inartfully drawn." I can tell you, therefore, that I do not feel there was anything illegal about it. The same type of in-service training, in addition to being used in the Department of Welfare, is used in the State Police; it is used in the Department of Public Assistance.

However, Mr. President, I would say to you that we have now—and when I say we, I mean the department—instituted a new form which correctly states the relationship of the employee to the department and which is taking the place of these incomplete and inadequate forms. I have a copy of that, and I would like to send it over to Senator Mahany so that he can look this over. I would like to have Senator Mahany's expert opinion. His opinion does not necessarily have to be given on the floor, but sometime when we can get together privately, I would like to know whether he feels that this new form, drawn by the Department of Justice, is an adequate one. In the opinion of the Attorney General, it is.

That, in brief, Mr. President, is my answer.

Mr. MAHANY. In the first place, Mr. President, I do not think that was a very brief answer. I wonder what kind of a mark the pupils who are here today would give the professor on such a long answer to such a simple question.

Mr. President, the contract was not incomplete; it was just in error. Evidently, it was illegal. Senator Seyler tried to skirt around that word and not use it. He tried instead to use the words "incomplete and inadequate." By putting in as a word of description relative to these people that they were prospective employees, that made the contract illegal. Now that Senator Seyler has found out that I had a conference with the Attorney General before I talked to him, and the Attorney General did tell me that, and we concurred that by referring to these people as prospective employees, that in itself would make this contract illegal because under the Constitution we are not allowed to pay State funds to anyone who is not an employee.

Now, Mr. President, this thing has been fixed up. I do not know whether they fixed up the contract or whether they fixed up the arrangement, but evidently now they have recognized the fact that the former contract was illegal and that is the reason now why Mr. McBride has drawn another contract. Is that not true, Senator?

Mr. SEYLER. Mr. President, I do not agree with the gentleman's analysis of the situation at all. I bow to the gentleman's learned status in the law and I have often found him to be a philosopher, but I cannot allow him to give me lessons in semantics. A thing is either so or it is not so. There was nothing illegal involved here and, therefore, there was no illegality.

If the relationship of the employee to the Commonwealth had been an illegal one, in violation of Article III, Section 10, then there would have been something illegal. There was no such illegality.

I pointed out to the gentleman from Crawford, Senator Mahany, that exactly the same relationship between the department and employees has existed since 1943, and there has been no question of any illegality. If Senator Mahany prefers to call it an error, I will accept it as an error. I said it was an incompleteness, but there was an error in drawing up the agreement because it did not accurately and adequately describe the relationship between the Commonwealth and the prospective person who was going to sign the agreement. Since it did not correctly describe that relationship, it was an incorrect agreement. However, to my mind, and I think this is the opinion of the Attorney General, there was no illegality inasmuch as the real relationship which existed, no matter what you put down on paper, was a legal one. Therefore, there was no illegality, but simply a lawyer's error in drawing up the agreement.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as

follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE BUSHY RUN BATTLEFIELD COMMISSION

March 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Bushy Run Battlefield Commission, until the third Tuesday of January 1959, and until their successors shall have been appointed and qualified.

Calvin E. Pollins, Esq., R. D. 5, Greensburg, Westmoreland County, vice James C. Tallant, Murrysville, whose term expired.

Milton R. Redlich, North Second Street Extension, Jeannette, Westmoreland County, vice Robert H. McClellan, Irwin, deceased.

(Rev.) E. M. Flanigan, 617 Main Street, Irwin, Westmoreland County, vice J. Graff Bomberger, Jeannette, whose term expired.

James H. Sleigh, Export, Westmoreland County, vice James F. Torrance, Export, whose term expired.

Martin Robert Marker, Trafford, Westmoreland County, vice W. Urban Gillespie, Jeannette, whose term expired.

Earl S. Keim, Youngwood, Westmoreland County, vice Mrs. Katharine G. Murdock, Greensburg, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

March 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Max Fenton Balcom, President, Emporium Trust Company, Emporium, Cameron County, for appointment as a member of the Pennsylvania Industrial Delevolpment Authority until August 20, 1959, and until his successor shall be duly appointed and qualified, vice Arthur L. Chapman, Warren, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

March 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Pennhurst State School, for a term of four years, and until their successors are appointed and qualified:

William A. Griffith, 31 Chestnut Street, Pottstown, Montgomery County ,to fill a vacancy.

William H. Wilfong, 749 East Orange Street, Lancaster, Lancaster County to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

March 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Howard M. Bollard (Democrat), Linesville, Crawford County, for appointment as a member of the Crawford County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House, as follows:

House Bill No. 381, entitled:

An Act fixing fees to be received by the prothonotary in counties of the first class and providing for the time of payment.

Which was committed to the Committee on Local Government.

SENATE BILL No. 24 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interstate bodies.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on tomorrows' Calendar.

SENATE BILL No. 161 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended * * * requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on tomorrow's Calendar.

REPORTS FROM COMMITTEES

Mr. BLASS, on behalf of Mr. FLEMING, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 32, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," authorizing unnaturalized foreign-born residents to own or possess dogs.

He also, on behalf of Mr. FLEMING, from the Committee on Forests and Waters, Game and Fish,, reported as committed, House Bill No. 250, entitled:

An Act amending the act of May 2, 1925 (P. L. 448)

entitled "The Fish Law of 1925." excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsmen's show.

Mr. McMENAMIN, from the Committee on Corporations, reported as amended, Senate Bill No. 257, entitled:

An Act amending the act of May 3, 1909 (P. L. 408) entitled as amended "An act authorizing the merger or consolidation of certain corporations" providing for the merger of a domestic corporation into a foreign corporation and for the merger into a holding company of a subsidiary corporation incorporated under or subject to the Business Corporation Law and eliminating any requirement of stockholder approval and any right of objecting stockholders to payment for their stock if the holding company is the owner of all the outstanding stock of the subsidiary corporation.

He also, from the Committee on Corporations, reported as committed, Senate Bill No. 258, enttiled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," permitting corporate affidavits to be made by persons duly authorized by a board of directors and excluding certain days from the computation of certain tax periods.

He also, from the Committee on Corporations, reported as committed, Senate Bill No. 327, entitled:

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

Mr. VAN SANT, from the Committee on State Government, reported as committed, Senate Bill No. 162, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," requiring that contractors' bonds cover equipment rentals.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 319, entitled:

An Act providing for a referendum to determine the will of the electorate on certain contracts between any political subdivision and Authorities.

RECESS

Mr. MAHANY. Mr. President, I request a one-half hour recess of the Senate for the purpose of holding a Republican Caucus.

The PRESIDING OFFICER. Is there objection?

Mr. STIEFEL. Mr. President, not to be outdone by the Republicans, the Democrats will hold a caucus forthwith in our regular headquarters.

The PRESIDING OFFICER. There being no objection, the Chair declares a one-half hour recess.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

SISTERS OF ST. JOSEPH, FROM DELAWARE COUNTY, PRESENTED TO SENATE

Mr. WATKINS. Mr. President, it gives me a great deal of pleasure this afternoon to introduce to you, Mr. President and Members of the Senate, five Sister from Delaware County who are members of The Sisters of St. Joseph. May I say, they are the finest people on earth; they are the salt of the Nation; they are just wonderful. I am happy to introduce them to you people here today.

The PRESIDING OFFICER. The Chair, on behalf of the Senate of Pennsylvania, is indeed happy to welcome to the Senate of Pennsylvania the Sisters of St. Joseph from Delaware County.

STUDENTS OF WILSON JOINT SCHOOL SYSTEM, WEST LAWN, BERKS COUNTY, PRESENTED TO SENATE

Mr. RUTH. Mr. President, I am happy to present to the Senate the senior class of the Wilson Joint School System in Berks County, under the guidance of Mr. Lloyd H. Miller, Mr. Arlan Moyer, Mr. Ralph Naulty and Mr. Carl Derr, a total of 143 students.

The PRESIDING OFFICER. The Chair, on behalf of the Senate of Pennsylvania, is indeed happy to welcome to the Senate of Pennsylvania the guests of Senator Ruth, and we hope that you will have an interesting and informative view of the Senate in action.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

William H. Wood, Camp Hill, from August 7, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold T. Sipe, R. D. 2, Hollsopple, Somerset County, for appointment as Justice of the Peace in and for the Township of Conemaugh, Somerset County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE FOREST COUNTY BOARD OF ASSISTANCE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Elizabeth Bowman (Republican), Tionesta, Forest County, for appointment as a member of the Forest County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Genevieve M. Grove, Tionesta, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles T. Benner (Democrat), Mifflin Street, Saxton, Bedford County, for appointment as a member of the Bedford County Board of Assistance, until December 31, 1957, and until his successor is duly appointed and qualified, vice Robert E. Huff, Saxton, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate U. Frank English 1013 Mifflin Street, Huntingdon, Huntingdon County for appointment as Justice of the Peace in and for the Borough of Huntingdon, Huntingdon County, to serve until the first Monday of January 1958, vice Robert L. Norris, resigned.

GEORGE M. LEADER.

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I also report at this time, from the Commitee on Executive Nominations, communications from His Excellency, the Governor of the Commonwealth, recalling the nomination of Robert C. Malcolm as a Member of the Board of Trustees of Slippery Rock State Teachers' College, and the nomination of Reverend John K. Stoudt as a Member of the Board of Trustees of Kutztown State College.

The Clerk read the communications as follows:

RECALLING THE NOMINATION OF ROBERT C. MALCOLM AS A MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the confirmation of the appointment of Robert C. Malcolm, Curtisville, as a member of the Board of Trustees of Slippery Rock State Teachers' College, from May 29, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

RECALLING THE NOMINATION OF REVEREND JOHN K. STOUDT AS A MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS COLLEGE

March 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 22, 1957, for the appointment of Rev. John K. Stoudt, Leesport, Berks County, as a member of the Board of Trustees of Kutztown State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Dr. Samuel E. Rager, Kutztown, whose term expired.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. WATSON. Mr. President, I further report from the Commitee on Eexcutive Nominations, the nominations of Robert C. Malcolm and Reverend John K. Stoudt and ask that they be read by the Clerk.

The Clerk read the nominations as follows:

MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS' COLLEGE

January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a member of the Board of Trustees of Kutztown State Teachers' College, until the third Tuesday of January 1963, and until his successor is appointed and qualified:

Rev. John K. Stoudt, Leesport, Berks County, vice Dr. Samuel E. Rager, Kutztown, whose term expired.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

Robert C. Malcolm, Curtisville, from May 29, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

GEORGE M. LEADER.

NOMINATIONS RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. WATKINS. Mr. President, I second the motion.

The Motion was agreed to.

The PRESIDING OFFICER. The nominations will be returned to the Governor.

REPORTS FROM COMMITTEE

Mr. WHALLEY, from the Committee on Highways, reported as committed, Senate Bill No. 341, entitled:

An Act amending the act of June 22, 1931 (P. L. 594)

entitled "Rural State Highway Law," adding new routes in Washington County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 346, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," extending a route in Lehigh County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 356, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," changing a route in Chester County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 372, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding routes in Clinton County.

CONSIDERATIONS OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS

William H. Wood, Camp Hill, from August 7, 1956, for a term of four years, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold T. Sipe, R. D. 2, Hollsopple, Somerset County, for appointment as Justice of the Peace in and for the Township of Conemaugh, Somerset County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE FOREST COUNTY BOARD OF ASSISTANCE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Elizabeth Bowman (Republican), Tionesta, Forest County, for appointment as a member of the Forest County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Genevieve M. Grove, Tionesta, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles T. Benner (Democrat), Mifflin Street, Saxton, Bedford County, for appointment as a member of the Bedford County Board of Assistance, until December 31, 1957, and until his successor is duly appointed and qualified, vice Robert E. Huff, Saxton, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate U. Frank English, 1013 Mifflin Street, Huntingdon, Huntingdon County, for appointment as Justice of the Peace in and for the Borough of Huntingdon, Huntingdon County, to serve until the first Monday of January 1958, vice Robert L. Norris, resigned.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

HOUSE BILL No. 337 CALLED UP

Mr. MAHANY. Mr. President, I call up, from Page 2 of today's Final Passage Calendar, House Bill No. 337, Printer's No. 160.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 337, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts changing and clarifying certain definitions making further exemptions changing the procedure for the collection of the tax and the administration of the act and providing appeals.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WALKER. Mr. President, will Senator Kessler submit to an interrogation to clear up a few points on the tax bill on which he has worked so long and diligently?

The PRESIDING OFFICER. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. WALKER. Senator, do you interpret the words "exploring and mining" to include mineral development?

Mr. KESSLER. Mr. President, during our Conference Committee Report last year on House Bill No. 2101, it was the intent of the committee to exempt all phases of the mining industry. We did not want to put coal in a bad light with respect to other communities. It seems to me that if we intended to exempt exploring, which we mention here and the mining itself, then mineral development, which I understand is preparing the mine for operation, certainly should be exempt. In fact, it is necessary in order to, as we say in the definition of a manufacturer, place personal property in a form or composition or character different from that in which it was acquired.

I certainly think it was the intent of the Conference Committee to exempt that phase of mining.

Mr. WALKER. Senator, is "exploring and mining" to include such activities in mining as may be required by Federal and State laws and regulations?

Mr. KESSLER. Would you mind repeating that, Senator Walker?

Mr. WALKER. Do you interpret the word "exploring and mining" to include such activities in mining as may be required by Federal and State laws and regulations?

Mr. KESSLER. Mr. President, it seems to me that if the Federal government or the Commonwealth of Pennsylvania insists upon certain parts of equipment or establishes certain requirements before mining of coal will be permitted, then certainly those items ought to be exempt from taxation. I refer to such things as ventilating fans, the rock dust that is used to settle the coal dust to prevent explosions, the signal systems that are required and other safety devices that are essential; otherwise the mine would not be permitted to run. It seems to me they are directly used and, therefore, should be exempt in the production of coal.

Mr. WALKER. Senator Kessler, one more question. Coal is not specifically mentioned in any of the taxable categories. Is coal construed to be a home, business, industrial or commercial supply, in your interpretation of categories 4 and 5?

Mr. KESSLER. Mr. President, the present sales and use tax is built up on a category system which means that unless an item is mentioned in a category, it is not subject to tax. We specifically excluded in the Conference Committee discussions any reference to coal in the categories, because it was not our intention to tax coal.

If any interpretation were to be made that home supplies or industrial supplies, I believe you said, and commercial supplies were to include coal, it would be contrary, I am sure, to the intent of the Conference Committee and this General Assembly. In fact, during these amendments to House Bill No. 337, we considered putting a specific exemption in to remove coal from any possibility of tax.

I would like to make one further comment about coal and that has to do primarily with our largest competitor in the soft coal industry, West Virginia. West Virginia does not tax anything that is used directly or indirectly in the extraction of mineral resources from the earth. West Virginia, I believe, is our largest competitor with respect to coal. They have a sales tax in West Virginia, but they interpret it differently with respect to coal.

Mr. WALKER. Thank you, Senator Kessler.

Mr. SILVERT. Mr. President, we are now considering the bill that is calculated to raise almost fifty per cent of the needs of the State or, let us say, about forty per cent. One of the main objections to a sales tax is that not only does it bear heavily upon people who are least able to pay, but it sets up a system whereby the State of Pennsylvania has 300,000 collectors to collect the tax from businesses, ranging from a large department store to a small corner store. We know that where you have a system of 300,000 collectors, there are bound to be leaks no matter how efficient the administration. Personally, I feel that if we could divide the same tax and place it at a level other than your retail store and thereby reduce the number of collectors from 300,000 to possibly 10,000, this State would probably gain possibly $100,000,000 in two years' revenue in better collections.

However, Mr. President, we have the bill as it is, with all its 300,000 collectors. Nevertheless there are situations where the bill is not clear. You take the construction industry, for example. Our Department of Revenue has found it difficult to collect this tax in all instances, because there is an uncertainty as to when a building contractor is a consumer, in which event he would pay the tax. The same situation exists when he is a seller, in which event the purchaser from him would pay the tax.

Therefore, Mr. President, I am presenting an amend-

ment to clarify this situation. In other words, this amendment would spell out when a building contractor is a consumer and subject to the tax, and when he is not a consumer and, therefore, not subject to the tax.

The PRESIDING OFFICER. The Chair would call to the attention of the gentleman from Philadelphia, Mr. Silvert, that the bill is on Final Passage and if it is his desire to offer amendments, it will be necessary that he make a motion to reconsider the vote by which the bill passed Third Reading and then ask for unanimous consent to present his amendments at that time.

RECONSIDERATION OF HOUSE BILL No. 337

Mr. SILVERT. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 337 passed third reading.

The PRESIDING OFFICER. How did the Senator Vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

Mr. DENT. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

AMENDMENTS OFFERED

Mr. SILVERT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 1, by inserting after "(C)"; "and"; Amend Sec. 1, page 2, lines 2 and 3, by striking out "Clause (j) and paragraphs (11) and (17) of clause (1)"; Amend bill, page 7, by inserting between lines 3 and 4: "Section 1.1 Clause (h) of section 2 of the act, added May 24, 1956 (P. L. 1707), is amended by adding at the end, a new paragraph to read: "Section 2. Definitions.—The following words, terms and phrases when used in this act shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning: * * *

"(h) 'Resale.' * * * "(3) The transfer of ownership, custody or possession of awnings, blinds, window screens, prefabricated cabinets (other than bathroom cabinets and cabinet sinks), appliances, machinery, equipment, lockers and storm windows and doors in conjunction with an undertaking to install such property. * * * "Section 1.2. Clause (j) and paragraphs (11) and (17) of clause (1) of section 2 of the act, added May 24, 1956 (P. L. 1707), are amended to read:"; Amend Sec. 1 (Sec. 2), page 12, by inserting between lines 2 and 3: "Notwithstanding any other provision of this act, the term "sale at retail" shall include any transfer for a consideration of the ownership, custody or possession of materials and supplies to be incorporated or installed by the purchaser (either directly or through an agent) into a building, structure, highway, pavement, or other improvement to real estate. For the purpose only of this paragraph, the term "materials and supplies" shall include, but not be limited to the following tangible personal property: "(1) All property which when combined with other property becomes an integral part of a completed building, structure or improvement to real estate. (2) Electric wiring, fixtures and associated circuit control equipment. (3) Protective and decorative coatings. (4) Road construction materials. (5) Pipes, valves, pipe fittings, plumbing accessories and fixtures. (6) Air conditioning equipment which becomes an integral part of a central cooling system of a structure, and which is intended to become a permanent installation, and is particularly adapted to the premises for this purpose."

On the question,

Will the Senate agree to the amendments?

Mr. MAHANY. Mr. President, under the present sales tax act, the Department of Revenue recognizes the contractor as the consumer. Therefore, it becomes incumbent upon he contractor to pay taxes on just about everything that goes into the house. I think it would be a lot better, and would allow the department to police the sales tax much easier, if we leave the law as it now is written.

Therefore, Mr. President, I oppose these amendments.

Mr. BARR. Mr. President, in reply to Senator Mahany, I think the amendments were probably prepared by the Department of Justice. I think that department is better fitted to make that decision than Senator Mahany.

Mr. MAHANY. Mr. President, I would like to say to Senator Barr that this is the first time I have known the Department of Justice prepared the amendments which Senator Silvert sponsored. However, I still feel that the present act, as far as these particular items are concerned, is being administered with a certain amount of certainty and I do not want to disturb that.

Mr. DENT. Mr .President, for the moment I yield to the gentleman from Philadelphia, Senator Silvert, who desires the floor.

Mr. SILVERT. Mr. President, may I read a short statement which was given to me by the department?

"Under the present regulations, a contractor is considered to be a consumer in most cases. These regulations were written in a form acceptable to the construction industry and in a form consistent with proper and economic administration of the law, but it is possible that a court might determine that a contractor is, for instance, the vendor, rather than the consumer of a toilet he purchases for installation into a building. Such determination would result in bonanzas in the form of tax refunds to construction contractors who previously paid tax and included such tax as an element of cost in construction contracts. In addition, such determination would result in substantial dislocations and confusion in the construction industry.

"It is also possible that road construction contractors would be in a position to receive refunds of millions of dollars which they paid in sales tax on road construction materials. This amendment will clarify just when a contractor is a consumer on when he is a vendor, and thus alleviate the present, precarious and dangerous situation, which makes it impossible for the Department of Revenue to write any regulation pertaining to the construction industry with a certainty that such regulations would be upheld in the courts."

Mr. DENT. Mr. President, will the Clerk please read the page and the section to which this amendment applies?

The PRESIDING OFFICER. The Clerk will again read the amendment.

The Clerk read as follows:

Amend Bill, page 7, by inserting between lines 3 and 4: "Section 1.1"—

Mr. DENT. Mr. President, Senator Mahany said that he thought it would be best if this were left as the Act was written, because they have arrived at some kind of a program over in the Department of Revenue. Does Senator Mahany realize that we are amending an amendment? The Act is not the same today as it was when originally placed on the books. This Act was amended by Senate amendments. We are trying to amend that amendment because of the extra confusion that has been added by the amendment inserted by the Senate.

Incidentally, if I read right, Senator Mahany not too long ago said this: "Too many uncertainties in the present law," he said, "would be eliminated if all the exemptions were spelled out to the letter." That is exactly what the Attorney General is attempting to do by these amendments. I might say that all of the amendments which we will offer today have been compiled by the Department of Justice, working with the Department of Revenue, and the amendments, outside of the ones that I will call specific attention to, are remedial amendments aimed at taking what Senator Mahany calls the "confusion" out of the administration of this bill. They are not intended to hurt anybody or to add or subtract from the revenue, only as that revenue is incidental to good administration.

I believe that it is a blind policy being followed on the other side to defeat all of these amendments. The amendments, themselves, have noting to do with putting more tax on or taking more tax off of anybody. I believe that we should consider the amendments as to their merits and not as to their sponsorship.

Mr. MAHANY. Mr. President, it is true that I did say a week or so ago that I felt we should make the exemptions certain. I also suggested at that time that we have a general sales tax and spell out the exemptions and that if we decide to have a general sales tax, we should spell out the exemptions and be articulate about them. However, contrary to what Senator Dent says, this is not an amendment to the amendment. Since we have not affected the present law by our amendments, then the present law stands, and this particular part of the present law has not been affected by the amendments which we have placed in House Bill No. 337 which are underlined, and, as Senator Dent knows, set out and set apart the amendments from the present law.

I also feel that most of the Senators want to act upon this bill today. Perhaps there will be another chance to vote on remedies in the Act. We may do that by presenting another bill to amend the sales tax. At that time, perhaps, we can spell out some of these things. However, I feel that it is necessary for us to act on this bill and send it over to the House for concurrence. Perhaps the House will not concur in it; I do not know whether or not they will concur. I hope they do. If they do, then at a later date we may then consider some amendments to the sales tax which are not incorporated in this bill.

Mr. DENT. Mr. President, this Act does not go into effect until May 31. Does the Majority Leader intend to leave the impression that it is good legislation even if it is bad? Does he mean that they must get this bill through now, regardless of whether it is in good form or not? Why the haste? What is the rush? Are we afraid that we have opened the door to only certain individuals and certain interests in the State, and that unless we rush the bill through and get it from the calendar, the heavy pressures from those who have had the door slammed in their faces, when they asked for amendments, might become too much for the Senators to stand? If it is a bill arrived at with cool, calm deliberation, why need we be afraid of keeping it on the calendar where it can be worked upon? Why do we have to spend thousands of dollars to present a new bill later on, to amend out of this particular bill sections which we know are wrong today? It just does not make sense. It is not the type of operation that this Senate is accustomed to performing, and I am very much disturbed over this rush on this particular bill; especially with the admission that there will be another bill to correct that which is wrong in this bill.

Mr. MAHANY. Mr. President, there is no use in continuing with this kind of debate, because Senator Dent tries to twist what I say into what he thinks he would like to have me say. I certainly did not say that we would have another bill. If we decide that there are some inaccuracies or something which needs to be cleared up, then we may present another bill .

Mr. President, we feel that the present law is certain relative to these things that go into houses. The department has ruled that the contractors are the consumers. The department looks to the consumers for the payment of the tax on the various things which they buy to install in houses. There has been no showing that there is a need for any change in the present law. That is the reason we oppose this amendment.

Mr. DENT. Mr. President, may we be at ease for a moment? I want to hold a side-bar conference with my attorney.

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. DENT. Mr. President, now that I have been advised by my counselor, I wonder if the Senate recognizes the fact that this amendment does not deal only with house building, but it deals very easily in the broad sense of contractor-consumer relationship in this particular bill, as it is now written. It is true that there have been some regulations which have clarified the situation in so far as utilities going into homes, and appliances that might be put into a newly constructed home, but there is still a very grave concern on the part of the Revenue Department as to the relationship between the contractor and the purchaser in the matter of road construction and other large contracts. If, in this bill, the contractor can become the vendor, then is it not perfectly proper for the Department to ask that we clarify the situation so that no matter what goes into the production of contract, it will be taxed to the contractor, and he then would pass it on to the ultimate consumer or those who had hired him to perform the contract?

This goes further than household appliances. I think the Department is perfectly clear on that. No little taxpayer is going to come in and take a test case on the matter. You all know that there has been almost a conspiracy in the deliberate nonpayment of the taxes

in the Commonwealth by large taxpayers, and this is only an effort to clear it up.

However, if the gentleman will tell me that they are not intending to take any amendments offered today, we will go through the motion of presenting the amendments to make the record clear and let it set at that stage. If the amendments that we are offering are not to be considered on the basis of the merits of them, then we will offer the amendments, have them voted down by the Republican side and, at least, make the record for the future.

Mr. President, I would like to interrogate, at this time, the Majority Leader.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DENT. Is it the vote of the Republican Caucus to deny all amendments today?

Mr. MAHANY. Senator, the Republican Caucus is not taking any Caucus action on this. As I have talked with various individuals, they have told me that they would like to vote on the bill today, whether it be at 3:00 o'clock, 4:00 o'clock or 11:00 o'clock tonight. They want to have the bill acted upon today.

Mr. DENT. Did you talk to twenty-six individuals?

Mr. MAHANY. No, I probably did not talk to all twenty-six, but I talked to a representative number.

Mr. DENT. Mr. President, Senator Mahany and myself, if no other persons do, we do understand each other. We, of course, on this side understand that the amendments will all be turned down. However, I ask the Democratic Senators, who have amendments, to present them and give the logic for the amendments, and then let it rest at that unless someone questions us.

Mr. BARR. Mr. President, I think the gentleman from Titusville did answer our question, because he knows that if any amendment is accepted, the bill cannot be voted upon finally today. So, indirectly, he has answered the question; the answer being that the Republicans have limited themselves to the bill as it is before us. In other words, the Department of Justice means nothing to them. I have talked to a number of Republican Senators on the other side and they do not understand the bill.

On that little duet between Senator Walker and Senator Kessler, I would say that somebody should get two punched fare tickets on the Pennsylvania Railroad and send them in and maybe we can get a copy of it.

And the question recurring,

Will the Senate agree to the amendments?

Mr. SILVERT. I ask for a roll call, Mr. President.

Mr. DENT. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. SILVERT and Mr. DENT, and were as follows, viz:

YEAS—22

Barr,	Hays,	McMenamin,	Schmidt,
Camiel,	Kalman,	Mullin,	Seyler,
Dent,	Lane,	Murray,	Silvert,
Derk,	McCreesh,	Ruth,	Stiefel,
DiSilvestro,	McGinnis,	Sarraf,	Weiner,
Donolow,			Yosko,

NAYS—27

Berger,	Kessler,	Propert,	Walker,
Blass,	Kopriver, Jr.,	Scott,	Watkins,
Chapman,	Kromer,	Stevenson,	Watson,
Ehrgood,	Madigan,	Taylor,	Whalley,
Elliott,	Mahany,	Van Sant,	Wolfe,
Flack,	Mallery,	Wade,	Fleming,
Harney,	Pechan,	Wagner,	Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SEYLER. Mr. President, speaking only to the Members on this side and the Members on the Republican side whom Senator Mahany did not get an opportunity to talk to and, therefore, may possibly be still open to good amendments, I have an amendment here that I think is not at all a controversial one, except that there might be possibly a legal controversy as to whether it is necessary. However, I am convinced that it is necessary.

In the Act, as it appears, it was clearly the intent of the Legislature to tax the service of wrapping or packaging when done from another person. Now this is stated in the Act as an exception to one of the exclusions, which is sort of an upside down, topsy-turvy way of putting it in. This is found on page 11 of the Act, in case anybdy is following me.

This is a peculiar way of putting it in, and it raises a possibility that legal objection will be made to it in the way it is stated. Secondly, it makes it very difficult for persons affected by the Act to understand that this service is taxable, and the only thing that these amendments do is to amend or place into the Act, under Section 201, this service which is taxable since that section contains the positive statements of those things on which the tax is imposed.

I think everyone will admit that that will put it in a form which would no longer be open to question or challenge, legally. It will also put it in the form whereby all persons affected by this section of the act will understand that this service is taxable.

Therefore, Mr. President, I ask unanimous consent at this time to offer amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 3, page 14, line 20 and page 15, line 1, by striking out "and clause (c) of Section 203"; amend Sec. 3, page 15, line 2, by striking out "are" and inserting in lieu thereof: "is"; amend Bill, page 20, by inserting between lines 3 and 4:

"Section 3.1. Section 201 of the act, added May 24, 1956 (P. L. 1707), is amended by adding at the end, a new subsection to read:

"Section 201. Imposition of Tax.— * * *

"(d) There is hereby imposed upon the rendition of the service of wrapping or packageing for another a tax of three per cent of the purchase price incident to the rendition of such service.

"Section 3.2. Clause (c) of section 203 of the act, added May 24, 1956 (P. L. 1707), is amended to read:"

On the question,

Will the Senate agree to the amendments?

Mr. KESSLER. Mr. President, I object to these amendments, believing that they are unnessary and simply will clutter up the law. The present regulations, which I would like to read, say that the entire charge for wrapping or packaging is taxable even if portions of the charge may be separately stated and attributed to labor or service.

Mr. SEYLER. Mr. President, Senator Kessler, like myself, suffers from the disability in some cases of not being a legally trained person. He does very well, as a matter of fact, but I say that he suffers from this disadvantage as I do also.

Now I think the point here is that, yes, the regulation makes that statement. However, the fact that it is stated negatively, and in a place which is not perhaps the proper place for such a provision, leaves it open, as I understand it, to legal challenge. It also makes it obscure to any person who is seeking the source and authority upon which that regulation is based.

Now it is the considered judgment, as I understand it, of the Department of Revenue and the Department of Justice that this amendment is necessary in order to make this clear and to make it enforceable. We have heard a great deal of comment, and I think Senator Kessler has said that he has heard a great deal of comment, about certain obscurities and certain dubious ways of stating material facts in the law. This is certainly one of them, Mr. President, and I think if the Senator gives it some thought, he will feel that these people, guided by their experience in administering the Act and having decided that this is a necessary amendment, perhaps we should give some consideration to it.

And the question recurring,

Will the Senate agree to the amendments?

MOTION TO ADOPT AMENDMENTS

Mr. SEYLER. Mr. President, I move that the amendments to House Bill No. 337 be adopted.

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, yesterday I did not have sufficient time to answer Senator Dent because we wanted to adjourn at 6:00 o'clock, so I made a few notes on the back of yesterday's Calendar as to what the Senator said relative to this bill. I feel that much of what he said was a misinterpretation of what the amendments seem to do.

Senator Dent said that he does not get his messages in the newspapers very much. However, every time I pick up a newspaper, I see where Senator Dent had said something or other. I think he probably gets more publicity than any other Senator here, and perhaps that is because he says more in the Senate than any other Senator.

I think that Senator Watkins properly answered the shipbuilding amendment and justified it because of all the States that have a sales tax, I understand there is no State which taxes their shipbuilding industry. It is an industry which is unique in itself. This industry, if we taxed it, could very well move across the river into the neighboring State of New Jersey and there give employment to the people in New Jersey. It is one of those things that is difficult to tax. As I stated, no State has seen fit to put a tax on the shipbuilding industry.

Senator Dent stated that we should not tax some things to some people and not tax the same things to somebody else. Well, every State that has a sales tax has exemptions. Ohio has exemptions, California has some exemptions and Florida has some exemptions. Most every State does have exemptions, depending upon the use to which the article is put. In Ohio they have a general exemption or exclusion from their sales tax which excludes all items that are used or consumed in a manufacturing process, and we have tried to transfer the language of the sales tax in Ohio into our sales tax. Where you have that language, then you are going to have an exemption of an article or an item which would be taxable to one company or to one person and not taxable to another person or to some other company.

I remember back in 1951 when Senator Dent made quite a long speech in the Senate. I told him, when he got through, that industry certainly had a strange suitor that day. I remember the Senator talked at length on an amendment, which he sponsored, that would exclude from the old one per cent sales tax all items used or consumed in the manufacturing process. Under his amendment, at that time, screwdrivers and hammers and every item used in the manufacturing process would have been excluded from the sales tax. Yet, yesterday he belabored the point and accused us of selling out to big interests when, only a few short years ago, he presented about the same type of philosophy.

I know it is useless to play back Senator Dent's records because what he said back in 1953 might very well be changed, in the light of what he thinks now in 1957. The fact of the matter is, yesterday he told me that he was against a certain amendment which today he seems to be for. I cannot keep up with the Senator and, as I say, it is useless to play back to him what he played so well back in 1953.

These amendments have been worked on by Senator Kessler—and he has worked at length on them—and others. I have met in his office at times and have helped him with these amendments. I would say that most every amendment in House Bill No. 337, which has been put in by the Senate, is a clarifying amendment. There is no question about it. I do think there is very little revenue that will be lost if we adopt these amendments over the amount of revenue which is now received. The fact of the matter is, I think a lot more will come in as a result of these clarifying amendments.

There are one or two amendments in here that do eliminate tax on an item which is not taxable under the present law. For instance, Senator Pechan thought it was not quite right not to tax crutches and those things, and hearing aids, and then put a tax on false teeth. So, we have an amendment in here which eliminates from the sales tax the tax on false teeth. Therefore, whatever amount of tax we now get from the sale of false teeth, we will not get if we adopt these amendments.

Now we have been accused of all types of things relative to our intentions when we put these amendments into House Bill No. 337, most of which are untrue. Many of my Republican colleagues have told me that they grow rather tired of being hit over the head by various arguments relative to this sales tax, when what we are trying to do is take all of the responsibility of passing revenue measures so that the Governor may spend all of this money. In other words, the Governor has the fine job of spending it, and the Republicans have the tough job of

voting on tax measures to raise it and it is not a very nice position to be in. I am sure if our positions were reversed, and we had a Republican Governor and a Democratic House and a Democratic Senate, I think that he would be more charitable when the Democratic Members would have to raise the money for the Republican Governor to spend than has been the case with the present Administration and our present Democratic colleagues in the House and in the Senate.

Senator Dent did touch on this foundation thing that we are exempting. We have exempted the machinery that is used by our manufacturing plants, and we thought also, inasmuch as machinery was exempt from the tax, that any strong foundations that would have to be put under the machine, in order to hold up the heavy weight of the machine, should also be exempt because, after all, the foundation and the machine are almost one, and if one was exempt, certainly the foundation upon which it rested should be also exempt.

We could probably go on here for a long while and talk about this, and arrive at no particular decision or particular agreement with our Democratic colleagues, because I do not believe if we Republicans accepted their amendments, they would vote for the tax on final passage. They just put in these various amendments, figuring that they are going to make some political hay out of it at some future time, and I think most of them are presented for that purpose.

I remember a couple of years ago when the Republicans took the brunt of the sales tax. The Democrats talked for hours relative to it. At that time, Senator Dent and others predicted that I would be the Minority Leader in the next Session of the Senate. I had a little trouble becoming the Majority Leader, but there was never any question that I was going to be the Minority Leader. I want to point out to Senator Dent, in spite of all his predictions and also Senator Barr's predictions, that there was not one Republican incumbent that voted for the sales tax in the last Session in either the House or the Senate who ran for re-election and was defeated. On the other hand, there were a great many Democratic Senators and Representatives—especially the Representatives, since there was only one Democratic Senator defeated—who voted for the classified income tax and opposed the sales tax and who are not back in the House today. The Republicans are now enjoying quite a large majority in the House and a larger majority in the Senate than they had at the last Session. Therefore, if you want to make particular hay out of the sales tax, you are welcome to do so.

I want to point out to you also, Senator, that there were certain leaders—I do not like to refer to them as labor leaders; perhaps they are more Democratic leaders than they are labor leaders—who were represented on the Governor's Tax Study Commission, of which I was a member for a short time, and their finding was that the sales tax was much more equitable for the little man than the income tax. Therefore, contrary to what they told you two years ago, they have now decided that the sales tax is O.K. and even suggested, if we needed more revenue, that we also include clothing and other items, which we do not expect to do at this Session of the Legislature. I hope it will be many years before we have to include clothing in the sales taxes. However, they did come up with that, Mr. President, and I feel they are for a sales tax. I noticed in the last two days that they have said these particular amendments to the sales tax are not acceptable to them. I do not know how they arrive at that conclusion. I think that these amendments are good; they are used to clarify the present sales tax act and I believe will make the present sales tax a much more workable one.

I hope that you will see your way clear to vote for House Bill No. 337, as amended, on final passage.

Mr. McMENAMIN. Mr. President, I yield to the gentleman from Westmoreland, Senator Dent, at this time.

Mr. DENT. Mr. President and Members of the Senate, I do not know whether this bill would be a better bill or whether it would be a worse bill if Senator Mahany can discredit me. The fact that he spent most of his time digging into the past to try to discredit my statements has little or nothing to do with the bill. I might say that two years ago, when I offered the amendment for the consumed products in the process of manufacturing, I also voted for that same amendment last year, and will vote for it this year. However, Senator Mahany at that time voted against my amendment when it was offered and he is now crying for the amendment. Therefore, when it comes to changing positions, Senator Mahany is quite adept at that act himself. Although he is a litle heavy on his feet, he dances very well when it comes to changing positions.

Mr. President, I do not think that the question of foundations was clearly discussed by the Senator, because this does not only apply to foundations which are an integral part of a piece of heavy machinery. This says "foundations under all buildings to be used for manufacturing utilities or shipbuilding." It does not say anything about the foundations only to be under the piece of machinery that is exempt. When you go into the fact that you are exempting machinery, you are exempting machinery not used in the process of manufacturing by your amendments.

For instance, here is an analysis. If Senator Mahany doubts who wrote it, he can come over and see my two-finger touch system that I use on a typewriter once in awhile. He will notice that I sometimes cross my i's and dot my t's. However, for instance, does he know that the amendments, inserted by Senator Kessler, have this effect? I think that it is one which is very, very important.

They say now that any additional piece of equipment not now tax-exempt will be exempted if, at the time of purchase, the manufacturer intends to use the item more than fifty-one per cent of the time in an exempt activity. I would like to ask any Member of this Senate whether or not, in their opinion, any piece of machinery not now exempt will exer be taxpaid by the people who were able to get this amendment into the bill.

He condemned the House of Representatives, and yet, the House of Representatives voted, almost to a man, for House Bill No.337 when it came through the House of Representatives. There were very few Democratic House Members who voted against the bill.

Senator Mahany said that if they did accept our amendments, we would still vote against this bill. I cannot speak for my colleagues, Mr. President, but I will tell you what I will do. I will guarantee you that you will receive

the majority of votes from this side if you accept our amendments. In fact, you may receive all of them. You will receive mine and, knowing me, I believe you know that when I say something, I usually do it.

Another fact that Senator Mahany mentioned is that under these amendments, they do not cost any money and the revenue is not reduced. Let us see whether they do or not. If a contractor does a job for a utility, if he is going to devote the machinery that he has to fifty-one per cent of the time to working for a utility, his machinery is now tax-exempt. Those are the exemptions you put into the Act and I do not think you care what they mean. I do not think you care or know what they mean. I do not think that it makes any difference to you whether the amendments mean thousands or millions of dollars in taxes to be spread out over the ordinary cititzen, just because you are exempting certain privileged groups. Let us see why these groups were exempted.

Senator Mahany seems to think that we do things only for political reasons, that we want to make political hay. I voted for your tax bill the last time, and if you were short of votes on that side, the State of Pennsylvania would not have to suffer, because I would have the courage to vote for it again and again and again. If you had the courage of your convictions, you would be standing on this floor fighting for a general sales tax because that is what you have come out for publicly. If I would have come out publicly for it, I would be on this floor fighting for it and would not be exempting more and more and more of the privileged peoples from the sales tax. I think Senator Mahany may destroy the faith of the people, who do not know me, in my statements and in what I say. However, the records will prove over the years that I have not said too many things that I cannot answer for at any time of the day or night.

I know why these amendments are in the bill, and I think it is proper that this be made part of the record. Let us look at this. This may also answer why there are less Democratic House Members than there were two years ago.

The election was not won or lost on the basis of how they voted on the sales tax or the income tax. I will tell you how it was won or lost. It was won or lost because you had Eisenhower. Incidentally, Eisenhower has a Democratic House and Senate and they have to raise the money for him to spend under the largest budget ever conceived by man, let alone put into the record books, $72,000,000,000. He promised to the people of the United States a $60,000,000,000 budget within two years if he were elected. He has the highest budget ever recorded in the history of any organized government or civilized country.

Let us see why you have these amendments and let us see who they hit. Let us see if my roll call does not touch every amendment that I have talked about. These are the contributions and the contributors to the two political parties. I am not ashamed to read the contributors to our Party, and I am going to give them to you. They are a little disproportionate, but they are there.

Two hundred and twenty-five of the largest United States corporations, which will all be exempt from this bill, contributed to the Republican Party $1,816,000 and contributed to the Democratic Party $103,000.

Eighty-eight corporations participating in the Atomic Energy Program—and all the companies interested in the Atomic Energy Program are exempt under this bill—contributed $387,000 to the Republican Party and $34,000 to the Democratic Party.

Twenty-nine of the big oil companies—now that is no relationship to Sun Oil and I do not want the gentleman from Delaware, Senator Watkins, to get excited about Joe Pew. I want him to know that I have learned that he believes we should build a statue to Joe Pew and when he puts the bill in, I will vote for it. Twenty-nine big oil companies contributed $344,000 to the Republican Party and $14,000 to the Democratic Party.

Ten leading radio and television station licenses—read the amendments in here pertaining to that phase of this collection of taxes—contributed $37,000 to the Republican Party and $1,000 to the Democratic Party.

Thirty-seven leading advertising agencies—incidentally, when you look into the printing and all of the rest of the things which deal with newspapers and the rest of it, you will find your reason for this—contributed $51,000 to the Republicans and nothing to the Democrats.

This next one is almost equal. I guess they counted the lawyers on our side and counted the lawyers on your side and they worked this out on the basis of mathematics. The American Bar Association contributed $5,000 to the Republicans and $2,500 to the Democrats. That is why all laws dealing with lawyers get passed unanimously.

The American Medical Association gave us nothing. Do you know what they did for the Republicans? They gave you the same thing.

The American Petroluem Institute—of course, I am sure you are all educated enough to know what petroleum is; it is an oily sort of a substance—gave $171,000 to the Republicans and to the Democrats they gave zero.

This next one is the one I like. The United States Chamber of Commerce gave $10,700 to the Republican Party and gave nothing to the Democratic Party. I am going to resign from the Chamber.

The National Coal Association contributed $28,500 to the Republican Party and nothing to the Democratic Party.

The National Association of Manufacturers contributed $81,475 to this particular commitee and to the Democrats, nothing.

The National Association of Electric Companies gave very small contributions, but just to get in on the honor roll, they contributed $2,000 to the Republicans and nothing to the Democrats.

The Association of American Railroads this time played it very cautiously. They gave the Republicans $3,500 and then they got real cautious and gave us nothing.

Mr. President and Members of this Senate, I do not care how many derogatory remarks are made about me, or my memory, or my shifting positions or anything of the kind. Nothing will change the fact that this bill is designed to take care of a special, privileged group which has always been taken care of. There is nothing in this Act that points to anything but that conclusion.

Senator Mahany defended the shipbuilding amendments. Is it not true that two years ago we recognized the seriousness of the shipbuilding industry and we

exempted from the sales tax the shipbuilding industry on all vessels over fifty tons? Also at that time we exempted any repair jobs done by contract in order to keep the shipbuilding companies that they said would move out of the State. What happens under this amendment? You now exempt every possible, conceivable item used, from a paper clip to a main mast. There is no justice in this; I do not care how much defense is made of it. We exempted the shipbuilding industry and it was perfectly happy. However, someone conceived the idea that maybe we ought to get a little more out of this pumpkin pie. Therefore, they have taken them completely out of the realm of taxation.

Senator Mahany is wrong about the fact that in States which have sales taxes, none of them tax shipbuilding. He is absolutely wrong. Offhand, I can tell you one State which taxes it, because I have the records, and that is the State of California. It not only taxes the shipbuilding activity, but it also taxes supplies taken on by ships which hit their ports. None of us have complained a bit about the amendment taking out of the taxable realm the supplies that are purchased by ships stopping in our ports and moving on to other ports. We are not complaining about that amendment at all. Yet, they do in California.

I am tired of hearing everybody talk about Ohio and its wonderful tax base. I, again, make you the offer that if you will take all of the State tax laws in Pennsylvania off the books and put on the books a complete set of the Ohio taxes, including utilities, including railroads, including the manufacturers, the chattel taxes, the mercantiles and the rest of them, I will support it. In fact, I will co-sponsor it with you, Senator Mahany. If Senator Mahany wants the Ohio taxes, I will co-sponsor them with him. If he wants the Michigan tax base, I will co-sponsor it with him If he wants the New Jersey tax base, I will co-sponsor that with him. If Senator Mahany thinks they are better taxes than we have in Pennsylvania, trot them out and we will co-sponsor the taxes and put them through for you.

You know and I know what has happened. They talk about a certain tax in Ohio and then they say this is exempted in Ohio and, therefore, they come to Pennsylvania and exempt that. When that is exempted in Ohio, some other item is taxed in Michigan. These same people then come up and say, "In Michigan, this item is exempted." So, they come in and we exempt the item which is exempted in Michigan. Then they go to California and to all the other States and we end up not with one exemption that one State has, but we end up with all the exemptions picked up from all of the States.

Why do we not pick on one particular bill? If you want the Michigan tax bill, go ahead and put it in. If you want the Ohio tax bill, put it in. If they can raise $580,000,000 with a three cent tax out in Ohio, certainly we in Pennsylvania, with thirty per cent more population, should easily be able to raise $700,000,000. Therefore, if that is the history of the situation, let us go into it. If they can raise $600,000,000 a year, or $1,200,000,000 out in the State of California with a three per cent tax, let us put it in Pennsylvania. We will raise somewhere near the same amount because our population and business activities are somewhat similar. If that is what you want, just say so.

This business of trying to say that the labor leaders were for the so-called sales tax and all that was in it, if you will carefully note, the labor leaders have come out and have said that the amendments—they have not objected to the original tax bill. They have not run from the position that they took on the Tax Study Commission, and neither has the Democratic Party run from that position. However, show me where any labor leader in Pennsylvania has given you permission to use his name or his organization as approving the amendments which have been made here in the Senate to this tax bill. Certainly, you can start through a title and all of us might say we are for the title. However, if you write in under the title all kinds of covenants and amendments and restrictions and regulations, you certainly cannot hold us to an agreement that we made upon the title. So it is with the labor men.

Yes, they endorsed the present tax bill because they said it was the lesser of two evils. They are entitled to that opinion and they are entitled to that judgment. I still do not agree with them. I do not say that it is the lesser of two evils. However, they did not agree to your amendments, and they have authorized me to say that they have not and will not agree to the amendments. This does not make any difference because I think that when you read the riot act of how many votes we lost in the General Assembly—and I know Senator Mahany and I know it would have hurt him sorely to have been the Minority Leader. He has never been in that position, but it would have hurt me more sorely to have been the Majority Leader, because I have never been in that position. It does not phase me a bit whether I am a leader, Majority or Minority, or whether I am a Member, Minority or Majority.

I assure you that long before I was the Floor leader on the Democratic side, on every bill which came upon the floor that I thought had to be explained, in what I thought was my interpretation of it, nothing held me back. Hour long speeches were made long before I was a Member. If you are geting tired of hearing them, I am awfully sorry for you. If you want me to, I will dictate them and put them onto a recorder, and you can take them home and listen to them at your leisure.

I am sure that you are tired and you want to go home. I was tired yesterday and I wanted to go home. However, you are a little more tired than I am, but the people of Pennsylvania might also be tired. They might be mighty tired of switching this tax burden around and keeping the pot boiling all the time so that by stirring up a lot of—you say I misinterpret things. Senator Mahany and Senator Kessler say that I am a propagandist. There is no worse propaganda in the world than the propaganda put out to the newspapers and put out through the radio and through television that this is a bad State in which to do business. Why am I fighting on this floor? I am fighting because I do not believe it is a bad State in which to do business. I believe, counting its peoples, counting its resources, counting its skilled help and counting its tax burden from local to State Government, this is still the best State in the Union to do business.

Mr. BARR. Mr. President, I thought it might be well to give the gentleman from Titusville a little political

lecture. I do not think he read the returns properly last year and I do not think he read them properly in 1955.

It is true we had a great white father for four terms but, fortunately for us, you will only have yours for two terms. I think a local election kind of tells the way the people are thinking. We took our position on the tax situation in this State early in 1955 and we succeeded in capturing twenty-six courthouses.

The gentleman says they increased their majority in the Senate. That is true. They went from twenty-six to twenty-seven, but I think we all know the history of the gentlemen who lost. I want to also tell the young man on the other side that in that same county, every Democratic House Member was elected. I want you to look back to—I cannot say the word on the floor—what you called a reapportionment act that you passed here in the Session of 1953. With a real apportionment act, the Democrats would still be in control of the House of Representatives. I come from a county where, if they had divided it properly, instead of four Legislators running in one place, we would have elected at least six more. I come from a county which is the only place where there are four Legislators in three different Districts running together.

I can remember early last year in the campaign when the then Republican Chairman, Mr. Hall, agreed with Mr. Butler that they were going forth to try and solicit small contributions, as was recommended by the Subcommittee on Elections of the United States Senate. Everything was going good until finally Mr. Hall said, "Well, we are not going to go along with it."

Now I just want to tell you the reason why. Gifts of $500 from officials of 225 large corporations brought the GOP $1,816,517. Officials of 100 big businesses, with the largest defense contracts, gave $1,133,188 to the GOP and only $40,000 to the Democrats. This is your hard money coming out now. Of the forty-seven leading Wall Street investment and banking firms, they gave $219,000 in big gifts to the Republicans and, God save us, they gave us $2,000. There were twelve wealthy families in this Country who gave to the GOP $1,040,206.

Now because such big contributions are essentially undemocratic, this Subcommittee saw an urgent need to put teeth into the law limiting big gifts. We as Democrats, supporting the Subcommittee's conclusion, went for the small contributions. Why did the Republicans wreck this plan? Because the Republican Party is lavishly financed by a few wealthy individuals with a keen interest in such matters as corporation tax cuts, high interest rates and a friendly attitude in the anti-trust drive in the division of the Justice Department and the regulatory agencies of the government. In short, the GOP does not need five and ten dollar bills.

As the Democratic State Chairman, I was approached by many and various industries in this State, wanting amendments to get out of this bill. I have talked with my various friends on the other side and we had agreed, not officially but between ourselves, that once we open the door, they will all be in for exemption. I say here today you fellows have broken your word. The friendly few, the big contributors, are getting out, and the little fellow is geting in deeper.

I would like to say to the populace, that the Democrats who voted for Stevenson and the Democrats who voted for Eisenhower, as of today the way this bill is being passed, you, the little fellows, are being saddled, while the big fellow that gave the big money to the Republican Party is being exempted in this, the worst bill that has ever gone through here.

I remember when the first sales tax bill passed here last year. I said it was unworkable and could not be enforced. The Majority Leader insisted on voting on that bill that night. It was not three weeks later when they had to pass a whole new bill to correct some of the inequalities and some of the unenforceable parts which were passed in the first bill.

The same thing is true here today. If you go back in the back and talk to many Republican Senators they will say, "Oh Joe, put it through this way and we will pass some other bill correcting it in a few weeks."

I do not believe in that type of legislation and I do not believe the majority on the other side believe in it. We are here on a sworn duty to perform our work and we should pass bills that can be enforced. We should pass bills which, when the sales tax auditors go out, they can audit. We should pass bills wherein those on the other side, a favorite few, cannot be told by a Republican bigwig, "Do not pay the tax. We will correct it in the next Session of the Legislature."

Mr. KESSLER. Mr. President, I would like to take issue with the Senator from Westmoreland on a few remarks.

Earlier this afternoon he said that the word "foundations" which we have inserted into this bill might be applied to building. I would like to call the Senator's attention to the exact wording of the language here on pages 7 and 8 where we are defining "'sale at retail'." It says:

"The term 'sale at retail' shall not include any such transfer for the purpose of resale or the transfer of tangible personal property"—not real estate but tangible personal property—"but not limited to machinery and equipment and parts and foundations therefor."

As I read that, "foundations therefor" applies solely to the machinery and equipment. I think the Senator should know there is a distinction legally between tangible personal property and real estate. We are talking here about tangible personal property.

The second item I want to correct the Senator on is, if I can refresh his memory back to a meeting in Senator Mahany's office when a group of us were discussing this bill, we had before us House Bill No. 2101, Printer's No. 1703, in which the following language appears:

"Where tangible personal property is utilized for purposes constituting a use as herein defined and for purposes excluded from the definition of use the predominant purpose shall determine whether such purposes constitute a use as herein defined."

That is exactly the same language that we have put in the amendments to House Bill No. 337. It was removed from House Bill No. 2101 in our Conference Committee report, on the express statement of representatives of the Department of Justice that they would interpret "use" this way.

Now what has happened, the Department of Revenue is ruling that if a mine car, which normally hauls coal from the face of the mine up out of the mine, is used at all to haul miners down to the face of the mine that use,

just incidentally, of hauling individuals makes that coal car completely taxable under this sales tax law. That is a complete abrogation of the understanding that we had down in Senator Mahany's office. That is why we reinserted that amendment, because it was our understanding that is the way the bill would be administered.

I am not quite finished, Mr. President. If I may, I would like to refer to the Governor's Tax Policy Advisory Committee whose report was issued in December 1956, and I want to read, first of all, the members of that committee:

The Honorable Thomas Kennedy, Vice President, United Mine Workers of America; Willard F. Rockwell, Jr., President, Rockwell Manufacturing Company—they are Co-Chairmen—The Honorable Kendig C. Bare, Mayor of Lancaster; Harry Boyer, President, Pennsylvania C. I. O.; Francis O. Case, President, Glen Alden Coal Company; Clifford F. Hood, President, United States Steel Corporation; The Honorable Arthur J. Gardner, Mayor of Erie; George H. Love, President, Pittsburgh Consolidation Coal Company; Matthew H. McCloskey, Jr., President, McCloskey and Company; David J. McDonald, President, United Steel Workers of America; Joseph A. McDonough, President, Pennsylvania Federation of Labor; and James M. Symes, President, Pennsylvania Railroad.

On page 3 of that report, the committee says:

"The Committee accepts the necessity of continuing the sales tax at a rate of three per cent. It compared the impact of the sales tax very carefully with that of a personal net income tax, since a graduated income tax is not now legally permissible, and found that the sales tax is less burdensome to the great majority of Pennsylvania families."

Then they developed that point further. As I mentioned yesterday, on a tabulation here known as V-A in the appendix, they cite the figures of the imposition or the effect of the sales tax at three per cent under present law, and a tax of three per cent on taxable income on tax paid on federal tax liability and in every instance, for the average earning family in Pennsylvania, the present tax impact is less than any of the others would be.

Another factor I would like to call to the Senator's attention is his repeated reference to Ohio. I have here an Economic Bulletin issued by Leonard A. Drake, Economist, of the Chamber of Commerce of Greater Philadelphia. It is dated July 1956. I would like to quote from portions of it, under the heading "Taxes Compared":

"Picture yourself as an officer of a corporation charged with locating a new plant in Ohio or Pennsylvania. First, the state tax comparisons:

"Corporate net income in Ohio, no tax; in Pennsylvania, 6%.

"Capital stock and franchise tax in Ohio, 1 Mill; in Pennsylvania, 5 Mills.

"Taxes as percent of total net investment:

"Local, in Ohio, 1.13%; in Pennsylvania, 1.06%"—in our favor locally.

"State, in Ohio, 0.14%; in Pennsylvania, 2.26%.

"Total, 1.27% for Ohio as against 3.32% in Pennsylvania."

There is a tabulation on the back of this report which indicates that in Pennsylvania, the portion of State tax revenue that is paid by corporations is thirty-eight per cent. We are the highest of ten States arranged in order of population. Massachusetts is second with twenty-seven per cent, New York with twenty-two per cent and so on down the line. Ohio has three per cent, as against Pennsylvania's thirty-eight per cent.

If those figures are questioned, I would like to refer you to "The Relative Tax Cost to Manufacturing Industry," a report put out by the Pennsylvania Economy League, Western Division, which was prepared for the Regional Industrial Development Corporation. They say on page 9 of that Report:

"Of Pennsylvania's State tax revenues in 1955, general corporation taxes supplied 25.2 per cent."

They go on to say here: "The more populous States of California and New York," they have only "10.0 and 17.4 per cents, respectively."

They take three corporations of various arrangements—that is whether they have large physical assets or have large inventories—and try to make direct comparisons between communities in various parts of the State. I do not want to burden you with all these details, but the conclusions that they come to are and I will just read a few:

For Corporation "A," they range from a low of—total taxes, State and local—$1,570 in Delaware to a high of $177,287 in Pennsylvania. Maryland and New York are next to Pennsylvania. For Corporation "B," the range is from $1,653 in Delaware to $141,850 in Pennsylvania. For Corporation "C," Delaware is again low with $1,703 and Pennsylvania, $166,185.

Now I submit I am not an economist. Certainly these people cannot all be wrong.

I have one other correction I would like to make. I took a transcript of Senator Dent's remarks yesterday in which he was giving figures on telephones, railroads and public utilities. I am having those figures checked. I have some data here on telephones which I would like to put into the record to correct erroneous figures that were submitted by Senator Dent yesterday.

Apparently the Senator stated that resident telephones in Pennsylvania pay $7.41; in Ohio, $6.03; in New Jersey, $4.63; and in Maryland, $1.94. These figures are completely inaccurate. They are the per cent of residence telephones in these States to the national total residence telephones and have nothing to do with the cost to subscribers.

Now here are the real costs to subscribers for comparison: Pennsylvania, $4.91; New Jersey, $5.15; Ohio, $5.37; and New York, $6.94.

Mr. McMENAMIN. Mr. President, I yielded the floor, as I understood it, to Senator Dent originally, but apparently they got off on another track.

The PRESIDING OFFICER. The Chair would like to announce to the Members of the Senate that he has been trying to be as fair as he can. The Chair is trying to go from one side to the other.

Mr. DENT. Mr. President, in order that there be no misunderstanding, for the information of Senator Kessler, the figures I read in my statement yesterday came from the Joint State Government Commission of the Commonwealth of Pennsylvania.

Mr. KESSLER. Mr. President, the figures which Senator Dent was quoting were miles of telephone wire; not dollars and cents.

Mr. DENT. I read the miles of wire into the record and

the dollars and cents. If you want the record, I will read it back.

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Kessler.

The PRESIDING OFFICER. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. YOSKO. Senator Kessler, you read from the Governor's Advisory Committee Tax Report and I think you read a paragraph from that where the committee agreed, in principle, with the three per cent sales tax. Is that correct?

Mr. KESSLER. May I read it to you again?

Mr. YOSKO. Yes, sir.

Mr. KESSLER. "The Committee accepts the necessity of continuing the sales tax at a rate of three per cent. It compared the impact of the sales tax very carefully with that of a personal net income tax, since a graduated income tax is not now legally permissible, and found that the sales tax is less burdensome to the great majority of Pennsylvania families."

Mr. YOSKO. Senator Kessler, I do not think the issue here is what you read. There are Senators on this side who said they would vote for a sales tax if the bill was in proper form.

Will you read a paragraph in that report anywhere which says that same committee was for the bill which is now before us in its present form?

Mr. KESSLER. It could not be because the bill was not in existence then.

Mr. YOSKO. Then there is no such paragraph in that letter, is there?

Mr. KESSLER. In which letter?

Mr. YOSKO. I mean in the report.

Mr. KESSLER. It could not be, Senator Yosko, because the report was not in existence.

Mr. YOSKO. All right, what you read in that report has no bearing on the issue today. What the Senators on this side are objecting to is the manner in which this bill is drafted.

Mr. KESSLER. What is wrong with the bill, Senator Yosko?

Mr. YOSKO. We have been debating that for a long time, and I will go into that a little bit later when my time comes. However, I think you mentioned that Joseph McDonough and Harry Boyer were members of that committee, is that correct?

Mr. KESSLER. Would you mind repeating that?

Mr. YOSKO. Is Mr. McDonough a member of that committee?

Mr. KESSLER. Yes, sir.

Mr. YOSKO. Is Harry Boyer a member of that committee?

Mr. KESSLER. Yes, sir.

Mr. YOSKO. Is Mr. Sludden a member of that committee?

Mr. KESSLER. No, sir.

Mr. YOSKO. Based on the statement you read about what the committee said regarding the sales tax, how can you reconcile that with what they said in a letter addressed to me and, I am assuming, to all other Senators? The letter is dated March 18, 1957. Here is what they say:

"The Honorable Joseph J. Yosko
"Senate Chamber
"Harrisburg, Pennsylvania

"Dear Senator Yosko:

"The State government operates for the benefit of all citizens, whether corporate or individual, employer or employee. To maintain its needed services, all should be equitably taxed.

"However, the Sales Tax Amendments, as introduced in the Senate, discriminate heavily in favor of particular segments of our economy,—the manufacturer, the ultility and the shipbuilder.

"Although proclaimed clarifying Amendments, they create a new class of exemptions, none of which reduces the impact of the tax on the wage earner, or his family.

"Even at its best, a sales tax hits heaviest at people in the low or average income bracket. To exempt further those best able to pay taxes, and to give no relief to those persons to whom the accumulation of pennies means the purchase of a necessity, cannot be justifiable legislation. The average individual has no lobbyist to plead his cause. Favored interests should not blind the Legislature to this fact.

"We respectfully urge that the Senate Sales Tax Amendments, allowing further exemptions to industries with well-financed and politically influential advocates, be defeated.

"Joseph A. McDonough, President
"Pennsylvania Federation of Labor
"Harry Boyer, President
"Pennsylvania CIO Council
"Charles J. Sludden, Pennsylvania Legislative Representative
"Brotherhood of Railroad Trainmen"

That is their stand, Mr. President. Now what they are saying in that report is for expediency purposes. I think I heard Mr. Boyer say that he reluctantly went along with recommending a continuation of the sale tax. However, today we are debating this bill as drafted and what we are saying is that it is vague and indefinite, it is difficult of interpretation, it favors the wealthy and puts the whole load on the average guy, shall I say. If you were to get those same committee members together today and ask them whether or not they agreed to the provisions of this bill, my guess is that there would not be a unanimous vote.

Mr. KESSLER. Mr. President, if the members who signed the letter which Senator Yosko read are the same members who were on this Tax Advisory Committee, then I can call them only politicians because they change their spots when the signal comes through.

I would like to make some further statements here, if I may. We are not enlarging the exemptions with these amendments. We are simply trying to clarify in and say what we mean. We have not even gone as far as this committee has recommended, in that we have not included the clothing which would impose a heavier burden on everyone, including the people you refer to as the little people.

Let me say, we are all little people. Some of us have a little harder time doing it, but it is our American heritage to have to contribute to the support of the Commonwealth and the Federal Government. All we are trying to do is

see to it that we are not depriving all of us of jobs. We are trying to keep industry in Pennsylvania. When we exempt the public utilities, the farming industry, the dairy industry and manufacturing, we are not doing anything more than we did in the prior bill, and it was the prior bill that these men said was satisfactory.

And the question recurring,

Will the Senate agree to the bill on third reading?

AMENDMENTS OFFERED

Mr. McMENAMIN. Mr. President, all I have been trying to do is ask unanimous consent to offer two harmless, rectifying, tenderizing amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 4, page 21, line 12, by striking out "THREE" and inserting: "four"; amend Sec. 4 (Sec. 203), page 23, by inserting between lines 5 and 6: "(m) The sale at retail or use of courses of study sold by or purchased from any correspondence school, except that portion of the sale price which covers the cost of books and materials."

On the question,

Will the Senate agree to the amendments?

Mr. McMENAMIN. Mr. President, one of these amendments was prepared by the Department of Justice, as some others have been. However, I am personally familiar with some of the problems raised in the enforcement of the tax, and, therefore, the other amendment I can claim authorship myself.

One of the amendments would equalize the tax as it applies to correspondence school students and students in private institutions. As I understood it, the student pays no tax on his tuition. However, under the present regulations of the Sales Tax Bureau, I am informed that an effort is being made to collect the sales tax based on the buyer's cost of the correspondence course, which necessarily includes tuition and materials and books and so forth. We think this ruling puts an unfair burden on the type of student who takes the correspondence course, who normally lives at home and works at some job in the daytime and studies at night and so on.

Therefore, this amendment would place the tax only on that portion of the course which is the cost of materials.

The second amendment is addressed to this situation. It is in aid of distributors, jobbers and wholesalers in various dealings particularly with—

The PRESIDING OFFICER. Would the Senator yield? We can only consider one set of amendments at a time, Senator.

Mr. McMENAMIN. Mr. President, in an effort to save time, I thought I would introduce both amendments at the same time.

MOTION TO ADOPT AMENDMENTS

Mr. McMENAMIN. Mr. President, I now move the adoption of these amendments seriatim.

Mr. WEINER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, the Senator's remarks just bear out our contention that the Department of Justice over here, through its deputy attorney general, has certainly warped the meaning of the Act which we passed at the last Session. We feel that in some cases they have gone beyond our expectation.

I suggest to the Senator that he go over and tell them over there that we did not intend to tax the correspondence school courses; only the books used in connection therewith. I feel certain that passage of this amendment is not necessary. All that needs to be done is for Senator McMenamin to straighten out his own Department of Justice. I certainly feel he can do that.

Mr. SEYLER. Mr. President, I would like to suggest to the Majority Leader, or even ask him whether he does not think that the students of the International Correspondence School and other similar schools are entitled to the same sort of action as he is giving, through the amendments to this bill, to the various corporations which he says have been adversely affected. If his arguments in one sense are correct, that we should put this in the bill and make it clear, and if the Senator from Lancaster is correct in that contention, then what is the difference between these interests and the students of the Inernational Correspondence School except size and wealth? Are they interested in protecting the interests of these people by amending the law or are they only interested in doing that for their special clients whom they seem to favor.

I think this is a very good test to the amendment. I think you have made an excellent point, but this is right along the line of contention that you people have been making. I think this is a test of the genuineness of your intentions here. If you intend to really do a job for people and make these corrections as needed, then here is a case which needs to.

Mr. WEINER. Mr. President, I am not going to prolong this debate on these amendments. However, but the attitude taken by the gentlemen on the other side reminds me of that old saw which they used to use in vaudeville years and years ago, probably even before my time, "Even if it is good, we do not like it."

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

The PRESIDING OFFICER. The Clerk will read the second set of amendments offered by the gentleman from Lackawanna, Senator McMenamin.

The Clerk read the amendments as follows:

Amend Sec. 6 (Sec. 546), page 30, line 12, by inserting after "the": "vendor shall require and the"; amend Sec. 6 (Sec. 546), page 30, line 14, by striking out the bracket before "the" where it appears the second time; amend Sec. 6 (Sec. 546), page 30, line 15, by inserting after "form": "and shall be valid for such period of time"; amend Sec. 6 (Sec. 546), page 30, line 16, by striking out the bracket after "prescribe"; amend Sec. 6 (Sec. 546), page 31, line 6, by inserting a bracket after "year"; amend Sec. 6 (Sec. 546), page 31, line 6, by inserting after "form": "and valid for such period of time"; amend Sec. 6 (Sec. 546), page 31, line 7, by striking out the bracket after "prescribe"; amend Sec. 6 (Sec. 546), page 31, line 8, by inserting after "faith": "which on its face discloses a valid basis of exemption"; amend Sec. 6 (Sec. 546), page 31, line 9, by inserting a bracket before "for" and after "tax" and inserting immediately thereafter: "to collect the tax provided that the vendor in the ordinary course of his

business and acting as a reasonably prudent business man believed the contents of the certificate to be true."

On the question,

Will the Senate agree to the amendments?

Mr. McMENAMIN. Mr. President, this amendment is in aid of distributors, jobbers and wholesalers who, in various dealings, run up against this problem. When the sales tax auditors come in, they are refusing to honor tax exemption certificates, previously filed by purchasers, with the wholesale house on the theory, as I understand it, that under the present law the wholesaler who accepts the tax exemption certificate has the duty to insure or prove that the material was actually used on an exempt project or for an exempt purpose.

We think that this places a very harsh and unfair burden on the businessman, and the jobber cannot be expected to police every job done by his customers. When a customer comes in and buys material and files a tax exemption certificate with a jobber, which is accepted in good faith, it should be accepted by the State in good faith and no effort should be made to collect the tax months or even years after the sale has been completed.

MOTION TO ADOPT AMENDMENTS

Mr. McMENAMIN. Mr. President, I now move that these amendments be adopted.

Mr. WEINER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WATKINS. Mr. President and Members of the Senate, I have simmered down quite a little since those dynamic speeches were made by Senator Dent and Senator Barr, where they carried us out in left field, took us down to Washington and talked about the budget, contributions, the President of the United States and Mr. Stevenson.

In order to save time in the Senate, I want to make one request. I am not going to answer them with a political speech. However, I had prepared a beaut of a speech which would have lasted ten minutes. I was going to take them back to Pennsylvania, but I am not going to do that at this time.

I think we are doing them a great favor in passing a tax program for them. I can remember just a short time ago when it was not necessary to have a sales tax nor an income tax in order to pick up the check here in Harrisburg. I do not want to get into it because I think I would be out of order and I would expect the Chair to rule me out of order.

I would like to ask you, Mr. President, that in the future you keep Senator Dent and Senator Barr, and some of my good friends, out of left field and keep them to this bill in order for us to settle it for once and all.

Mr. BARR. Mr. President, I would just like to make a few observations. It appears that no one on the other side has any stock in Bill Scranton's correspondence school up in Scranton.

Secondly, the gentleman says he is passing a tax bill for us. I want to ask you whether he took his oath of office the same as we did. We are supposed to pass a tax bill for the people of Pennsylvania. You do not need to worry about us. We are just a little leery of Greeks bearing false gifts.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. DERK. Mr. President, I ask unanimous consent to offer amendments to House Bill No. 337 from center field, and not from right or left field.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, lines 1 and 2, by striking out "Paragraph (4) of"; Amend Sec. 1 (Sec. 2), page 5, line 13, by striking out said line and inserting in lieu thereof: "(1) The total value of anything paid or delivered, or promised to be paid or delivered, whether it be money or otherwise, in complete performance of a sale, lease or purchase at retail of tangible personal property without any deduction on account of the cost or value of the property sold, cost or value of transportation, cost or value of labor or service, interest or discount paid or allowed after the sale is consummated, or any other expense, but excluding the value of [the following (i) returnable containers, (ii)] labor or service cost in [delivering] installing, applying or warranting the property sold if the consideration therefor is stated separately from the consideration paid for the property. "(2) There shall be deducted from the purchase price the value of any personal property actually taken in trade or exchange within this Commonwealth in lieu of the whole or any part of the purchase price. For the purpose of this subsection (f), the amount allowed by reason of personal property actually taken in trade or exchange shall be considered the value of such property. "(3) In any transaction not at arm's length, the purchase price shall not be less than the prevailing market price for similar tangible personal property."; Amend Sec. 1 (Sec. 2), page 7, by inserting between lines 2 and 3: "(5) Where tangible personal property is sold in a returnable container there shall be excluded from the purchase price a separately stated reasonable value designated as a deposit on such returnable container, where it is of a kind which is customarily returned to the vendor by the purchaser of the contents in redemption of the deposit. "(6) There shall be deducted from the purchase price the amount of any tax (other than manufacturer's or importer's excise tax) imposed by the United States upon, or with respect to, retail sales, whether such taxes are imposed upon the retailer or upon the consumer. "(7) With respect to the tax imposed by subsection (b) of section 201 upon any tangible personal property originally purchased by the user of such property one year or longer prior to the first taxable use of such property within the Commonwealth, such user may elect to pay tax on a substituted base determined by considering the purchase price of such property for tax purposes to be equal to the prevailing market price of similar personal property at the time and place of such first use within the Commonwealth. Such election may be made by filing a notice thereof in the form specified by the department and reporting such tax liability and paying the proper tax due plus all accrued penalties and interest if there be any within one year of the due date of such report and payment, as provided for by subsections (a) and (c) of section 520 of this act. "(8) If any person using construc-

tion materials, supplies or equipment is the manufacturer of such property he must pay a tax with respect to his use of such property based upon the prevealing price at which such property in similar quantities ready for installation would be sold to a non-manufacturing contractor. "(9) The total value of anything paid or delivered or promised to be paid or delivered, whether it be money or otherwise, in consideration for the rendition of any service subject to tax under the provisions of this act."

On the question,

Will the Senate agree to the amendments?

MOTION TO ADOPT AMENDMENTS

Mr. DERK. Mr. President, I move that the amendments just read be adopted.

Mr. HAYS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Bill, page 14, by inserting between lines 19 and 20: "Section 2.1. Section 201 of the act, added May 24, 1956 (P. L. 1707), is amended by adding at the end, a new subsection to read: "Section 201 Imposition of Tax.—* * * "(c) There is hereby imposed upon each separate rendition of the service of collecting, compiling, or analyzing information of any kind or nature and furnishing reports thereof to other persons a tax of three per cent of the purchase price. The services subject to tax under this subsection shall include but not be limited to, the furnishing of printed, written, mimeographed or duplicated matter, including, but not limited to, credit information, statistical information, building and construction information, stock market analysis and advisory service information, advertising surveys, radio and television surveys, sport information, and tax information: Provided, however, That the rendering of the ordinary professional services and the services by attorneys and accountants, or persons acting in a representative or fiduciary capacity in respect to the purchaser shall not be subject to tax under this subsection. Nor shall the furnishing of information, including a written report, which is personal and individual in nature and which is or may not be substantially incorporated in reports furnished to other persons, be subject to tax. The rendering of information services to newspapers shall also not be subject to tax under this subsection. "The tax imposed by this subsection shall be collected by the vendor from the purchaser and shall be paid over to the Commonwealth as herein provided."

On the question,

Will the Senate agree to the amendments?

Mr. STIEFEL. Mr. President, later I will offer other amendments which will be excluding in nature. However, this amendment is including in nature. In other words, today I am with the inclusionists instead of the exclusionists.

In my opinion, Mr. President, this amendment will take care of the new power in the United States which is tremendous, ominous, but escapes sensation. During the recent political campaign, we heard of the Madison Avenue boys who are supposed to be the brains of the United States. Once upon a time, it was Main Street; today it is Madison Avenue.

Therefore, Mr. President, in order to make them pay some part of the millions which they gather from political campaigns, I have offered these amendments.

Mr. President, to allay the fears of the gentlemen of the press, for whom I have great respect and with whom I do not like to entangle, these amendments are not meant for them.

MOTION TO ADOPT AMENDMENTS

Mr. STIEFEL. Mr. President, I move that the amendments be adopted.

Mr. DONOLOW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, before I ask for unanimous consent to offer these amendments, I would like to know whether it would be in order for us, on both sides of the asile, to make an agreement that I first offer all of the amendments and then vote on them at one time. In offering these amendments, I must make a brief explanation as to just what they are intended to do. If that is agreed upon with the other side, I will proceed along that particular line.

The PRESIDING OFFICER. If it is agreeable to the Majority and Minority Leaders, the Chair will rule that that is in order.

Mr. LANE. Mr. President and Members of the Senate, our primary objective in offering these amendments at this particular time is to place into the record what we believe to be a correct analysis of the legislation which is before us. We feel that we will be placed in a very sound position two years hence when the majority party will come forth with the idea and the argument that the Democratic Administration has just brought up another deficit.

We feel that there should be clarifications in this particular piece of legislation, and we have had the advice and counsel of the Justice Department.

Now each and every amendment which I am presenting, on behalf of the Democratic Party, has been written primarily by the Justice Department and approved, of course, by the Legislative Reference Bureau.

Now the first one which I have reference to, the Justice Department says that the present law provides a tax credit where sales tax is previously paid on an item to another state where he brings the property into Pennsylvania.

This proposal will also give such credits in the case

of tax payments to local political subdivisions in other States and territories, thus preventing the inequalities of a tax credit where the tax is paid to another State and not where it is paid to another political subdivision.

Mr. President, the second one which I will offer, I think the Majority Leader has looked over. It primarily is clarifying certain exemptions.

The PRESIDING OFFICER. Will the gentleman yield?

Mr. LANE. I will, Mr. President.

The PRESIDING OFFICER. The Chair now recognizes the gentleman from Crawford, Senator Mahany.

Mr. MAHANY. Mr. PRESIDENT, we do not object to the offering of all the amendments at one time. However, if there are any that I want to comment on as the Senator reads them or comments on them, I would like to have the privilege of asking him to yield so that I might comment on that particular one.

Mr. LANE. Mr. President, I would be very happy to.

Mr. MAHANY. Senator, the reason that we do not feel that your amendment is necessary, this particular one that you have offered relative to giving credit on items brought into the State of Pennsylvania for the tax paid in other states where there is a reciprocity agreement between the two States, is that the present sales tax has a section in which that is set forth whereby the citizens are entitled to credit for taxes paid in other States where that reciprocity exists.

Mr. LANE. Mr. President, I wish to thank the gentleman. Of course, that, too, will be in the Legislative Journal and we can look that over two years hence.

The next amendment applies to the clarification of certain exemptions which I believe you, in your Caucus, discussed and rejected. There is no use for me to go into detail on that one.

Mr. President, the next amendment I have before me clarifies the assessment and reassessment provisions and the provisions regarding an effective rate. The Republican proposals knocked out entirely the power of the Department to use effective rates, which is a good tool to make proper audits and of course, provide reasonable enforcement.

These proposals permit the use of effective rates but provide that such rates shall merely be prima facia correct; that is, that the taxpayer may demonstrate that he actually collected less tax than was determined by the effective rate.

This proposal will extend to 120 days the time available to a taxpayer to take an appeal to the Board of Finance and Revenue from an adverse determination of the Department of Revenue, where the Department has failed to properly notify the taxpayer of its determination. The present law provides for 60 days in these cases.

Mr. MAHANY. Mr. President, the McKinsey Report, which the Governor received from his experts, stated, as I remember it, that they did not feel the effective rate provision in the law was worth-while and would not justify the money which would be expended on it. I am just paraphrasing the recommendations of that committee, as I remember them.

Therefore, inasmuch as we spent a great deal of money to receive this report from the experts or consultants, I feel that we should be guided by it. For that reason, I feel that the amendment we have, knocking out the effective rate, is a good one.

Mr. LANE. Thank you, Senator Mahany. I am glad you are putting that in the record. Of course, after we have finished, I reserve the right to answer that.

Mr. President, this particular amendment insures that the Department of Revenue has legal authority to require the payment of a sale or use tax upon the registration of an automobile, where a sales tax was not collected by a Pennsylvania dealer with respect to the sale of such automobile.

A provision similar to this was in the Consumer's Act, but is not in this particular Act that we now have before us.

Mr. President, the next one I have is a proposal which insures that persons selling property in this State from out-of-State points will be required—

Mr. MAHANY. Mr. President, I am unable to follow the Senator's comments because I cannot hear them. I would suggest that you have our guests be seated so that we may conduct this Session with decorum in order that we may hear what the Senator has to say.

The PRESIDING OFFICER. The remarks of the gentleman are well taken. Will the Senators please try to remain in their seats, and will the visitors please refrain from conversations? If you must have them, will you please retire to the anterooms to have them?

Senator Lane will proceed.

Mr. LANE. Mr. President, this proposal insures that persons selling property in this State, from out-of-State points, will be required to collect taxes where Pennsylvania can constitutionally require such collection.

Mr. President, the next amendment I have will be of particular interest to the Sheriff from Delaware County, our now Senator. These amendments which I have actually reinstate the taxes upon the shipbuilding industry which were in the last bill.

The next one I have before me, Senator Mahany, is that the department takes the position that the Republican proposals for refund provide for refund petitions being made directly to the Board of Finance and Revenue. It is, of course, desirable that refund petitions go first to the Department of Revenue in order that they may be treated in the same manner as a petition for reassessment.

Also, the time after payment at which a refund can be paid is excessively long, as a result of which, a court determination in one year with respect to the taxability of a particular item can result in refunds being made for all payments made in the past three years.

This can result in losing revenue received in a prior biennium, and gives a bonanza to the person who paid what appeared to be a proper tax at that particular time.

It is not too much to ask the person making a tax payment, who wants to test the validity of the payment, to file a protest within 120 days of the date of the payment. This reduces the amount of lost revenue resulting from an unexpected court determination that a particular area is exempt from tax, especially where the Legislature intended such items to be taxable and would, upon return, enact corrective legislation to fill in the loophole.

I think they are afraid you are going to go back three years to collect refunds.

Mr. President, the next amendment which I have is as follows:

The Republican proposals cut out the requirement presently in the Act that the Department may require a

person petitioning for a reassessment, following a determination that he owes more taxes, from posting a bond to insure that, during the possible year of which a determination is being made as to whether or not he actually owes the money, there is no loss of revenue as a result of his going out of business, becoming insolvent or liquidating the corporation.

This proposal will permit reassessment bonds in such situations and also permit the department to require a bond in the case in which the taxpayer has repeatedly failed to pay his taxes or failed to file a return on time.

Mr. President, the next amendment from the Department of Justice is that the Republican proposal provides complex, intricate methods of maintaining records in such greater detail than should be found in the Act. In lieu of these, we suggest merely that a vendor be required to adopt a method of bookkeeping that clearly sets forth the segregation of tax receipts from other receipts, all in accord with good accounting and business practices.

Mr. President, this next amendment provides that the tax on April sales will come to the Commonwealth in this biennium.

Mr. President, the next amendment clarifies the license provisions found in the present law. It gives the department the power, which the sales tax departments of most other States have, to suspend licenses of a persistent violator. These proposals give a great many restrictions in such suspensions. For instance, the department must give a hearing, must set forth in the notice of the hearing the basis of the suspension and what steps the licensee must take to have his license reinstated.

A licensee is entitled to a de novo hearing on the action of the department and the grounds of reinstatement as determined by the department in his home court. The court appeal may temporarily reinstate the license pending the hearing. The penalty for operating without a license is reduced from a misdemeanor, carrying a possible sentence to one year, to a summary offense carrying a possible penalty of a $300 fine.

Mr. President, this amendment provides that the department file an assessment to recover an erroneously paid refund. Similar provisions can be found in the laws of most other sales tax States and the Federal Government.

This amendment, Mr. President, was handed to me in which the Justice Department explained that they felt that, under certain circumstances, certain payments on rented property are subject to tax, even when made to a third party.

As a matter of fact, they feel that insurance on rented trucks might be construed to be taxable. This subjects such payments to the tax only when paid to a related party as redefined by their proposed amendment. They were speaking primarily of the delivery of linens. It is my understanding a contractor may make a contract and then, of course, he might subcontract this, and they felt that the subcontractor might be liable for taxes. That is the reason for further clarification.

Mr. President, on the next amendment, the Department of Justice says that the Republican proposals reduce the penalties for understatement of tax to a point to which there is only the penalty in the case of an understatement by reason of negligence or fraud in the case of any taxpayer who files a report. However, a taxpayer who does not file a report has to pay a penalty which may run up to twenty-five per cent. As a result, there is no incentive for the large taxpayer to properly determine his tax liability. This is particularly true of the direct-pay permitees. It is essential that there be an incentive for all taxpayers to file a proper return with respect to their use tax liabilities.

These amendments also clarify the provisions regarding interest. They also permit the department to require bonds of persons who seek to retain records of tax collections out of the State.

Mr. President, the next amendment applies to the position which the Republican Party has taken. They say that the Republican-sponsored amendment of March 11 permitted tax avoidance devices and made the effect thereof retroactive. This would have involved a loss of more than $50,000,000 in revenue, consisting of refunds of more than $17,000,000, and a loss of future revenues conservatively estimated at $33,000,000. I understand that you people took the retroactive amendment out, so we will not offer our amendment.

Mr. MAHANY. Mr. President, I am a bit confused. Did Senator Lane say that he was not going to offer that amendment?

Mr. LANE. The last one, Mr. President, I am not going to offer. It is my understanding that you took the retroactive amendment out.

Mr. MAHANY. That is right, Mr. President. I notice your man over there piling those up. I would suggest that you take that one out, then.

Mr. LANE. Mr. President, I am afraid that I am going to have to offer the amendment because Senator Dent says that this is a saving clause which they want to put in. We are going to offer it anyway, and put it into the record.

Mr. DENT. Mr. President, by way of explanation, I might say that this is a saving clause to save for the State the moneys that have already been collected. When repealing the retroactive clause in the amendment which was originally put in by the Republican Senators, the amendment itself, repealing the retroactive clause, did not save for the Commonwealth as the Department of Justice feels it should have saved.

This amendment is offered by the Department of Justice in order to save for the Commonwealth the moneys already collected. We offer it for that reason.

Mr. LANE. Mr. President, the last amendment which I have to offer puts into the present law the authority for the department to, in some cases, permit pre-collections of the sales tax.

Mr. President, before voting on the amendments, I would like to say to the group here that I realize you have listened to a number of speeches and I am going to be just as brief as possible.

Mr. President, we on this side are very sincere in trying to make this bill a good tax bill. We have received advice from the department that these series of amendments, as offered by the other side, will actually reduce the revenue by at least $140,000,000 to $150,000,000. At least, that is the position they take.

I want this in the record for the particular purpose of showing the people of Pennsylvania the position of the Democratic Party and for the reason that when persons are in a quandary in regard to the proper administration

of the Act, they can look into the Journal and see what we have offered in the way of amendments and see what our legislative intent actually is in regard to the sales tax. This should also take away the criticism that the bureaucrats are running the Sales Tax Division and are misinterpreting the legislative intent of the Act.

Mr. President, I now ask unanimous consent to offer these amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Bill, page 32, by inserting between the lines 5 and 6: "Section 4.1. Section 205 of the act, added May 24, 1956 (P. L. 1707), is amended to read: "Section 205. Credit Against Tax.—A credit against the tax imposed by this act upon the use of tangible personal property shall be granted with respect to tangible personal property purchased for use outside the Commonwealth equal to the tax paid to another state, territory or local political subdivision by reason of the imposition by such other state, territory or political subdivision, of a tax similar to the tax imposed by this act: Provided, however, That no such credit shall be granted unless such other state, territory or political subdivision grants substantially similar tax relief by reason of the payment of tax under this act."; amend Sec. 3, page 14, line 20, by striking out "clause (c)" and inserting in lieu thereof: "CLAUSES (c), (d), (e) and (i)"; amend Sec. 3 (Sec. 203), page 21, line 9, by striking out said line and inserting in lieu thereof: "(d) The sale at retail to or use by (1) any charitable organization, volunteer firemen's [organization] company or nonprofit educational institution, or (2) a religious organization for religious purposes of tangible personal property: Provided, however, That the exclusion of subsection (d) shall not apply with respect to any tangible personal property used in any unrelated trade or business carried on by such organization or institution or with respect to any tangible personal property defined in paragraph (3) of section (2) (1) of this act. "(e) The sale at retail, or use of [tubes and] replacement tubes and parts directly used in broadcasting regularly scheduled radio and television programs by licensed stations. * * * "(i) The sale at retail, or use of wrapping paper, wrapping twine, bags, cartons, tape, rope, labels, nonreturnable containers and all other wrapping supplies, when such use is incidental to the sale and delivery of any personal property, except that any charge for wrapping or packaging shall be subject to tax at the rate imposed by section 201."; amend Sec. 6, page 23, line 9, by inserting after "541": "542, 543"; amend Sec. 6 (Sec. 541), page 28, line 7, by inserting brackets before and after "forthwith assess" and inserting immediately thereafter: "issue an assessment for"; amend Sec. 6 (Sec. 541), page 28, line 7, by inserting after "difference" where it appears the second time: "shown on the assessment"; amend Sec. 6 (Sec. 541), page 28, line 14, by inserting brackets before and after "assess" and inserting immediately thereafter: "determine"; amend Sec. 6 (Sec. 541), page 28, lines 14 and 15, by inserting brackets before and after "determine" and inserting immediately thereafter: "ascertain"; amend Sec. 6 (Sec. 541), page 28, line 16, by inserting brackets before and after "assessed" and inserting immediately thereafter "determined"; amend Sec. 6 (Sec. 541), page 28, line 18 by inserting after " "Deficiency," " where it appears the first time: "A notice of assessment for the deficiency shall then be sent to the taxpayer. Such notice shall detail the basis of assessment."; amend Sec. 6 (Sec. 541), page 29, line 8, by inserting brackets before and after "and the" and inserting immediately thereafter: "A notice of assessment in the estimated amount shall be sent to the taxpayer. The"; Amend Sec. 6 (Sec. 541), page 29, line 11, by striking out the bracket before "authority"; amend Sec. 6 (Sec. 541), page 29, line 16, by inserting after "taxable": "or gross"; amend Sec. 6 (Sec. 541), page 29, line 17, by inserting after "the": "apparent"; amend Sec. 6 (Sec. 541), page 29, line 19, by inserting a bracket before "binding"; amend Sec. 6 (Sec. 541), page 29, line 20, by striking out the bracket after "provi-"; amend Sec. 6 (Sec. 541), page 30, line 1, by striking out the bracket before "sions"; amend Sec. 6 (Sec. 541), page 30, lines 1 to 7, by striking out "notice of assessment or esti-" in line 1 and all of lines 2 to 7 and inserting in lieu thereof: "prima facie correct." "Section 542. Reassessment.—Any taxpayer against whom an assessment is made may petition the department for a reassessment. Notice of an intention to file such a petition shall be given to the department prior to the time the assessment becomes due and payable in accordance with section 541. A petition for reassessment shall thereafter be filed within thirty days of the receipt by the department of the notice of intention. Such petition shall set forth explicitly and in detail the grounds upon which the taxpayer claims that the assessment is erroneous or unlawful, in whole or in part, and shall be accompanied by an affidavit affirming that the facts contained therein are true and correct. An extension of time for filing the petition may, in the sole discretion of the department, be allowed for cause but in no case shall such extension exceed one hundred twenty days. The department shall hold such hearings as may be necessary for the purpose, at such times and places as it may determine, and each taxpayer who has duly [notified the department of an intention to file a] filed such petition for reassessment shall be notified by the department of the time when, and the place where such hearing in his case will be held. [A petition for reassessment, if filed, shall set forth explicitly and in detail the grounds upon which the taxpayer claims that the assessment is erroneous or unlawful, in whole or in part, and shall be accompanied by an affidavit under oath or affirmation certifying to the facts stated in the petition.] "It shall be the duty of the department, within six months [after the hearing, or] after receiving a filed petition for reassessment, to dispose of the issue raised [at such hearing or by such filed petition. Notice of the action taken shall be given to the petitioner promptly after the date of reassessment by the department] by such petition, and mail notice of the department's decision to the petitioner: Provided, however, That the taxpayer and the department may, by stipulation, extend such disposal time by not more than six additional months. "Section 543. Review by Board of Finance and Revenue.—Within sixty days after the date of mailing of notice by the department of the [action taken] decision on any petition for reassessment filed with it, [or after the department's failure to act within the time specified] the person against whom such assessment was made may, by petition, request the Board of Finance and Revenue to

review such [action] decision The failure of the department to notify the petitioner of a decision within the time provided for by section 542 shall act as a denial of such petition, and a petition for review may be filed with the Board of Finance and Revenue within one hundred twenty days of the date prior to which the the department should have mailed to the petitioner its notice of decision. Every petition for review filed hereunder shall state specifically the reasons on which the petitioner relies, or shall incorporate by reference the petition for reassessment in which the reasons are stated. The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true. The Board of Finance and Revenue shall act finally in disposing of petitions filed with it within six months after they have been received. In the event of the failure of the board to dispose of any petition within six months, the action taken by the department, upon the petition for reassessment, shall be sustained. The Board of Finance and Revenue may sustain the action taken by the department on the petition for reasssessment, or it may reassess the tax due on such basis as it deems according to law. The board shall give notice of its action [by mail] to the department and to the petitioner." amend Bill, page 31, by inserting between lines 10 and 11: "Section 6.1. The act is amended by adding after section 546, a new section to read: "Section 546.1. Collection of Tax on Motor Vehicles, Trailers and Semi-Trailers.—Nothwithstanding the provisions of section 546 (b) (1) of this act tax due on the sale at retail of a motor vehicle, trailer or semi-trailer by persons other than those registered with the department in "Dealer's Class" under the provisions of section 408 of The Vehicle Code of May 1, 1929 (P. L. 905), and the tax due upon the use of a motor vehicle, trailer or semi-trailer shall be collected by the department upon application to the department for an issuance of a certificate of title upon such motor vehicle, trailer or semi-trailer. The department shall not issue a certificate of title until the tax has been paid, or evidence satisfactory to the department has been given to establish that tax is not due."; amend Sec. 6, page 23, line 9, by striking out "SUBSECtion" and inserting in lieu thereof: "subsections (b) and"; amend Sec. 6 (Sec. 546), page 30, by inserting between lines 9 and 10: "(b) Collection by Persons Maintaining a Place of Business in the Commonwealth. (1) Every person maintaining a place of business in this Commonwealth and selling or leasing tangible personal property, the sale or use of which is subject to tax, shall collect the tax from the purchaser or lessee at the time of making the sale or lease, and shall remit the tax to the department. If the use of tangible personal property is not taxable at the time of the making of the sale or lease and such sale or lease is not subject to tax under the provisions of this act the vendor must collect the tax from the purchaser at the time the use by the purchaser becomes taxable. "(2) Any person required under this act to collect tax from another person, who shall fail to collect the proper amount of such tax or to remit such tax to the department shall be liable for the full amount of the tax which he should have collected and remitted to the department "(3) Every vendor required to collect the tax under the provisions of this act must do so notwithstanding the fact that the purchaser's order or contract of sale is delivered, mailed or otherwise transmitted by the purchaser to the vendor at a point outside of this Commonwealth as a result of solicitation by the vendor through the medium of advertising within the Commonwealth or the purchaser's contract of sale or order is made or closed by acceptance or approval outside of this Commonwealth, or before the tangible personal property enters this Commonwealth, or that the purchaser's order or contract of sale provides that said property shall be or is, in fact, procured or manufactured at a point outside this Commonwealth and shipped directly to the purchaser from the point of origin, or that the tangible personal property is shipped directly to the purchaser from a point without the Commonwealth." amend Sec. 4 (Sec. 203), page 21, line 16, by striking out "(1)"; amend Sec. 4 (Sec. 203), page 21, line 20 and page 22, lines 1 to 8, by striking out all of said lines; amend Sec. 7, page 31, line 11, by striking out "551" and inserting in lieu thereof: "550"; amend Sec. 7, page 31, by inserting between lines 12 and 13: "Section 550. Refund or Credit for Overpayment.—[In] With respect to all taxes paid to a vendor or to the Commonwealth prior to the effective date of this amending act, in the case of any overpayment, the department [within the applicable period of limitations] prior to June 1, 1958 may credit the amount of such overpayment against any liability in respect of the tax imposed by this act on the part of the person who made the overpayment, and shall refund any balance to such person."; amend Sec. 7 (Sec. 551), page 31, lines 13 to 20, page 32, lines 1 to 20 and page 33, lines 1 to 5, by striking out all of said lines; amend Bill, page 33, by inserting between lines 5 and 6: "Section 7.1. The act is amended by adding after section 551, six new sections to read: "Section 552. Tax Payments Refunded.—The department shall pursuant to the provisions of sections 553 and 554, refund all taxes which have been erroneously, unlawfully, or unconstitutionally collected or paid over to the department. Such refunds shall be made to the person who actually paid the tax. "Section 553. Protest.—The refund provided for by section 552 shall be made only where a protest, fully setting out the nature and amount of the illegal payment, and the reason it is contended that such payment was erroneous, unlawful or unconstitutional, is filed with the department within one hundred twenty days of the date on which the tax was erroneously or illegally collected by a vendor or erroneously or illegally paid to the Commonwealth, as the case may be. "Section 554. Refund Petition.—Except as provided for in section 557, the refund or credit of tax, interest or penalty erroneously, unlawfully, or unconstitutionally collected or paid provided for by section 552 shall be made only where the person who has actually paid the tax files a petition for refund with the department within one year of the date of the occurrence of the transaction with respect to which the tax was paid, or within six months of the actual payment of the tax to the Commonwealth, whichever date shall last occur. Such petition for refund must set forth explicitly and in detail the grounds upon which the taxpayer claims that payment or collection was erroneous, unlawful or unconstitutional, in whole or in part, and shall be accompanied by an affidavit affirming that the facts contained therein are true and correct. The department shall hold such hearings as may

be necessary for the purpose at such times and places as it may determine, and each person who has duly filed a refund petition shall be notified by the department of the time when, and the place where, such hearing in his case will be held. "It shall be the duty of the department within six months after receiving a petition for refund to dispose of the issue raised by such petition, and mail notice of the department's decision to the petitioner: Provided, however, That the taxpayer and the department may, by stipulation, extend such disposal time by not more than six additional months; "Section 555. Review by Board of Finance and Revenue.—Within sixty days after the date of mailing of notice by the department of the decision upon a petition for refund filed with it pursuant to section 554, the petitioner may further petition the Board of Finance and Revenue to review the decision of the department. The failure of the department to notify the petitioner of its decision within the time provided for by section 554 shall act as a denial of such petition, and a petition for review may be filed with the Board of Finance and Revenue within one hundred twenty days of the date prior to which the department should have mailed to the petitioner its notice of decision. Every petition for review filed with the Board of Finance and Revenue under the provisions of this section shall incorporate by referenece the petition for refund. The petitioner may, in his petition for review, elect to withdraw one or more grounds as set out in the original refund petition. The Board of Finance and Revenue shall act finally in disposing of such petitions filed with it within six months after they have been received. In the event of the failure of the board to dispose of any petition within six months, the action taken by the department upon the petition for refund shall be sustained. The Board of Finance and Revenue may sustain the action taken by the department on a petition for refund, or it may redetermine whether a lesser or greater amount of refund is proper. Under no circumstances may the Board of Finance and Revenue authorize a refund greater than that originally applied for by the petitioner. The board shall give notice of its action to the department and to the petitioner. "Section 556. Appeal to the Court of Common Pleas of Dauphin County.—Any person aggravated by the decision of the Board of Finance and Revenue under section 555, or by the board's failure to act upon a petition for review within six months may within sixty days appeal to the Court of Common Pleas of Dauphin County from the decision of the board or of the department as the case may be, in the manner now or hereafter provided for by law for appeals and in the case of tax settlements. "Section 557. Extended Time for Filing Special Petition for Refund.—Any party to a transaction who has paid tax by reason of a transaction with respect to which the department is assessing tax against another person may, within six months after the filing by the department of the assessment against such other person, file a special petition for refund, notwithstanding his failure to file the protest otherwise required by section 553. The provisions of sections 554, 555 and 556 shall be applicable to such special petition for refund, except that the department need not act on such petition until there is a final determination as to the propriety of the assessment filed against the other party to the transaction Where a petition is filed under this provision in order to take advantage of the extended period of limitations, overpayments by the petitioner shall be refunded but only to the extent of the actual tax (without consideration of interest and penalties) paid by the other party to the transaction. The purpose of this section is to avoid duplicate payment of tax where a determination is made by the department that one party to a transaction is subject to tax, and another party to the transaction has previously paid tax with respect to such transaction and, as such, this section shall be construed as extending rights beyond that provided for by sections 552, 553 and 554 and not to limit such other sections."; Amend Sec. 9, page 33, line 9, by striking out "and 581 subsection (a) of section" and inserting in lieu thereof "581"; amend Sec. 9 (Sec. 585), page 41, line 1, by striking out the bracket before "the"; amend Sec. 9 (Sec. 585), page 41, line 3, by striking out the bracket after "reassessment" and inserting immediately thereafter: "The department may, for a period of three years, require a bond of any person who has on three or more occasions within a twelve month period either filed a return or made payment to the department more than thirty days late."; amend Sec. 9 (Sec. 585), page 41, lines 16 and 17, by inserting a bracket before and after "fifteen" and inserting immediately thereafter: "five"; amend Sec. 9 (Sec. 585), page 41, line 17, inserting a bracket before "taxpayer" and after "given"; amend Sec. 9 (Sec. 585), page 41, line 18, by inserting after "thereof"; "is mailed to the taxpayer"; amend Sec. 9 (Sec. 585), page 41, line 19, by striking out said line and inserting in lieu thereof: "(b) Securities in Lieu of Bond. In lieu of the bond required by this section, securities approved by the department, or cash in such amount as [he] it may prescribe, may be deposited. Such securities or cash shall be kept in the custody of the department who may, at any time without notice to the depositor, apply them to any tax and/or interest or penalties due, and for that purpose the securities may be sold by the department, at public or private sale, upon five days written notice to the depositor. "(c) Failure to File Bond. The department may file a lien pursuant to section 548 against any taxpayer who fails to file a bond when required to do so under this section. All funds received in liquidation of such lien shall be refunded to the taxpayer with three per cent interest upon a final determination that he does not owe any payment to the department."; amend Sec. 9 (Sec. 581), page 38, line 19 and page 39, lines 1 to 12, by striking out "of segregating tax from sales" in line 19, page 38 and all of lines 1 to 12, page 39, and inserting in lieu thereof: "that clearly sets forth the segregation of tax receipts from other receipts, all in accord with good accounting and business practice"; amend Sec. 10, page 43, lines 5 to 8, by striking out all of said lines and inserting in lieu thereof: "shall take effect"; amend bill, page 23, by inserting between lines 5 and 6: "Section 4.1. Subsection (a) of section 301 of the act, is amended to read: "Section 301. [Licenses (a)] Application for License.—Every person maintaining a place of business in this Commonwealth [selling or leasing tangible personal property, the use of which is subject to tax] shall on or before the thirtieth day after the effective date of this act or prior to the beginning of business thereafter, make application to the department, on a form prescribed by the department, for a license [and pay to the department the sum of two dollars ($2) therefor If such person

maintains more than one place of business in this Commonwealth the license shall be issued for the principal place of business in this Commonwealth]."Section 4.2. Subsections (b), (c) and (d) of section 301 of the act are repealed. "Section 4.3. Subsection (e) of section 301, of the act added May 24, 1956 P. L. 1707), is repealed. "Section 4.4. The act is amended by adding after section 301, six new sections to read: "Section 302 Department to issue License—The department shall upon receipt of an application issue the license applied for under section 301 of this act. If the applicant maintains more than one place of business in this Commonwealth, the license shall be issued for the principal place of business in this Commonwealth, although the department may issue more than one such license to a licensee if it deems such action to be in the interest of the proper administration of this act. The license shall be nonassignable and of permanent duration. Failure of any person to obtain the license herein provided for shall not relieve him of liability to pay or collect the tax imposed by this act. "Section 303 Temporary Licenses.—The department may by regulations provide for the issuance of a temporary license to any person who intends to maintain a place of business in this Commonwealth for a limited period of time. "Section 304. Suspension of Licenses.—The department may suspend the license of any person who shall wilfully fail to comply with any provision of this act or of any rule or regulation issued pursuant hereto. The department shall issue such suspension only after granting a hearing upon at least five days written notice, which notice shall set forth the basis of the suspension and proposed reinstatement conditions, and direct the licensee to show cause why his license shall not be suspended. All suspensions must set forth the conditions which must be fulfilled by the licensee prior to reinstatement of the license. The department may, at any time, amend a suspension order by modifying the reinstatement conditions. A licensee may, at any time after the issuance of the suspension or an amendment thereto, appeal such suspension to the court of common pleas of the county in which he maintains his principal place of business, which court shall grant a de novo hearing to determine the propriety of both the suspension and the conditions for reinstatement. Where the licensee maintains a place of business in more than one county the court may, on the motion of either party, transfer the proceedings to the county in which any of the alleged violations occurred if trial in such other county will be more convenient. On appeal the court of common pleas may grant a supersedeas only where the licensee posts sufficient bond to indemnify the Commonwealth against possible loss of revenue by reason of the issuance of such supersedeas. A license may not be issued to anyone under the provisions of section 302 whose license is under suspension. "Section 305. Reinstatement of Suspended Licenses.—The department shall, on application of a licensee whose license has been suspended pursuant to the provisions of section 304, reinstate such suspended license upon the establishment by the licensee that he has complied with the conditions for reinstatement stipulated by the department. The department shall, upon reinstating such a license, require the licensee to post the bond provided for by section of this act. A licensee may appeal the failure of the department to reinstate a license on application in accordance with the procedure provided for in appealing a suspension. "Section 306. Enforcement.—The department may petition the court of common pleas to restrain any person from maintaining a place of business without a license issued pursuant to this act. The court shall issue an injunction pursuant to such petition in every case in which it is established that a vendor is maintaining a place of business within this Commonwealth wthout being properly licensed by the department, or during a period in which his license has been suspended. "Section 307. Summary Offense.—Any person who shall maintain a place of business in this Commonwealth without having first been licensed by the department pursuant to the provisions of this act or during a period in which such license has been under suspension shall be guilty of a summary offense, and, upon conviction thereof in a summary proceeding, shall be sentenced to pay the costs of prosecution and a fine of not less than one hundred dollars ($100), nor more than three hundred dollars ($300), and, in default thereof, to undergo imprisonment of not less than five days nor more than thirty days. The penalty imposed by this section shall be in addition to all other penalties provided for by this act."; amend Sec. 6, page 23, line 9, by inserting after "534": "and"; amend Sec. 6, page 23, line 9, by striking out "and subsection (c) of Section 546"; amend Bill, page 30, by inserting between lines 7 and 8: "Section 6.1. The act is amended by adding after section 542, a new section to read: "Section 542.1. Assessment to Recover Erroneous Refunds.—The department may, within two years of the granting of any refund or credit, or within the period in which an assessment could have been filed by the department with respect to the transaction pertaining to which the refund was granted, whichever period shall last occur, file an assessment to recover any refund or part thereof or credit or part thereof which was erroneously made or allowed. "Section 6.2. Subsection (c) of section 546 of the act, amended May 24, 1956 (P. L. 1707), is amended to read:"; amend Sec. 1 (Sec. 2), page 5, line 19, by striking out "and" where it appears the second time; amend Sec. 1 (Sec. 2), page 5, line 20, by striking out the brackets before "and" and after "type"; amend Sec. 1 (Sec. 2), page 6, line 16, by inserting brackets before and after "other than" and inserting immediately thereafter: "related to"; amend Sec. 1 (Sec. 2), page 6, line 16, by inserting brackets before and after "by reason" and inserting immediately thereafter: "where such payment, delivery or promise is in consideration"; amend Sec. 9, page 33, lines 8 and 9, by striking out "SUB-Sections (A) AND (B) OF SECTION 571 SECTIONS" and inserting in lien thereof: "Sections 570, 571"; amend Bill, page 33, by inserting between lines 12 and 13: "Section 570. Interest. If any amount of tax imposed by this act is not paid to the department on or before the last date prescribed for payment, interest on such amount at the rate of one-half of one percent per month for each month, or fraction thereof, from such date, shall be paid for the period from such last date to the date paid. The last date prescribed for payment shall be determined under subsection (a) or (c) of section 531 without regard to any extension of time for payment. In the case of any amount assessed as a deficiency or as an estimated assessment, the date prescribed for payment shall be [thirty] five days after notice of such assessment has been mailed to the taxpayer."; amend

Sec. 9 Sec. 571), page 33, line 17, by inserting after "Filing)": "and in the case in which a return filed understates the true amount due by more than fifty percent"; amend Sec. 9 (Sec. 571), page 33, line 18, by inserting a bracket before "Required"; amend Sec. 9 (Sec. 571), page 34, line 1, by inserting a bracket after "Return" and inserting immediately thereafter: "of tax actually due"; amend Sec. 9 (Sec. 571), page 34, line 2, by inserting after "Failure": "to file a proper return"; amend Sec. 9 (Sec. 571), page 34, line 6, by striking out the bracket before "In" where it appears the second time; amend Sec. 9, (Sec. 571), page 34, line 6, by inserting a bracket before "NO"; amend Sec. 9 (Sec. 571), page 34, lines 8 and 9, by striking out both of said lines and inserting in lieu thereof: "every such case at least two dollars ($2) shall be added"; amend Sec. 9 (Sec. 571), page 34, lines 10 and 12, by inserting a bracket before "OR" in line 10, and after "(1)" in line 12; amend Sec. 9 (Sec. 571), page 34, line 12, by inserting after "Deficiency": "or underpayment"; amend Sec. 9 (Sec. 571), page 34, line 16, by inserting brackets before and after "FIVE" and inserting immediately thereafter: "ten"; amend Sec. 9 (Sec. 571), page 34, line 16, by inserting after "The", where it appears the first time: "deficiency or"; amend Sec. 9 (Sec. 571), page 34, lines 16 to 19, by striking out "The Mere" in line 16, and all of lines 17, 18 and 19; amend Sec. 9 (Sec. 571), page 34, line 20, by inserting a bracket before "(2)"; amend Sec. 9 (Sec. 571), page 35, line 4, by inserting a bracket after "subsection"; amend Sec. 9 (Sec. 571), page 35, line 5, by striking out said line, and inserting in lieu thereof: "(c) Interest. If the department assesses a tax according to section 541 (b) or (c), there shall be added to the amount of the deficiency interest at the rate of one-half of one percent per month for each month, or fraction thereof, from the date prescribed by section 531 (a) or (c) of this act for the payment of the tax to the date of notice of the assessment. "(d) Uncollectible Checks. Whenever any check issued in payment of any tax or for any other purpose shall be returned to the department as uncollectible, the secretary shall charge a fee of five dollars ($5) plus all protest fees, to the person presenting such check to him to cover the cost of its collection in addition to the interest and penalties otherwise provided for by this act."; Amend Sec. 9 (Sec. 572), page 35, line 6, by striking out the brackets before "Penalties" and after "(A)"; Amend Sec. 9 (Sec. 572), page 35, line 7, by inserting after "Penalties": "additions, interest"; Amend Sec. 9 (Sec. 572), page 35, line 13, by inserting after "penalties": "additions, interest"; Amend Sec. 9 (Sec. 572), page 35, lines 15 and 19, by striking out the brackets before "(B)" in line 15 and after "this" in line 19; Amend Sec. 9 (Sec. 572), page 36, line 1, by striking out the bracket before "Act"; Amend Sec. 9 (Sec. 572), page 36, line 4, by inserting after "To": "one-half of"; Amend Sec. 9 (Sec. 572), page 36, line 4, by inserting a bracket before "No"; Amend Sec. 9 (Sec. 581), page 38, line 2, by inserting after "Department": "The department may require a taxpayer who desires to retain records or tax collections outside the Commonwealth to file a reasonable bond and assume reasonable out-of-state audit expenses.";

amend Sec. 10, page 43, lines 5 to 9, by striking out all of said lines and inserting in lieu thereof: "shall not be construed so as to relieve any person from the filing of any returns or from the payment of any taxes, penalties or interest imposed by the provisions of this act prior to amendment with respect to any transactions occurring prior to the effective date hereof, nor shall the provisions of this amending act affect or terminate any petitions, investigations, prosecutions, legal or otherwise, or other proceedings pending under the provisions of the act, or prevent the commencement or further prosecution of any proceedings by the proper authorities of the Commonwealth for violations of such act, or for the assessment, collection or recovery of any taxes, penalties or interest due or owing to the Commonwealth under this act"; amend Bill, page 31, by inserting between lines 10 and 11: "Section 6.1. The act is amended by adding after section 546, a new section to read: "Section 546.2. Precollection of Tax.—The department may, by regulation, authorize or require particular categories of vendors selling tangible personal property for resale to precollect from the purchaser the tax which such purchaser will collect upon making a sale at retail of such tangible personal property: Provided, however, That the department, pursuant to this section, may not require a vendor to precollect tax from a purchaser who purchases for resale more than one thousand dollars ($1,000) worth of tangible personal property from such vendor per year. In any case in which a vendor has been authorized to prepay the tax to the person from whom he purchased the tangible personal property for resale such vendor so authorized to prepay the tax may, under the regulations of the department, be relieved from his duty to secure a license if such duty shall arise only by reason of his sale of the tangible personal property with respect to which he is, under authorization of the department, prepaying the tax. The vendor, on making a sale at retail of tangible personal property with respect to which he has prepaid the tax, must separately state at the time of resale the proper amount of tax with respect to the transaction, and reimburse himself with respect to the taxes which he has previously prepaid. Should such vendor collect a greater amount of tax in any reporting period than he had previously paid upon purchase of the goods with respect to which he prepaid the tax, he must file a return and remit the balance to the Commonwealth at the time at which a return would otherwise be due with respect to such sales."

On the question,

Will the Senate agree to the amendments?

MOTION TO ADOPT AMENDMENTS

Mr. LANE. Mr. President, I move that the amendments to House Bill No. 337 be adopted.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The PRESIDING OFFICER. The Chair wishes to call the attention of the Senate to the fact that you are voting on all of these amendments, presented by Senator Lane, at this time.

Mr. DENT. Mr. President, I refrained from asking for a roll call, but I want the record to show the vote by roll call in each and every instance, rather than the yeas and nays. If you want to, we will take a roll call. Rather than go to that particular bother this afternoon, I have refrained from asking for a roll call. However, I want

each and every vote, on each and every amendment, to appear as each individual has voted, either "yes" or "no."

Mr. MAHANY. Mr. President, I will agree that the record may show that all the Democrats voted for the amendments and all the Republicans voted against them. The vote, if taken, would be 27-22. That is, it would show twenty-two for the amendments and twenty-seven against the amendments.

And the question recurring,

Will the Senate agree to the motion?

The PRESIDING OFFICER. The Chair would like to suggest to the Majority and Minority Leaders that in order for the record to be completely squared away on this particular motion, that the Clerk call the roll. Will somebody request that a roll call be taken?

Mr. LANE. I ask for a roll call, Mr. President.

Mr. SEYLER. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. LANE and Mr. SEYLER, and were as follows, viz:

YEAS—22

Barr,	Hays,	Mullin,	Seyler,
Camiel,	Kalman,	Murray,	Silvert,
Dent,	Lane,	Ruth,	Stiefel,
Derk,	McCreesh,	Sarraf,	Weiner,
DiSilvestro,	McGinnis,	Schmidt,	Yosko,
Donolow,	McMenamin,		

NAYS—27

Berger,	Kessler,	Propert,	Walker,
Blass,	Kopriver, Jr.,	Scott,	Watkins,
Chapman,	Kromer,	Stevenson,	Watson,
Ehrgood,	Madigan,	Taylor,	Whalley,
Elliott,	Mahany,	Van Sant,	Wolfe,
Flack,	Mallery,	Wade,	Fleming,
Harney,	Pechan,	Wagner,	Presiding Officer

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. HAYS. Mr. President and Members of the Senate, I feel this amendment is being offered from third base and, certainly, not from the Department of Justice.

This afternoon, there have been insinuations that if you were once for the sales tax, you should always be for the sales tax or vice versa. It seems to me that it has been brought out here rather fairly that sales taxes differ from year to year. The analogy I might use would be that last year, since I am on third base, I did not think the Philadelphia Phillies would win the pennant. This year, I hope the Philadelphia Phillies are not the same team as they were last year. I hope that they can win this particular year.

First of all, Mr. President, I had hoped, when this Session began, to vote for a sales tax somewhat along the line of the Tax Commission proposal. However, the things that I have seen and heard during the last two days will make it almost impossible for me to vote for such a sales tax. When I see that shipbuilding, ship repairing concerns and foundations for buildings are omitted, then it seems to me we ought to look at the real foundations and the real ships which will make this Nation great.

Therefore, Mr. President, this amendment which I am offering has to do with what I think is the real foundation of America, the young people of Pennsylvania who are now in the schools and the colleges. If we can afford to exempt the foundations of buildings, this amendment proposes that we exempt from the sales tax those textbooks used in approved schools and colleges of this State.

I, too, believe that we should build ships in Pennsylvania to sail the seven seas, but the greatest ships that we can launch are the ships which are carrying the cargo of this great heritage.

I, therefore, ask unanimious consent to offer this amendment which will remove the sales tax from those textbooks that are used in the colleges and approved schools of the Commonwealth.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 4, page 21, line 12, by striking out "Three" and inserting: "four"; Amend Sec. 4 (Sec. 203), page 23, by inserting between lines 5 and 6: "(m) The sale at retail or use of textbooks to be used in courses in colleges and accredited schools."

On the question,

Will the Senate agree to the amendment?

MOTION TO ADOPT AMENDMENT

Mr. HAYS. Mr. President, I move that this amendment to House Bill No. 337 be adopted.

Mr. SCHMIDT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, this amendment came as a surprise to me and, therefore, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DENT. Senator Mahany, is it your understanding that textbooks now are being taxed, which are sold to students in accredited schools of the Commonwealth, other than public schools?

Mr. MAHANY. My understanding, Senator Dent, is that under the old sales tax they were not. I do not know what the present interpretation is. Evidently they are or Senator Hays would not have offered that amendment.

Mr. DENT. Does this not seem like a matter of simple justice here to pass this amendment, when you realize that we have thousands upon thousands of children in this Commonwealth who attend parochial schools who do not cost the Commonwealth of Pennsylvania one cent in their upkeep or their administration, and that the children who attend these schools are going to be further burdened, and are being burdened, by placing upon them a sales tax upon the books which they must buy to attend these classes?

I think that no matter how severely your organization is determined to not admit any amendments at this time, would it not appear to be simple justice to allow school textbooks that are used in these schools particularly, and in some of the universities and accredited colleges of our State to be exempt from the tax, if we can exempt some of the other items that we have talked about today? It appears to me to be a worth-while amendment.

Mr. MAHANY. Perhaps it is, Senator. However, Senator Kessler has looked these amendments over and perhaps he would care to comment on it. I personally feel that, for the present time anyway, if the textbooks are taxable then they should continue to be taxed for a short

time until such time when we can get together on the general sales tax, as I suggested. Perhaps that might be at the next Session of the Legislature. Then we can specifically exclude them.

Remember, Senator Dent, what we learned in our various conferences from the States which have sales taxes. They have told us that the best sales tax is one of a general nature with as few exemptions as possible. I hope some day that this type of tax may be put upon the books of Pennsylvania.

Mr. DENT. Is it not possible for the Sun Ship Building Company and the manufacturers and the rest to wait until you get this bill out, too, the same as the school children attending parochial schools?

Mr. MAHANY. Senator Dent, I do not know about this particular amendment. Perhaps the Chairman of the Finance Committee may care to comment on it. I am not sufficiently acquainted with the present situation relative to the taxability of these books and how much is derived from that source.

The PRESIDING OFFICER. Are you finished, Senator Dent?

Mr. DENT. I am waiting for an answer, Mr. President. Senator Mahany said he would throw the ball to Senator Kessler and the answer will come from Tinkers, Evers to Chance.

Mr. KESSLER. Mr. President, I do very much indeed, want to comment on this.

We have a categorical type of sales tax and in Category No. 10, we have books, stationery, stationery supplies, but not including religious publications and so forth. That would include all books. We did consider Senator McMenamin's amendment; we considered a great many requests from the private institutions, hospitals and churches that they be exempt from building materials. However, we did not want to do anything that would reduce the tax take on this bill, because we are trying to hold the line on additional revenue.

I assure you, Senator Dent, because I am sure if you will go back into that great mind of yours and its remarkable memory, which I have often said I admired, to some of the conversations we had down in Senator Mahany's office and over in the Attorney General's office, you will recall that we intended to tax some of these various groups. We wanted to make this tax productive. We can take those things out but if we do, we are going to have to find some other source of revenue for this biennium.

Mr. President, I do object to the statements which are unfounded, such as that in making the clarification of amendments which we have done for manufacturing, we are destroying great quantities of revenue which are likely to be produced by this tax. Senator Dent makes those statements and there are no ways to prove them. We are simply trying to clarify the intention of the drafters of this legislation in the 1955-1956 Session. We have not tried to go beyond that.

There are many, many people who would like to be exempted, as you know. However, we have turned practically all of them down. Senator Dent says we are enlarging the field on industry, on manufacturing, on shipbuilding. We are simply trying to correct what we believe were improper regulations issued by the Department of Revenue, going beyond what we originally intended.

Mr. DENT. Mr. President, I think I heard the reading of the category by the gentleman and he read that books, periodicals and so forth were taxed, excluding religious articles. A school textbook in a Catholic school is not a religious article. The algebra book, from which they teach in the Catholic schools, is the same book from which they teach in the public schools, and they are taxed under that category. They are not exempted.

When the gentleman accuses me of not telling the truth when I say that they are exempting some in this bill which will cost revenue, I might say to him that my estimates come from the Department of Revenue and I know nowhere else where I may get these estimates. If it does not reduce the tax to take foundations out of the tax bill when they were taxed before, then I do not understand your arithmetic. If it does not reduce the tax to take from the taxable items all of the items used by a shipbuilding company which are now taxed, then I do not understand your arithmetic. If these matters of school children's books can wait until two years from now, until you feel that you are in a position to do that which would be simple justice at that time and would also be simple justice at this time, but which you want to postpone, then why can we not postpone exempting the foundations, the fabrications and these other items which are being exempted? I am only trying to say to you that you cannot exempt one and not exempt another.

Mr. KESSLER. Senator Dent, you say that we are exempting everything that goes into shipbuilding?

Mr. DENT. That is right.

Mr. KESSLER. That is not true. We are exempting those things which are used directly in any operation from the beginning of the product until its final completion. That does not exempt the administrative facilities. It does not exempt the tools used in maintenance.

You used the illustration of every screwdriver. That is not true. If a screwdriver is needed in the production line, that is exempt. If the screwdriver is needed in the maintenance function or to fix up a typewriter or an office chair, that is taxable. Certainly, it applies just as it does to manufacturing.

Mr. DENT. Mr. President, I am sorry I used the term screwdriver because we might get far afield here. I just want to interrogate the gentleman on one more question. Then I think we can pass this matter over.

Senator Kessler, who will be reasonable for the interpretation of this Act?

Mr. KESSLER. The Department of Revenue with the Attorney General's office, I suppose.

Mr. DENT. Well, if I told you that the Department of Revenue and the Attorney General are responsible for the statement I made on the Sun Ship Building or any other shipbuilding company, would you accept that as being reason enough for me to make it?

Mr. KESSLER. It is difficult for me to do that, Senator Dent, in view of some of the regulations which have already been issued under the old sales tax.

Mr. DENT. I only asked you whether you would say that if I received this information from these two departments, would you then say that I had a right to make that statement?

Mr. KESSLER. Yes, I would.

Mr. DENT. All right, I want you to know that that is where the information came from.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring.

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, one of the greatest injustices to the cultural progress of Pennsylvania is the fact that materials used for purposes of construction by institutions of higher learning, or learning in general, are subject to this tax.

The amendment which I am about to offer will exempt materials used in the construction, reconstruction, remodeling, repairing or maintenance of real estate used for educational purposes.

Mr. President, I now ask unanimous consent to offer this amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 3 (Sec. 203, page 21, by inserting between lines 2 and 3: "(c.1) The sale at retail or use of supplies and materials to be used in the fulfillment of contracts for the construction, reconstruction, remodeling, repairing, or maintenance of real estate used for educational purposes."

On the question,

Will the Senate agree to the amendment?

MOTION TO ADOPT AMENDMENT

Mr. STIEFEL. Mr. President, I move that the amendment to House Bill No. 337 be adopted.

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, one of the greatest problems in collecting the tax is the existence of loopholes. I see that my colleagues are a little bit unruly so in order to make it more palatable to them, I am going to tell a little story. Maybe it will be helpful to bolster their spirits.

The story goes back to ancient times when people were blessed with the institution of polygamy. A middle-aged man had two wives; one was very young and one was very old. Now his hair was mixed, gray and black. Whenever he would come to spend the evening with his young wife, she would pluck the gray hair so he would look younger. When he would come to the old wife, she would pluck the black hair so he would look older. So, by both of the wives plucking in different directions, the man became bald-headed.

Now to save the Commonwealth of Pennsylvania from being bald-headed, I offer a series of bulky amendments, the purpose of which is to close the loopholes which are now existing in this sales tax.

Mr. President, I ask unanimous consent to offer the following amendments and regret that they are so bulky.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, lines 2 and 3 by striking out "Paragraphs (11) and (17) of"; Amend Sec. 1, (Sec. 2), page 12, line 4 by inserting after "property:" "Property coming within any one or more of the following broad categories: "(1) Motor vehicles, trailers, semi-trailers [and] aircraft, bicycles, boats, and other vehicles, and all accessories, supplies, parts, lubricants and equipment attached or attachable thereto or used in the maintenance operation [or] repair [of such motor vehicles, trailers, semi-trailers and aircraft] or otherwise in conjunction therewith: "(2) Formal wearing apparel, materials, supplies, and accessories primarily designed for or normally not used except in conjunction with [Formal] formal day or evening [apparel] wear [and articles] Articles made of fur on the hide or pelt or any material imitative of fur and articles of which such fur real, imitation or synthetic, is the component material of chief value, but only if such value is more than three times the value of the next most valuable component material; "(3) All materials, supplies, tools, machinery and equipment, including parts and accessories, used in the construction, reconstruction, remodeling, altering, servicing improving, repair and maintenance of any real estate; "(4) Furnishings, appliances, supplies, fittings, ornaments, instruments, materials, chemicals, furniture, machinery fixtures, tools, equipment and accessories for home, business, personal, industrial or commercial use, for indoor or outdoor purposes; "(5) Business, industrial, professional and commercial supplies, equipment, and machines of all types, including parts and accessories purchased for or use in connection therewith; "(6) Cosmetics, toilet preparations, toilet articles, drugs [and] medicines, medical supplies [except when sold on prescription] and articles used in conjunction with personal sanitation, grooming, comfort or health; "(7) All smoking accessories and supplies and tobacco products, except cigarettes; "(8) Luggage, handbags, wallets, billfolds, pocketbooks, umbrellas, leather goods and related articles, except leather wearing apparel not elsewhere in this section defined as tangible personal property, but including fittings and accessories; "(9) Jewelry, watches, clocks, silverware, dishes, tableware, pottery linens, glassware and related articles [but not including religious articles]; and parts, supplies, and accessories used in connection therewith; "(10) Books, commercially printed matter, information services, clippings, photographs, pictures, art work, paintings, art supplies, paper, paper products, drawings, models, sculpture, stationery [and] stationery supplies and related articles used in connection with such items, but not including religious publications sold by religious groups, [Bibles] bibles mail order catalogues and direct mail advertising literature; "(11) Toys costumese, games, hobby supplies, photographic and projection equipment, film, parts and supplies, sporting goods and athletic equipment and supplies therefor, [bicycles and parts, accessories and supplies therefor, pleasure boats and equipment parts, accessories and supplies used in connection therewith] regardless of the use made of any such property (except wearing apparel which is not primarily designed for, and normally not used except in conjunction with artistic, athletic or recreational activity; "(12) Flowers, plants, shrubbery, trees, fertilizer, sprays and insecticides, bulbs and seeds [and supplies and equipment] machinery, equipment, materials, accessories, parts, supplies, and all related articles used in connection there-

with; "(13) Fuel oil [and] petroleum products, [for heating purposes]; steam [and] natural, manufactured and bottled gas; "(13.1) Wood and wood products used as fuel, and artificial and synthetic products used as fuel; "(14) Hardware, tools paint, [and] painting materials, and equipment, parts, accessories, materials and supplies used in conjunction therewith; "(15) live animals, fish and birds (except when purchased as food for human consumption), and supplies, food and equipment used in connection therewith; "(16) Radios, television, receiving sets and receiving equipment, phonographs, sound recorders, musical instruments or any combination of the foregoing, and parts, components and accessories for the same, and records and sheet music;

"(16.1) All electrical, mechanical and electronic equipment and apparatus designed or used to record, receive, transmit or reproduce sound, signals, data, impulses or images, and parts, components, accessories, equipment, machinery, materials, and supplies used in the maintenance, operation, service or repair of the same or attached thereto;

"(17) Food and beverages when the purchase price of the total transaction is more than fifty cents (50¢) when purchased [for consumption on the premises and when the purchase price of the total transaction is more than fifty cents (50¢)] (i) from persons engaged in the business of catering or (ii) from [(i)] persons engaged in the business of operating restaurants, cafes, lunch counters, private and social clubs, taverns, dining cars, hotels and other eating places, [except when purchased from a school, church or hospital in the ordinary course of the activities of such organization; or (ii) persons engaged in the business of catering.] when in the latter case the purchase is for consumption on the premises of the vendor or when furnished, prepared or served for consumption at tables, chairs or counters, or from trays, glasses, dishes or other tableware provided by the vendor. For the purpose of this [section] clause (17) beverages shall not include malt and brewed beverages and spirituous and vinous liquors."

Amend Sec. 1, (Sec. 2), page 12, lines 5 to 20 both inclusive by striking out all of said lines;

Amend Sec. 1, (Sec. 2), page 13, lines 1 to 20 both inclusive by striking out all of said lines;

Amend Sec. 4, page 21, line 12, by striking out "THREE" and inserting: "seven";

Amend Sec. 4 (Sec. 203), page 23, by inserting between lines 5 and 6: "(m) The sale of food and beverages to students on the premises of a nonprofit educational institution.":

"(n) The sale of food and beverages by a church on its own premises.

"(o) The sale of food and beverages on the premises of a hospital to patients or employes thereof.

"(p) The sale of drugs, medicines, and similar medicinal products on prescription or to a practititioner of the healing art, or the use of tangible personal property so purchased on prescription or by a practitioner of the healing art."

On the question,

Will the Senate agree to the amendments?

MOTION TO ADOPT AMENDMENTS

Mr. STIEFEL. Mr. President, I move that the amendments to House Bill No. 337 be adopted.

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, you know I can foresee that this amendment will also be doomed. Not only will it get a refusal, but when I return home I will be blamed for ulterior motives in offering it. It involves sleight of hand movements with parent construction companies and their subsidiaries.

Mr. President, I ask unanimous consent to offer these amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 1, by inserting after "(C)": "and"; Amend Sec. 1, page 2 lines 2 and 3, by striking out "Clause (J) and paragraphs (11) and (17) of clause (L)"; Amend bill, page 7, by inserting between lines 3 and 4:

"Section 1.1. Section 2 of the act, added May 24, 1956 (P. L. 1707), is amended by adding, after subsection (h), a new subsection to read:

"Section 2. Definitions. The following words, terms and phrases when used in this act shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

"(h.1) "Related Persons."

"(1) Persons who bear between themselves the relationship of parent and child, husband and wife, brothers, sisters, brother and sister, grandparent and grandchild.

"(2) Corporations each of which are controlled by the same one or more persons.

"(3) For the purpose of this subsection (h.1), "Control" means the ownership of at least a fifty percent interest of a partnership or the ownership either of stock of a corporation representing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, or at least fifty percent of the total value of shares of all classes of stock. If a person (or persons) is in control (within the meaning of the preceding sentence) of a corporation which in turn owns at least fifty percent of the total combined voting power of all stock entitled to vote of another corporation, or owns at least fifty percent of the total value of the shares of all classes of stock of another corporation, then such person, (or persons) shall be treated as in control of such other corporation. For the purpose of determining whether one person or a group of persons controls another person or group of persons, an individual shall be considered as owning the stock owned directly or indirectly by or for his spouse (other than a spouse who is legally separated from the individual under a decree of divorce or separate maintenance), and his children, grandchildren, and parents.

"(4) An individual who has control of a corporation within the meaning of clause (3) of this subsection shall be considered to be a person related to such corporation.

"(5) A partnership shall be considered to be related

to a corporation or to another partnership where one or more partners who combine in holding fifty percent or more of the interests of the partnership are in control of such other partnership or corporation.

"Section 1.2. Clause (j) and paragraphs (11) and (17) of clause (1) of section 2 of the act, added May 24, 1956 (P. L. 1707), are amended to read:

"Section 2. Definitions.—The following words, terms and phrases when used in this act shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning."

On the question,

Will the Senate agree to the amendments?

MOTION TO ADOPT AMENDMENTS

Mr. STIEFEL. Mr. President, I move that the amendments to House Bill No. 337 be adopted.

Mr. RUTH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. DONOLOW. Mr. President, as I said yesterday, I am here today representing a special interest group in this amendment. It seems, from the arguments that have taken place yesterday and today on this floor, that in order to get any legislation passed you must be represented first by a lobbyist and, secondly, it must be a special interest group. Therefore, my amendment represents a special interest group. I may say that the special interest of this group is only the interest to survive. They have no lobbyists; no one cares about them except around election time, and we would call them not the struggling monopolies of Pennsylvania, but the struggling little people of this State.

Mr. President, they are not represented by the Chamber of Commerce or the Pennsylvania Manufacturers. They have contributed no money, I am sure, to either political party.

Mr. President, my amendment asks that all those persons who, unfortunately, find themselves on public assistance, unemployment compensation, workmen's compensation and social security be relieved from paying the sales tax.

Certainly the Republican Party and the Republican Members of the Senate on the other side, who have so graciously opened their hearts to alleviate big business, big utilities and big shipping companies, can open their hearts just a bit wider and permit these unfortunate people to be exempt from this tax. As we know, the sales tax is not a tax on earning and it is not a tax on saving. It is obvious then that it is a tax on spending and it seems, for some reason, that the little people are the ones with the biggest families and must spend the most money.

Now I do not want to circulate the wrong idea around here. I am not against big business. I fortunately have a few stocks, like John Dent, in some of these companies and I like them to pay dividends. I am certainly not against the shipyards because I have a little boat of my own down there in Margate. Regarding the utilities, I have a couple shares of stock in the utilities. Nevertheless, I do not feel that these groups, although we like them to pay dividends and have earnings, should get out of the responsibility of meeting the burdens of any other individual in this State by being relieved from paying the bill that causes the State Government to operate.

I hope that my friends on the other side will see fit to give a helping hand to those whom I have set forth in this amendment.

Mr. President, I ask unanimous consent to offer this amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend House Bill No. 337—Printer's No. 160 on page 21, Section 203 by inserting after line 14, the following: "All persons exempt from the tax who are on public assistance, unemployment compensation, workmens' compensation and social security".

On the question,

Will the Senate agree to the amendment?

MOTION TO ADOPT AMENDMENT

Mr. DONOLOW. Mr. President, I move that the amendment to House Bill No. 337 be adopted.

Mr. SARRAF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. PECHAN. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Donolow.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Senator Donolow, permit himself to be interrogated?

Mr. DONOLOW. I will, Mr. President.

Mr. PECHAN. Senator Donolow, do you realize that the people who are on relief, the people who are on unemployment compensation or workmen's compensation, practically all of their take now is tax-exempt? People who are on relief are given so much for rent; rents are not taxed. They are given so much for food; food is not taxed. They are given so much for clothing, which is not taxed. They are given I think $2.50 for incidentals, which would make only about $2.50 a month that would be taxable and would bring a return of about seven cents in sales tax to the Commonwealth.

Now do you realize that the person on relief could go out and buy for you or anybody else? I do not know how you are going to police this, but that person would have to have some sort of identification and he could certainly go out for his neighbor and go into the store and show his card and buy for the whole community without paying the sales tax. Now where is it going to help the little fellow that you are worrying about, since the tax will only produce about seven cents a month from the person on relief?

As you know, clothing is exempt, food is exempt, rents are exempt. There are some little incidentals which amount to about $2.50 which a person is allowed, according to our Public Assistance Law.

Mr. DONOLOW. Senator Pechan, I am awfully sorry that you made that statement. I do not know about the little people up in your county who are on relief or who are drawing unemployment compensation or workmen's compensation, but I think they are decent citizens. I do

not doubt that in my community they are decent people. I do not think they would try to steal or break the law or go in and try to misrepresent anymore than the big shipping companies would or, as the illustration was given here by Senator Kessler, if the shipping company bought a screwdriver for maintenance it would pay the tax, but if they bought a screwdriver for their direct work, they would not have to pay the tax. I do not think the big shipping companies would anymore lie about that situation when they made the purchase or misrepresent than these little people.

I think, Doctor, maybe you have been with these big companies so often that you have not gotten down to the grass roots often enough to know that these people on public assistance, and these little people, are honest, decent people and are just as interested in upholding the laws of Pennsylvania as the big business people and the big utilities, if given an opportunity. You know they have a standard of living which they try to maintain also. If one gets his funds from, as you say, allocations from public assistance or unemployment compensation, it does not necessarily mean that all his funds will find their way mainly into rent and necessities. He certainly wants to maintain for his family some of the other items which every family wants to maintain today. Whether you believe so or not, you will find that the sales tax hits every family when they go into the drugstore and buy certain items in there; when they buy toothpaste and other items.

There are a hundred and one things that you, in your daily life—you make small ten and fifteen and twenty-five cent purchases, on which you pay the sales tax. Therefore, just because a man is on relief or drawing workmen's compensation or unemployment compensation does not necessarily mean that he dies.

Mr. PECHAN. I did not want a long speech. I wanted you to answer my question about the seven cents of revenue that would be brought in. I want you to know, Senator, that I know; I am little people. I happen to be a dentist. I am making a living off the little people. I do not make it off of, as you insinuate, the Sun Ship Building Company or the United States Steel or the Pittsburgh Plate Glass Company. I make my money off the little guy that you are talking about. I have his interest at heart just as much as you do, but I do not use him for political purposes. You say to me that he is honest; he is just as honest as the shipbuilding company. I do not say that he is not, but he is going to be tempted. His neighbor is going to tempt him. His neighbor is going to say, "Why not go down to the store and buy this article for me?"

Let me say this. If everybody were as honest as you are trying to make me think they are, why do we have these thousands of people collecting this sales tax, which the Democratic Party has made such a mess of? I want to say also, while I am thinking about it, that one of the reasons we have these poor collections is because you fellows on that side of the aisle are belittling the sales tax. You cannot blame these collectors for sitting on their fannies back home and not trying to collect it. You can go into my county and find many of them sitting around doing nothing, chewing tobacco, and having a "gab fest" and you cannot find any answers.

Mr. DONOLOW. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT OFFICER. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. DONOLOW. Senator Pechan, because you say you earn your living from the little people,—and I assume some of these people find themselves, unfortunately, on possibly workmens' compensation or unemployment compensation—when they come to your office and you make dentures for them, do you charge them the sales tax?

Mr. PECHAN. No, we have not charged the sales tax. I want to tell you what I do with some of those little people, my friend. A great many of the times, I do not charge them anything. It was the little people who elected Al Pechan, not the Sun Ship Building Company that you are referring to or the Pittsburgh Plate Glass Company.

Mr. DONOLOW. Do I understand, Senator Pechan, that you said you do not collect the sales tax from them?

Mr. PECHAN. No.

Mr. DONOLOW. Then I assume that you pay the sales tax from your own pocket for the dentures which your patients have made at your office?

Mr. PECHAN. Yes, I do .

Mr. DONOLOW. I see, thank you.

Mr. YOSKO. Mr. President, I am not going to introduce any amendments. I am, however, going to make a—

Mr. MAHANY. Mr. President, will the gentleman yield?

Mr. YOSKO. I will, Mr. President.

Mr. MAHANY. We are on the amendment which has been presented by Senator Donolow.

The PRESIDING OFFICER. That is correct.

POINT OF INFORMATION

Mr. SEYLER. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman from York, Mr. Seyler, will state it.

Mr. SEYLER. Mr. President, I take cognizance of the validity of the point of order raised by the Majority Leader. However, I did not hear him raise a point of order when the unparliamentary language was recently used by the speaker. I think if we are going to take the attitude of raising a point of order in its proper place, I think we should cover all the incidents.

The PRESIDING OFFICER. The Chair would say that we have tried to give great latitude to both sides and have not ruled in many cases.

The Chair feels that the only thing Senator Mahany was attempting to draw to Senator Yosko's attention was the fact that the Chair was attempting to draw to his attention that Senator Donolow's motion had not yet been disposed of.

And the question recurring,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, do I understand from Senator Pechan's remarks that it will be all right for us to go over and see whether he has filed his sales tax return for these dentures on which he paid the sales tax?

Mr. PECHAN. Senator Barr, for your information, when I buy some materials at the dental supply house, they add to my bill the three per cent sales tax. We ,in Ford City, have not raised our fees. In fact, do you know that

we, as dentists, are not allowed to absorb the sales tax in the consummation of any product? We do not feel that we vend anything; we give a service.

The Department of Justice, last October, ruled that dental laboratories would have to charge the dentists a three per cent sales tax on a finished denture. We have always paid for the forceps we buy; we have always paid for the plaster, for the teeth, for the gold and for the silver that we use. However, it was not the intent of this Legislature to tax false teeth any more than it was to place a sales tax on a glass eye or a wooden leg or a prosthetic arm or a prosthetic nose or anything else. The other categories were not taxed. However, all of a sudden the department ruled that the laboratories would have to charge the dentists a three per cent sales tax on finished dentures. That is the reason you will find that exemption in House Bill No. 337 today. That language is the same as was incorporated in the tax bill which was passed in 1953, under Governor Fine, when dentures were not taxed. We want to pay and will continue to pay the three per cent sales tax on the materials that we use in our dental office. However, we do not feel that a denture is a product that you can place on your shelf and sell to somebody. We do not make dentures only for esthetic value; they also have a functional value.

When you have to lose all your teeth, you come to Ford City and if you can plead that you are on relief, I will make them for your free.

Mr. BARR. I thank the gentleman. I may take him up on that offer.

I am just going to correct what he did say, however, He said that he had been paying the sales tax on dentures. Now he is saying that he is not paying the sales tax. Therefore, he is saving me a trip because I will not have to go over and check on it.

Mr. MAHANY. Mr. President, I have paid the sales tax on many items, but I do not have any returns over here in the Department of Revenue. I pay them and whomever I pay them to files the return. I do not file a return.

For the record, the Senator said he pays the sales tax on these items. The fellow to whom he paid the sales tax would file a return and not Senator Pechan.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, having listened very carefully to Senator Pechan and to some of the problems he is having, I would like to, on his behalf, ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 4 (Sec. 203), page 22, lines 14 and 15, by striking out "Medicine on Prescription"; Amend Sec. 4 (Sec. 203), page 22, lines 19 and 20, by striking out "False Teeth and Materials Used by a Dentist in Dental Treatment".

On the question,

Will the Senate agree to the amendments?

MOTION TO ADOPT AMENDMENTS

Mr. WEINER. Mr. President, I move that the amendments to House Bill No. 337 be adopted.

Mr. KALMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. YOSKO. Mr. President, this bill is by name a selective sales and use tax act. This implies that the bill is selective in that each item specified by the bill is subject to tax regardless of who purchases it. If this were true, we would have a tax similar to the Federal Excise Taxes with the ease of administration and the clarity of interpretation inherent in across the board taxing of the sale, rental or use of specific categories of property.

Instead, we have a law which not only characterizes the property subject to tax, but then exempts particular property according to the nature of the person buying such property or the use to which such persons subject the property.

These are not only very difficult things to establish on routine audit but they tend to complicate to an irrational extent the interpretation of the Act. Insidious distinctions must of necessity be made.

The result of such complexities is an open invitation to lobbyists and special interest groups to attempt to secure the exemption from tax of those persons whom they seek to favor and to do it in such a complex manner that the public—and I might interject at least half of the Senators on this floor—does not understand the intricacies or full extent of what is being done.

This bill, by its very nature, makes it easy to exempt the big boy and to tax the little fellow. Its enforcement provisions are so loose that it makes it possible for large interests to interpret the Act in a grossly unrealistic manner to their own best advantage, with assurance that even if they are caught, the most they will have to pay is a few pennies interest.

The little fellow who must pay tax every time he makes a purchase, to just the opposite extent, cannot protect himself when he knows he is paying a tax he should not pay, because he is in a defenseless position to pay the tax if he wants to make the purchase.

The entire structure of the tax is intentionally focused at taxing the small individual and exempting big industry, utilities, shipbuilding interests and other favored groups.

Mr. President, I was going to introduce amendments to repeal the sales tax act. However, since I introduced a bill to that effect and it was not favorably acted upon, I changed my mind and decided not to introduce that type of amendment at this time. However, I am going to make a motion after I make my remarks. My motion will be to recommit this sales tax bill for further study.

I will tell you why, Mr. President. A few months ago, the Director of the Sales Tax Bureau asked me whether I could find a competent person to take charge of the Allentown District Sales Tax Office. I thought I would be doing a service for the Commonwealth if I tried to get the right kind of a person to fill the position.

I went to a fellow in Bethlehem who conducted an

accounting office. He is a good accountant and had a good business. He agreed to take the job and close his office. He worked at the job in Allentown for about two months and came to me and he said, "I have had enough; I am going to resign." I said, "Why are you going to resign?" He said, "Well, if I do not resign, I will be taking a walk up that big boardwalk." That is the common expression back home when people talk about going to the Allentown State Hospital.

I asked him why again and he said, "The sales tax law, as it is now written, is impossible of interpretation." He said, "I get so many telephone calls during the day and during the night from merchants and from taxpayers that the job is driving me crazy." He said, "There are all sorts of returns coming into the office and they are incorrectly filled out. There are so many directives issued by the Department of Revenue because of the hodgepodge manner in which the bill was drafted that you just cannot do a good job in collecting the tax and administering the law, even if you want to." He said, "I have had enough and I am going to quit." He did quit.

Then they put another gentleman in his place and he is a competent person, too. I was told last week that he quit for practically the same reasons. He told me, Mr. President, that merchants, because they do not understand the law, are making not only the normal profit which they should make on the goods they sell, but they are also making a three per cent addititonal profit on the taxes they are collecting from the poor people who are paying it, which never reaches the State Treasury.

I say to you, Mr. President, that people do not mind paying a tax to finance the obligations of the Commonwealth. However, when they pay a tax, they want to make sure that that tax reaches the State Treasury. From the information that I get from those who are administering this sales tax law, because, as I said before, of the hodgepodge manner in which it is drafted, there are millions and millions of dollars that are being collected today which are not reaching the State Treasury. The merchants automatically are becoming chiselers. I am sure that if any Member of this Senate makes inquiry of any merchant, they will tell you of their dissatisfaction with the present law as it has been drafted.

A short time ago, because this money is not reaching the State Treasury, the gentlemen on the other side complained. When the law was passed, they estimated that it was going to raise, I think, $322,000,000. We suddenly find that we are going to be about $100,000,000 short. It is not because the people are not paying the money but, I repeat, it is because it is not reaching the State Treasury.

Then there was a resolution passed, calling on the Governor to advise the Leigslature why the tax was not being collected. The Governor, in accordance with the mandate of the Legislature, hired McKinsey and Company, a nationally known firm of consultants, to make a survey of the sales tax department. I do not know how many people read the report made by McKinsey and Company. My guess would be that probably two or three people in this Senate read that report; first of all because it has not been made available to everybody. I went down to the News Room today to get a copy of it, and I was told that I could not take it out because it was the only copy they had. I finally wound up over in the Governors' office and got from the Goevrnor's office the only copy they had. However, I did read the newspaper accounts about that report and they did not sound very good. If you take a look at that report, you will find that the guts of it, the most important provision in that report, the most important finding in that report, has to do with the law itself as it now exists and as it has been drafted. One of the first recommendations they make in that report is to correct the shortcomings in the law. We are not doing that with the bill which is now before us.

Mr. President, I heard Senator Mahany, during the debate here this afternoon, talk about the sales tax laws in other States. This is what the McKinsey Report says about the sales tax law in Pennsylvania as compared with the sales tax law in other States. It says, and I quote:

"The selective and exemptive features of the Act, almost unique among the provisions of state sales tax laws, make difficult the informing of taxpayers as to their liabilities, the establishment of a firm master list of required registrants, and require the preparation and issuance of numerous and troublesome definitions and rulings."

One of the first recommendations they make is to redraft the law so that it will be understandable by all of the people concerned. Therefore, Mr. President, every one of the other recommendations that are made in that Report, if you will read them, flow from that one deficiency, the shortcoming in the law.

I say to you now that unless it is corrected, unless it is corrected, you are going to have the same situation in the future that you have right now. There are going to be millions of dollars paid by little people and big people that will never reach the State Treasury. I say to you, as reasonable men, who I am sure want to see every penny of tax that is paid reach the State Treasury, that the only practical thing to do is to recommit this bill and draft a bill that the Department of Revenue will be able to administer without difficulty and without two volumes of directives and interpretations of the various sections of the law. Give the merchants a law which they can understand, in order that they will know what to tax and what not to tax. Give the merchants a law which they will understand. If you will do that, you will be doing a great service for those merchants. Give the people a law which they will understand, in order for them to know when they go in to make a purchase whether the article they purchase is taxable or not.

I am informed, Mr. President and Members of this Senate, that people are paying the tax on a good many items that are not taxable under the law today. However, they do not know any better because, as I said before, of the hodgepodge manner in which the law is drafted.

The bill in its present form, Mr. President, is nothing more than a Mickey Finn, a Mickey Finn that is being slipped to the people by the special interests and by us who carelessly draft a bill which no one understands.

I was certainly glad to see labor take a stand against it over the week end. They did in that report, at least the few labor leaders who were on the Governor's Committee to recommend a tax program. In principle, they said they were for a sales tax. They said it reluctantly, but they came out with a statement in so far as this bill is concerned, over the week end, and they told you what was wrong with it. The big people are being taken out of it and the little people continue to be taxed. It is not understandable.

Therefore, the only reasonable and practical thing to do is to send it back to committee and call in this McKinsey and Company which made a thorough study of the entire sales tax setup for the entire sales tax law. Call this company before the committee and have them explain their findings. Get their recommendations. Draft a bill that will be understandable, draft a bill that will be effective, draft a bill that will collect the money which is needed and draft a bill that will collect not only the money, but see that it gets to the State Treasury.

Send this bill back to committee and call over the executives of the Department of Revenue who are responsible for administering this law after we pass it. Get their views on it. Maybe we can simplify it and give them something that they can understand without issuing two or three volumes of directives. Get the merchants in, if necessary, and get their views. If you do that, you will be doing a service for the Commonwealth and a service for the people.

However, Mr. President, just to sit here and pass a bill, when you know that it is not the kind of a bill that is understandable, you are doing a disservice to yourselves as well as to the people. I say to you that, under the circumstances, anybody who votes for this bill as it is drafted and the hodgepodge form in which it appears, when not even both sides can agree on many of its provisions, ought to be ostracized by the voters at the next election. If the Governor signs it, the voters should ostracieze him, too, because I do not think he should sign a bill that is not going to accomplish the end for which it is passed, and that is to raise revenue to help finance the obligations of the Commonwealth.

Therefore, Mr. President, I am appealing to you, as reasonable men, to do the reasonable and the right thing by sending it back to committee and drafting a bill that everybody will understand.

MOTION TO RECOMMIT BILL

Mr. YOSKO. Accordingly, Mr. President, I move that House Bill No. 337, on third reading, be recommitted to the Committee on Finance for the purpose of further study and for redrafting.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, Senator Yosko knows that I was one of the ones, about two or three weeks ago, who suggestd that we have a general sales tax and it was termed in the papers as a "trial balloon."

The PRESIDING OFFICER. Would the Senator yield, please? I think the Senator knows a motion to recommit is not debatable.

Mr. MAHANY. Well, Mr. President, certainly Senator Yosko debated it and, as I understand it, the Chair has no right to call a point of order unless it is raised by one of the Senators. Now if Senator Fleming is raising a point of order on me, O.K. The point is well taken and I will not discuss it any further.

Mr. SEYLER. Mr. President, I would ask for unanimous consent to suspend the rule so that the Senator is able to debate the bill. I would ask unanimous consent to suspend the rule.

Mr. MAHANY. Mr. President, I thank the gentleman, but the hour is growing late and I think we are all acquainted with it. Therefore, I will not prolong the discussion any more and ask that the motion be put.

And the question recurring,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, just before you call the roll, I desire to make a very short statement. Today I have asked all the Members on my side to vote "no" because, number one, this is strictly a lobbyist bill; number two, it is a haven for the lawyers, and I think they are all doing pretty well as it is; number three, it will not give the money that is needed; and number four, it is not enforceable.

I hope that the House will have more wisdom than the twenty-seven men on the other side and will turn down this monstrosity that is going to them and that they will put this bill into a Committee of Conference and straighten it out so that at least, what is left of the bill can be enforced by the Department of Revenue with the advice of the Department of Justice.

Mr. SEYLER. Mr. President, I realize it is late, but I have been paiently waiting for these remarks to be in order under discussion of the bill, and this is the first opportunity I have had to make them .

Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Kessler.

The PRESIDING OFFICER. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated?

Mr. KESSLER. I will, Mr. President.

Mr. SEYLER. Mr. President, I have been impressed by the fact that while there is much difference of opinion about the equitability, let us say, of this bill, there seems to be a wide disparity of opinion as to the result of this bill upon the revenue return. Certainly one of the tests of a bill is, and I think the Senator will agree, does it meet the fiscal necessities; does it return enough money to meet the need.

Now I would like to first ask the Senator whether I I heard him correctly when I think I heard him say that as a result of the amendments placed in this bill by the Senate, there will be no loss of revenue, as compared with the collections before those amendments were inserted.

Mr. KESSLER. Mr. President, assuming we will get the same effective collection that we are getting today, which should improve as we go along, there should be no loss in revenue.

Mr. SEYLER. Mr. President, I thought that is what I heard the gentleman say. Now the gentleman is aware, I am sure, that an estimate of upwards of $100,000,000 loss of revenue, as a result of these amendments, has been made by the Revenue Department of the Commonwealth. This is the department, Mr. President, which, I am sure the Senator will agree, has had experience in administering the law to date. It is the department which, I am

sure, has carefully analyzed the purpose and the wording of the amendments sponsored by the Senator from Lancaster and their effect upon collections. It is the department that has come up with the answer that upwards of $100,000,000 will be lost as a result of these amendments.

I would like to ask the Senator, since it is obvious that there is a wide discrepancy, what is the authority for the Senators' statement? I take it he does not just offer it on the basis of his own rationalizing about the bill. On what authority does he offer this statement which is so much in conflict?

Mr. KESSLER. Mr. President, there have been, so far as I know, very few assessments. Many industries, businesses and merchants are not paying tax on questionable items on which they have been advised by their legal counsel not to pay tax. Consequently, much revenue is in the balance and we do not know whether it is coming in. My estimates of revenue are based on the actual collections which have been made so far and they do not reflect these indeterminable areas.

When the Secretary of Revenue, for whom I have a high regard, makes a guess, which I assume that is what it is and what must be, in view of the report put out by McKinsey and Company that they are using their Univac system to break down the various classifications, I can only come to the conclusion that that is a very rough guess and on what the Secretary of Revenue bases it, I have no idea.

Mr. SEYLER. Mr. President, I thank the gentleman

Mr. President, two things seem apparent to me in this answer. One is that the gentleman is saying that there will not be a loss in the collection of revenue because, at the present time, people are not just paying it and if these amendments are passed, they will pay it. That is the only answer I can take from the gentleman's answer.

The second comment I would like to make is that there is a failing known as megalomania which, I believe, means that a person sets up his own opinion in contrast to the weight of the opinion on the other side. It seems to me, on all the evidence the gentleman has offered, that here is a case where Senator Kessler is putting up his own ability to rationalize about the bill against the experience and the total resources of the Department of Revenue in estimating what the affect of these amendments will be in practice. It is an answer, Mr. President, which may satisfy some of the Senators' colleagues, but it does not satisfy me.

I think it is a serious matter to contemplate that we will lose $100,000,000 of revenue because of this set of amendments, and I am not at all satisfied. The Senator has not even cited any other Senators as having particiated with him in this research which he apparently has made. I cannot, myself, accept, as a serious answer meant to be taken by reasonable men, the answer that the gentleman has given to this question. Unless some other authority is cited, some procedure by which the gentleman can justify his figures, I am forced to conclude that it is an unsatisfactory answer as far as I am concerned.

Mr. KESSLER. Mr. President, I am sorry if I created the impression that I was so impressed with my own importance that I would rate my estimates over those of many others. I have estimates here prepared by the Economy League, The Tax Policy Advisory Committee, the State Chamber of Commerce, the Governor's Budget Secretary. I have a special study on the sales tax by the Joint State Government Commission.

I still stand by my figures that if we have been able to collect at the rate of $20,000,000 in November and December, with twenty-five months of collection possible in the next biennium, there is no reason, if this Act is administered effectively, why we should not collect $500,000,000.

Mr. SEYLER. Mr. President, since the gentleman has offered these sources, I, of course, withdraw the remark I made, which was only caused by the answer he gave me previously.

Mr. President, I would ask the gentleman whether he is telling me that the agencies he named, including the Chamber of Commerce, have made estimates specifically of the amount. He mentioned that they made studies of this bill. I am asking him if they made specific studies of the amount which would be lost in revenue as a result of the amendments placed in this bill by the Senate Committee?

Mr. KESSLER. They have not, Mr. President.

Mr. SEYLER. Have you used any other resource, research, technique or agency other than your own opinion, Senator, to estimate that no loss of revenue will result in face of the prediction of the Revenue Department?

Mr. KESSLER. Mr. President, I have checked with a number of other people, but I have not asked for specific estimates. Those whom I checked with agreed with me that there should be no loss in revenue.

Mr. SEYLER. Then, as I understand it, the Senator is back to his position that it is his own opinion against the opinion of the Revenue Department. I, therefore, feel that the validity of my first remark stands.

Mr. YOSKO. Mr. President, I heard Senator Kessler say the other day that on the basis of not the study that was made, but on the basis of collections made during two separate months, the anticipated revenues from this bill would be one-half million dollars. I checked with the Sales Tax Bureau this afternoon, and I am a little bit surprised that Senator Kessler would use as a barometer, the highest collections made in any one month since the sales tax has been in effect as a basis for the over-all collection for a twenty-four month period.

From the figures I was given, there was $20,000,000 collected in only one month since the sales tax has been in effect. Here are the figures they gave me on collections:

March 1956, $28,000; in April, $1,186,000; in May, $8,087,000; June, $11,851,000; July, $18,862,000; August, $14,311,000; September, $14,597,000; October, $18,923,000; November, $14,671,000; December, $14,613,000; January of this year, $20,061,000; February, $13,853,000.

Now the intelligent method of computing what the sales tax would bring in for a twenty-four month period would be to strike an average for perhaps the last six months, when the sales tax collection bureau was better organized, and from that average, multiply by twenty-four, instead of taking one month, just one month out of the total number of months, when they collected $20,000,000 and which was during the Christmas season when shopping was at a peak. To say that you are going to collect $20,000,000 a month, on an average, for

twenty-four months based on one month's collections is, in my opinion, an insult to the intelligence of the people of this Commonwealth.

Mr. KESSLER. Mr. President, I am sorry that the Senator from Northampton did not have an opportunity to read the McKinsey and Company Report in full, because there are many revealing features there. I cannot find in this report, as I recall reading it and I have not had a chance to check it since he made the statement, where this group of consultants recommends that we change the law. They are reporting on the law as it exists and they point out certain difficulties that are within the law.

To come back to the estimates, I would like to read from Page 1-5 of this Report:

"'Irregular' tax returns (e.g., returns marked by some discrepancy, with differences between the attached check and the return, with correspondence attached, or returns made up on the taxpayers' worksheets rather than the prescribed return form)"—or such irregular tax returns—"are diverted from the routine flow of work and remain unprocessed. As of January 10, roughly 40,000 returns (over 20 percent of a month's returns) were being sidetracked each month. There being insufficient employees to handle this accumulated workload in the Internal Audit Division, backlogs mounted to significant proportions by this date. This meant that a substantial amount of revenue in the checks attached to these returns was not made available to the state, that the central machine accounting operations could not complete their processes, and the correction of the discrepancy by communication with the taxpayers was, in many instances, delayed."

Now all I submit, Mr. President, is that if we have twenty per cent of the returns with checks attached, which are not being turned over effectively to the State, they cannot be reflected in the tax collections and certainly, the tax collections ought to be higher than reported by the Department of Revenue.

Mr. DENT. Mr. President, I do not want the impression to get out that there is too much of a difference between Senator Kessler's estimates and my own. I think Senator Kessler will admit that he and I have talked the matter over in so far as returns are concerned. I have stated upon this floor, and I believe Senator Kessler has just corroborated what I said before when he stated that many persons and groups have not paid the tax. I am sure that when we go back to collect that tax, we will receive a great amount of money that belongs to the Commonwealth.

In order to clarify the situation, I might say this. My quarrel is not too much with the estimate. I am not so sure but what the tax can bring in anywhere from $18,500,000 to $22,000,000 per month. That is not the important feature that I have been battling here on the floor. The question that concerns me is, of course, the yield which is important to everybody. However, the lack of collection because of the amendments which have been made, and the question of leaving out of the tax bill those who are able to pay and placing a greater burden upon those who are not able to pay, concerns me. If this tax bill can bring in $20,000,000 now, if you would have left the taxpayers in it who were paying the tax before and properly collected that tax, then the yield would be $22,000,000 a month, because that is the estimated loss we will have.

Mr. MULLIN. Mr. President, although I voted for several amendments to this law today, even had those amendments passed I would have voted against this bill. We committed ourselves against a sales tax in 1954. I voted against the sales tax last year.

We have had amendments introduced here which would amend the State Constitution to allow a graduated income tax. In my opinion, this is the only fair way of levying a tax in Pennsylvania. Should we have a tax such as that, then, of course, we would not have this hodgepodge tax bill every two years.

I know that in this particular bill, those who are able will adjust it in their cost of living increases and in their agreements. I know that there are many inexpressive businessmen who will bear it and a lot of inexpressive individuals who are going to suffer by the increase in their cost of living.

For that reason, Mr. President, I will vote against the tax bill this time.

Mr. YOSKO. Mr. President, Senator Kessler said that the McKinsey Report, if I understand him correctly, did not make any recommendations relative to clarifying the sales tax act which is now being administered. I must disagree with him. I do not want to take up the time of the Senate, but if you read on page 1, you will find that it says under the heading of "What We Found" as follows:

"As early as January 10 we identified six major problems that underlie deficiencies that had been noted in the operations of the Bureau of Sales and Use Tax. All six problems are interrelated and have contributed cumulatively to the failure of the Bureau to reach all taxpayers and efficiently to seek out all revenue due."

The first recommendation reads as follows:

"These six key problems are:

"1. The distinctive characteristics of the law itself that make difficult general understanding by taxpayers and the establishment of efficient administration."

That, Mr. President, was one of the reasons why I said that the guts of this report, if you read further, is in the simplification of the law itself. It is for that reason that I made the motion that we recommit the bill and draft a bill which would be understandable by the taxpayers, in order that efficient administration could be established.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Kessler,	Propert,	Walker,
Blass,	Kopriver, Jr.,	Scott,	Watkins,
Chapman,	Kromer,	Stevenson,	Watson,
Ehrgood,	Madigan,	Taylor,	Whalley,
Elliott,	Mahany,	Van Sant,	Wolfe,
Flack,	Mallery,	Wade,	Fleming,
Harney,	Pechan,	Wagner,	Presiding Officer

NAYS—22

Barr,	Hays,	McMenamin,	Schmidt,
Camiel,	Kalman,	Mullin,	Seyler,
Dent,	Lane,	Murray,	Silvert,
Derk,	McCreesh,	Ruth,	Stiefel,
DiSilvestro,	McGinnis,	Sarraf,	Weiner,
Donolow,			Yosko,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

GUESTS OF SENATOR WM. VINCENT MULLIN PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair would like to welcome to the Senate today, the guests of Senator Mullin, from Philadelphia, who are in the rear of the Senate. We hope your visit with us has been pleasant and informative.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

Then Senate resumed the consideration of Senate Bill No. 29, entitled:

An Act amending the act of May 9 1949 (P. L. 908) entitled * * * authorizing county controllers to destroy or dispose of certain records and papers

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 29

Mr BARR. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 29.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended * * * providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 36

Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 36.

Mr. MAHANY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908 * * *" authorized county commissioners to destroy or dispose of certain records and papers.

which was returned from the House of Representatives with amendenmts.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 100

Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 100.

Mr. MAHANY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Murray,	Taylor,
Berger,	Kalman,	Pechan,	Van Sant,

Blass,	Kessler,	Propert,	Wade,
Camiel,	Kopriver, Jr.,	Ruth,	Wagner,
Chapman,	Kromer,	Sarraf,	Walker,
Dent,	Lane,	Schmidt,	Watkins,
Derk,	Madigan,	Mullin,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 29, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and muncipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative .

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER TEMPORARILY

Mr. PECHAN. Mr. President, I ask unanmous consent that Senate Bill No. 70, Printer's No. 69, on third reading, go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 71, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children to and from extra-curricular school activities from the definition of common carrier by motor vehicle" and "contract carrier by motor vehicle."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 2), page 5, line 10, by inserting after "activities": "if the person performing the extra-curricular transportation has a contract with the school or school district in which the school is located for the transportation of its students between their homes and school"; Amend Sec. 1 (Sec. 2), page 7, line 19, by inserting after "activities": "if the person performing the extra-curricular transportation has a contract with the school or school district in which the school is located for the transportation of its students between their homes and school".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 71, Printer's No. 39, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 157, Printer's No. 56, on third reading go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDING OFFICER. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President.

Mr. LANE. Senator Pechan, I, for one, feel that this is a mighty good bill and you have been carrying it over for several days. I want the opportunity to vote for the bill.

Mr. PECHAN. I am ready to vote for it, too, but we cannot do it today because of the time.

Mr. LANE. Why can we not vote for it? All we would have to do is to take a fast count.

Mr. PECHAN. We cannot take a fast count tonight, Senator Lane.

Mr. LANE. I thank the gentleman.

The PRESIDING OFFICER. There being no objection Senate Bill No. 157 will go over in its order.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 159 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 222, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "Second Class City Law" authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 249 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 281, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts page 120 Act No. 150-A) entitled "The General Appropriation Act of 1955" decreasing appropriations to the Department of Revenue.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Kessler,	Propert,	Walker,
Blass,	Kopriver, Jr.,	Scott,	Watkins,
Chapman,	Kromer,	Stevenson,	Watson,
Ehrgood,	Madigan,	Taylor,	Whalley,
Elliott,	Mahany,	Van Sant,	Wolfe,
Flack,	Mallery,	Wade,	Fleming,
Harney,	Pechan,	Wagner,	Presiding Officer

NAYS—22

Barr,	Hays,	McMenamin,	Schmidt,
Camiel,	Kalman,	Mullin,	Seyler,
Dent,	Lane,	Murray,	Silvert,
Derk,	McCreesh,	Ruth,	Stiefel,
DiSilvestro,	McGinnis,	Sarraf,	Weiner,
Donolow,			Yosko,

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

REASONS FOR VOTE

Mr. LANE. Mr. President, we on the Democratic side voted "no" on this particular bill. In order to expedite the time of the Senate, we do not care to make any comment at this particular time. However, we will make comment on this bill tomorrow and give our reasons for voting in opposition to it.

BILL ON THIRD READING FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 330, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnership associations joint-stock associations copartnerships and persons.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 331, entitled:

An Act reenacting and amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act" extending the provisions of the act for a further limited period of time.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PROPERT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by inserting after "time": "and requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps."; Amend Sec. 1 (Sec. 6) page 6, line 19 by inserting brackets before "may" and after "or" and inserting immediately thereafter: "shall appoint the recorder of deeds in each county and"; Amend Sec. 1 (Sec. 6) page 7, line 8 by inserting after "act" "This section shall not be construed to require any recorder of deeds to accept appointment or serve as such agent."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. PROPERT. Mr. President, I ask unanimous consent that House Bill No. 331, Printer's No. 157, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. YOSKO. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 332, Printer's No. 63;

House Bill No. 333, Printer's No. 137; and

House Bill No. 334, Printer's No. 159.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 335, Printer's No. 66; and

House Bill No. 336, Printer's No. 67.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE BILL No. 70 CALLED UP

Mr. MAHANY. Mr. President, I call up, from Page 2 of today's Third Reading Calendar, Senate Bill No. 70, Printer's No. 69, which went over in its order temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 70, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," prohibiting payments for certain types of transportation from school district funds.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 511), page 2, line 16, by inserting after "taxes": "or by State appropriations"; Amend Sec. 3 (Sec. 1361), page 4, line 17, by inserting after "taxes"; "or by State appropriations."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 70, Printer's No. 69, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 68, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" fixing an annual registration fee for public school buses.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 2, page 3, line 1, by striking out "707" and inserting: "703"; Amend Sec. 2, page 3, line 1, by striking out "708" and inserting: "704"; Amend Bill, page 3, by inserting after line 2: "Section 3. The provisions of this act shall become effective with respect to registration years beginning June 1, 1957."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended.

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 68, Printer's No. 77, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 69, Printer's No. 78, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 81, entitled:

An Act concerning gifts of securities to minors providing for custodians of such gifts and their powers and duties defining the effect of the gifts on guardians of minors or their estates conferring jurisdiction on orphans' courts and absolving agents dealing with securities from certain responsibilities.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 130, Printer's No. 49, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 143, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorties Act of 1945," requiring "Authorities" to submit annual reports to municipalities creating the "authorities" and to the Department of Internal Affairs.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 200, on second reading, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" requiring that flashing emergency lamps on snow plows and cinder trucks be of a color other than red.

be recommitted to the Committee on Highways.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 227, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) "Reference and Arbitration Law" making awards upon approval by the court judgments of the court and giving them the dignity of judicial proceedings.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 265, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts page 110 Act No. 146-A) entitled "An act to provide for the ordinary expenses of the Department of Welfare for two years beginning June first one thousand nine hundred fifty-five and . . .," making certain appropriations for research and training applicable only to State-owned institutions.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

MOTION TO RECOMMIT BILL

Mr. STIEFEL. Mr. President, I move that Senate Bill No. 265, on second reading, be recommitted to the Committee on Rules, for the purpose of further study.

Mr. SCHMIDT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on second reading?

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 265 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. YOSKO. Mr. President, I ask unanimous consent that House Bill No. 479, Printer's No. 92, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE CONCURRENT RESOLUTION, SERIAL No. 107, TAKEN FROM THE TABLE

Mr. PECHAN. Mr. President, I call from the table Senate Concurrent Resolution, Serial No. 107.

The resolution was read by the Clerk as follows:

MEMORIALIZING CONGRESS TO PROVIDE ADEQUATE SAFEGUARDS IN TARIFF AND TRADE LEGISLATION

In the Senate, February 11, 1957.

The increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvania's industries, is a constant menace to the State's continuing economic stability.

The lower wages paid abroad make it impossible for many of our smaller and medium-sized producers to compete with imports without resorting to ruinous price cutting, which in turn would result either in financial losses or heavy pressure for wage reductions and outright unemployment.

Our National obligations have reached such extreme proportions that the National income must be maintained at its present unprecedented high level, or close thereto, lest we become insolvent.

Unemployment caused by the imports of residual oil, which represented 3.43 times the average of 45 million barrels imported in 1946, to approximately 154 million barrels in 1956, or the yearly equivalent of 36,640,000 tons of coal; and unemployment caused by imports of crude oil; various types of glass, steel, aluminum, brass and zinc products; pottery and chinaware; granite, tiles, cement, hardboard, plywood, hardware, plumbing, flat glass and other building supplies, lace, carpets and all kinds of woolen, cotton and synthetic fibre manufactured goods; leather and fabric gloves; bicycles; hydraulic turbines; machine tools and other machinery; heavy electrical equipment and other electrical industry products and electronics; watches, clocks and parts; optical industry products; cutlery; scientific apparatus; pencils and pens; pins, clips and fasteners; soft fibre; insulation board and manufactured cork products; chemicals; toys; mushrooms; farm, dairy and dried milk products, wallpaper, hats and millinery, printing industry products; ladies hand bags and leather goods; nails, wire, screws, bolts and nuts and many other commodities; will render the upholding of the economy at its high levels most uncertain and difficult unless all import trade is placed on a fair competitive basis and the potential injury therefrom thus eliminated.

Agricultural products such as wheat, wheat flour, cotton, butter, cheese and peanuts enjoy the protection of import quotas.

A maximum of satisfactory trade results from a prosperous domestic economy freed from the threat of a breakdown resulting from unfair import competition; therefore be it

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to provide adequate safeguards in tariff and trade legislation, including import quotas and an effective prohibition against dumping of imports in the United States; against the destruction or lowering of our American standard of living, the labor standard of our workmen, and the stability of our economy by unfair import competition and that the existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the Speaker of the House of Representatives and each Senator and Representative from Pennsylvania in the Congress of the United States.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL No. 107, ADOPTED

Mr. PECHAN. Mr. President, I move that the Senate adopt the resolution just read by the Clerk.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SCHMIDT. Mr. President, as one who is always opposed to high tariffs, I, at this time, wish to state on this floor that I will vote "no" on this resolution.

Mr. SEYLER. Mr. President, I desire also appear on the record as having voted "no."

Mr. McMENAMIN. Mr. President, I desire to be recorded ast voting "no."

Mr. MULLIN. Mr. President, I desire to be recorded as voting "no."

Mr. DONOLOW: Mr. President, I wish to be recorded as voting "no."

And the question recurring,

Will the Senate agree to the motion?

The roll was called and was as follows:

YEAS—33

Berger,	Kessler,	Propert,	Wagner,
Blass,	Kopriver, Jr.,	Ruth,	Walker,
Chapman,	Kromer,	Scott,	Watkins,
Dent,	Lane,	Stevenson,	Watson,
Derk,	Madigan,	Stiefel,	Weiner,
Ehrgood,	Mahany,	Taylor,	Whalley,
Elliott,	Mallery,	Van Sant,	Wolfe,
Flack,	Pechan,	Wade,	Fleming,
Harney,			Presiding Officer

NAYS—14

Barr,	Kalman,	Mullin,	Schmidt,
Camiel,	McGinnis,	Murray,	Seyler,
Donolow,	McMenamin,	Sarraf,	Silvert,
Hays,			Yosko,

So the question was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. BARR askd and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I am not trying to explain my vote. I just want to say that I think the Members of Congress are so much better informed than we are in regard to the tariffs.

We all know that years ago there was a fight between the two major parties on a high tariff and a low tariff. That is not the case now. The Tariff Act is rewritten each year and I just do not think it is fair for us, as Members of the Senate of Pennsylvania, who do not have the knowledge on some of the things such as imports and exports, to just carte blanche pass a resolution such as this.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS asked and obtained unanimous consent to address the Senate.

Mr. McGINNIS. Mr. President, I am surprised that the Republicans are bringing up the tariff again. In the last three Presidential campaigns, the tariff was never

mentioned. For fifty years that I know of, the Republican Party won every National election on the tariff. Garey Frick and Carnegie would go to Washington and beg for a tariff to keep up American wages. They would come back home then and they drove union labor out of every mill they owned. Then they sent their agents all over Europe; they scoured Europe for the cheapest labor they could hire. They brought them to this Country by the shiploads and filled their mills. However, the Republican Party finally found out in the last three Presidential elections that the American people are getting wise to a tariff. Tariffs stop the movement of goods. It gives privileges to a certain few to raise their prices and bleed the people.

Therefore, Mr. President, I think anything like this should be left to the Congress of the United States. I am unhappy to think that the Republican Party is now trying to raise the tariff question again.

PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, it is entirely too late to debate a resolution that has already passed. However, as one of the sponsors of the resolution who is sincerely concerned about certain conditions, national and international, I think it might be well to just say in passing that what the gentlemen have said have great elements of truth in them, but that does not necessarily mean that there is no wisdom in the resolution.

For many years now, I do not know exactly what year it started, there has been a continuing increase in the import of residual oil, for instance, from Venezuela. It has played terrific hob with the coal industry, which I am particularly interested in as the coal region's Senator. Things have come from Japan and from certain other nations in recent years that are a matter of great concern. I would say it is a matter of great concern to the manufacturers, to the labor unions and to the men and women who work in certain industries in Pennsylvania. When such a situation exists, whether the President be Republican or Democrat, or whether the House and Senate be under the leadership of Republicans or Democrats, I think it is appropriate that we, who are close to what goes on in manufacturing and labor circles of Pennsylvania, call their attention respectfully, if you please, to the situation and alert them to be on guard so that our employment and our industries may be protected. Hence, the reason for the resolution and, I take it, for the significant vote of 33-14 in its passage.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr STIEFEL. Mr. President, I am going to make an observation. Most of the good things in the Senate of Pennsylvania happen during twilight when everybody is in a hurry to go home.

This resolution, Whether it is good or bad, already produced something good. I do think that Senator McGinnis is depriving this assemblage of masterful speeches and if this resolution was sufficient to goad him into action, I am pleased.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I, too, would like to make a few observations in regard to this particular resolution. I voted for the resolution because I come from a bituminous coal mining area. We, too, are particularly concerned about the importation of residual oil. We also have pottery and glass factories in our area.

My objective here is to work for the best interest of my people. If this resolution will keep our men working in our glass factories and in our pottery factories, in our mines and mills, then I am for it. I think we should have some sort of tariff to protect American labor and to keep our standards as high as they should be.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS asked and obtained unanimous consent to address the Senate.

Mr. McGINNIS. Mr. President, I heard Senator Wagner who is worried about some little industries that are having a hard time in getting along. It is my theory that if there is an industry in this Country or any country which cannot compete with the world, they should go out of business and get into a business in which they can compete. I have heard about these cheap goods coming from Europe. Could they send us too much cheap goods? Supposing they gave them to us, would that hurt us?

The forty-eight States have never had a tariff between any State and that is one thing that has made America what it is today. Goods can move across every State line in the United States as free as the birds of the air. That is what has made America. I am sure that any measure that stops the movement of goods, even from Europe to here or from one State to another, is at fault.

BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. DENT, MAHANY and WEINER read in place and presented to the Chair Senate Bill No. 376, entitled:

An Act amending the act of June 27, 1923 (P. L. 858), entitled "State Employes' Retirement Law," further providing for payment of compensation to judges upon retirement under certain conditions and imposing duties on certain State officers.

Which was committed to the Commitee on State Government.

Messrs. DENT and MAHANY read in place and presented to the Chair Senate Bill No. 377, entitled:

An Act amending the act of January 21, 1947 (P. L. 3) entitled "An act relating to officers and employes of the General Assembly; . . .," changing the compensation of certain officers and employes.

Which was committed to the Commitee on State Government.

Mr. WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER read in place and presented to the Chair Senate Bill No. 378, entitled:

An Act making an appropriation to the Department of Welfare for the operation and maintenance of Miners Hospital of Northern Cambria, Spangler, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. KROMER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KROMER read in place and presented to the Chair Senate Bill No. 379, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Jefferson County.

Which was committed to the Committee on Highways.

Mr. KOPRIVER, JR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. KOPRIVER, JR. and FLEMING read in place and presented to the Chair Senate Bill No. 380, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," defining "educational secretary" and providing for certification of educational secretaries.

Which was committed to the Committee on Education.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

THE PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. CHAPMAN, BERGER, STIEFEL and SARRAF read in place and presented to the Chair Senate Bill No. 381, entitled:

An Act relating to medical-legal investigations; creating a Commission on Medical-legal Investigations, an Office of Medical-legal Investigations, a Chief Medical Examiner, and other officers and employes of the office; requiring the investigation of certain human deaths; regulating autopsies, and the keeping and use of records and their admissibility as evidence; transferring medical duties from the coroner's office; and imposing duties on law enforcement officers, prosecuting attorneys, coroners, physicians, undertakers, embalmers and other persons.

Which was committed to the Commitee on Judiciary General.

Mr. SILVERT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SILVERT read in place and presented to the Chair Senate Bill No. 382, entitled:

An Act amending the act of June 17, 1913 (P. L. 507) entitled "Intangible Personal Property Tax Law," by changing the date for filing of returns of taxable property, requiring the payment of the tax at the time of filing such returns and providing penalties for failure to pay such tax when due.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 383, entitled:

An Act amending the act of June 10, 1947 (P. L. 733) entitled, as amended, "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property; . . .", by changing the date for the filing of returns of taxable property; requiring the payment of the tax at the time of filing such returns; and providing penalties for failure to pay such tax when due.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 384, entitled:

An Act amending the act of May 23, 1949 (P. L. 1676) entitled, as amended, "An act to provide revenue in school districts of the first class by imposing a tax upon certain classes of personal property; . . ." by changing the date for the filing of returns of taxable property; requiring payment of the tax at the time of filing such returns; and providing penalties for failure to pay such tax when due.

Which was committed to the Committee on Finance.

Mr. HARNEY. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARNEY read in place and presented to the Chair Senate Bill No. 385, entitled:

An Act amending the act of April 8, 1925 (P. L. 191), entitled "An act establishing certain public roads as State Highways; . . .," changing a route in Lancaster County.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 386, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," changing a route in Chester County.

Which was committed to the Committee on Highways.

Mr. WEINER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WEINER, on behalf of Mr. McMENAMIN, read in place and presented to the Chair Senate Bill No. 387, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

Which was committed to the Commitee on Appropriations.

He also, on behalf of Mr. McMENAMIN, read in his place and presented to the Chair Senate Bill No. 388, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Which was committed to the Committee on Appropriations.

He also, on behalf of Mr. McMENAMIN, read in his

place and presented to the Chair Senate Bill No. 389, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 390, entitled:

An Act relating to circuses; prohibiting the staging thereof on Sunday unless authorized by local option; providing for licenses and penalties, and imposing duties on local legislative bodies.

Which was committed to the Committee on Law and Order.

He also read in his place and presented to the Chair Senate Bill No. 391, entitled:

An Act amending the act of May 10, 1949 (P. L. 1066) entitled "An act establishing a mode of selecting and drawing jurors for counties of the first class and imposing penalties," providing for the transfer of jurors from one court of criminal jurisdiction to another.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 392, entitled:

An Act to provide for special investigations by the quarter sessions court upon petition of the district attorney of any city or county of widespread public evils; prescribing the procedure therein, and granting powers to issue subpoenas, immunity to witnesses and conduct contempt proceedings in connection therewith.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 393, entitled:

An Act dealing with the temporary detention of persons arrested and the treatment of accused; providing for prompt preliminary hearings; establishing certain penalties and rules of evidence; and imposing duties on prosecuting officers and police

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 394, entitled:

An Act making an appropriation to the Department of the Auditor General for the payment of certain moral claims; providing for the hearing adjustment and payment of moral claims to persons formerly employed by mercantile appraisers and whose salaries have not been paid.

Which was committed to the Committee on Local Government.

Mr. MURRAY. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. MURRAY and FLACK read in place and presented to the Chair Senate Bill No. 395, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding a new route in Luzerne County.

Which was committed to the Committee on Highways.

They also read in place and presented to the Chair Senate Bill No. 396, entitled:

An Act amending the act of June 22, 1931 (P. L. 720), entitled "City State Highway Law," adding routes in Luzerne County.

Which was committed to the Committee on Highways.

Mr. DERK. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. DERK, WATKINS, FLACK, WHALLEY, McMENAMIN and DENT read in place and presented to the Chair Senate Bill No. 397, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254), entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth classes," changing certain fees fixed by the act.

Which was committed to the Committee on Local Government.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 32, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," authorizing unnaturalized foreign-born residents to own or possess dogs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 162, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," requiring that contractors' bonds cover equipment rentals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 250, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "The Fish Law of 1925,"excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsmen's show.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 257, entitled:

An Act amending the act of May 3, 1909 (P. L. 408), entitled, as amended, "An act authorizing the merger or consolidation of certain corporations," providing for the merger into a holding company of a subsidiary corporation incorporated under or subject to the Business Corporation Law, and eliminating any requirement of stockholder approval and any right of objecting stockholders to payment for their stock if the holding company is the owner of all the outstanding stock of the subsidiary corporation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 346, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," extending a route in Lehigh County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 258, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," permitting corporate affidavits to be made by persons duly authorized by a board of directors and excluding certain days from the computation of certain tax periods.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 319, entitled:

An Act providing for a referendum to determine the will of the electorate on certain contracts between any political subdivision and Authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 327, entitled:

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding new routes in Washington County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 356, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," changing a route in Chester County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 372, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding routes in Clinton County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Wednesday, March 20, 1957, at 9:00 o'clock, a.m., Eastern Standard Time.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:43 o'clock, p.m., Eastern Standard Time, until Wednesday, March 20, 1957, at 9:00 o'clock, a.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, March 19, 1957

The House met at 1:00 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Charles E. Ritter, Jr., Pastor of St. Paul's Evangelical Lutheran Church, White Haven, Pa., guest Chaplain and guest of the gentleman from Luzerne, Mr. Post, offered the following prayer:

Show me Thy ways, O Lord, teach me Thy paths. Lead me in Thy Truth, and teach me; for Thou art the God of my salvation, on Thee do I wait all the day.

Almighty and everlasting God, Who art always more ready to hear than we to pray, and art wont to give more than either we desire or deserve! Pour down upon us the abundance of Thy mercy, forgiving us those things whereof our consciences are afraid, and giving us those good things which we are not worthy to ask, but through the merits and meditation of Thy Dear Son, our Lord.

Teach us and keep us ever to do Thy will on earth, as it is done in Heaven and make us to be loyal defenders of Thy Truth which sets men free, that none of Thy children anywhere may suffer from fear, oppression, or want. Let Thy fatherly goodness be upon all that Thou hast made. Remember in pity all such as are this day destitute, homeless, or forgotten of their fellowmen. Forgive us wherein we have failed to care for the sick, the helpless, and the needy, and stir us up to love and to do good works.

Give, we humbly beseech Thee, to all nations peace and concord, preserve our country from discord and contention and give to our nation perpetual victory over all its enemies, direct and defend our President, our Governor, and all in authority; and bless and keep our magistrates, and all our people, and save us by and for Thy mercy's sake, through Jesus Christ, Thy Son, our Lord.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, March 18, 1957 will be postponed until printed.

The Chair hears none.

WILSON JOINT HIGH SCHOOL SENIORS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Senior Class of the Wilson Joint High School of Berks County under the supervision of their teachers, Lloyd H. Miller, Arlan Moyer, Ralph Naulty and Carl Derr. They are guests of the gentleman from Berks, Mr. Piper.

REPUBLICAN COMMITTEE AND WORKERS

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of Republican Committee Members, workers and citizens from Berks County under the supervision of Mrs. Helen Meyers, County Vice Chairman, and Mrs. Carroll Winters, President of Council.

They are the guests of the gentlemen from Berks, Mr. Weidner, Mr. Piper and Mr. Adams.

BILLS INTRODUCED AND REFERRED

By Messrs. KORNICK, WILLIAMS and McCANN.

HOUSE BILL No. 833.

An Act amending the act of April 29, 1937 (P. L. 551) entitled, "An act prohibiting the employment of miners as herein defined in bituminous coal mines, unless certificated by a miners' examining board ***" redefining the word "miner" changing the provisions relating to the certification and licensing of miners and decreasing the number of apprentices permitted to work with miners and making changes to conform to existing law.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WILLIAMS and McCANN.

HOUSE BILL No. 834.

An Act relating to agreements, leases and other instruments granting coal rights, made or joined in by political subdivisions; *** providing for the effect of breach or failure to comply with the provisions and giving remedies to the political subdivisions and taxpayers.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WILLIAMS, McCANN and CUMMINS.

HOUSE BILL No. 835.

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911 (P. L. 756) changing the provisions relating to the visiting of mines by foremen or their assistants.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. ROVANSEK and KORNICK.

HOUSE BILL No. 836.

An Act amending the act of December 28, 1951, (P. L. 1801), entitled "An act regulating the use of machinery powered by internal combustion engines or motors in coal mines" prohibiting the use of machinery powered by internal combustion engines or Diesel motors in coal mines.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. ROVANSEK and KORNICK.

HOUSE BILL No. 837.

An Act amending the "Bituminous Coal Minig Law," approved June 9, 1911, (P. L. 756), regulating the use of electrically operated automotive mining, loading and conveying machinery in and about bituminous coal-mines and defining the term "automotive."

Referred to the Committee on Mines and Mineral Industries.

By Mr. MAXWELL. HOUSE BILL No. 838.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), restricting the use of highways on Sunday by certain commercial motor vehicles except those carrying perishables or operating under emergency conditions and which have been issued a special permit.

Referred to the Committee on Motor Vehicles.

By Messrs. BOWMAN and OGILVIE.

HOUSE BILL No. 839.

An Act authorizing cities to levy, assess and collect a

tax upon real estate owned by the Commonwealth; and providing for the payment of the same.

Referred to the Committee on State Government.

By Messrs. BOWMAN and OGILVIE.
HOUSE BILL No. 840.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), taxing Commonwealth real estate for local purposes.

Referred to the Committee on State Government.

By Messrs. MUSTO and REIDENBACH
HOUSE BILL No. 841.

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891, (P. L. 176), changing applicability of act.

Referred to the Committee on Mines and Mineral Industries.

By Mr. EILBERG. HOUSE BILL No. 842.

An Act amending the act of May 2, 1945 (P. L. 375), entitled as amended "An act conferring upon the councils of cities of the first class the power and devolving upon them the duty of fixing and determining the salaries, * * * of all public officers, * * *," fixing minimum salaries for stenographers of magistrates' courts.

Referred to the Commitee on Cities—Counties First—Second and Second Class A.

By Messrs. MAHAN and STROUP.
HOUSE BILL No. 843.

An Act amending the act of May 25, 1937 (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; * * *" changing the provisions relating to payment of costs of maintenance of persons committed from certain counties.

Referred to the Committee on Counties.

By Messrs. MULDOWNEY and HEAVEY.
HOUSE BILL No. 844.

An Act regulating equipment of certain doors in all buildings; and prescribing penalties.

Referred to the Committee on Judiciary Special.

By Messrs. ADAMS, PIPER and WEIDNER.
HOUSE BILL No. 845.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) providing for issuance of special registration plates to civil defense personnel.

Referred to the Committee on Motor Vehicles.

By Messrs. GUTHRIE and READINGER.
HOUSE BILL No. 846.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) changing minimum net brake horsepower requirements.

Referred to the Committee on Motor Vehicles.

By Mrs. DONAHUE and Mrs. KOOKER.
HOUSE BILL No. 847.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), prohibiting pupils from wearing shoes equipped with metal cleats while playing football.

Referred to the Committee on Education.

By Mr. DOWN. HOUSE BILL No. 848.

An Act amending the act of July 18, 1917, (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, etc. . . ." by providing credit for retirement purposes for out-of-state service in certain cases.

Referred to the Committee on Education.

By Messrs. SMITH, PIPER, O'DELL and CIOFFI. HOUSE BILL No. 849.

An Act amending "The Administrative Code" approved April 9, 1929 (P. L. 177) changing the membership, compensation, powers and duties of the Pennsylvania State Board of Censors.

Referred to the Committee on State Government.

By Messrs. SMITH, PIPER, O'DELL and CIOFFI. HOUSE BILL No. 850.

An Act providing a system of examination disapproval, and regulation of motion-picture films, reels, stereopticon views, or slides, and books, magazines, pamphlets or other written or printed matter; and providing penalties.

Referred to the Committee on Judiciary Special.

By Messrs. WOOD, JOHNSON and GIBSON.
HOUSE BILL No. 851.

An Act creating and establishing the Joint Legislative Budget and Finance Committee, and providing for its selection, terms, powers and duties.

Referred to the Committee on State Government.

By Messrs. DONALDSON and VAUGHAN.
HOUSE BILL No. 852.

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), authorizing recorders of deeds to appoint solicitors.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. WILLIAMS and AGNEW.
HOUSE BILL No. 853.

An Act amending the "Commodities Weight and Measure Law" approved July 24, 1913 (P. L. 965) requiring that persons making sales of certain commodities give the purchaser a written statement of the count, measure or weight thereof at the time of sale.

Referred to the Committee on Judiciary Special.

By Messrs. POST and DIETTERICK.
HOUSE BILL No. 854.

An Act amending the act of March 10, 1949, (P. L. 30), entitled "An act relating to the public school system, etc. . . ." providing for the payment of salaries of employes of school districts by the Treasurer of the Commonwealth in certain cases.

Referred to the Committee on Education.

By Messrs. ERB and AUKER. HOUSE BILL No. 855.

An Act regulating bank holding companies; prescribing powers and duties of the Secretary of Banking with respect thereto and prescribing penalties.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. BOWMAN and OGILVIE.
HOUSE BILL No. 856.

An Act making an appropriation to the City of Harrisburg in lieu of taxes on property acquired for State purposes.

Referred to the Committee on Appropriations.

By Mr. TOLL, Mrs. VARALLO, Mrs. KOOKER and Mrs. BEATRICE Z. MILLER. HOUSE BILL No. 857.

An Act relating to handicapped persons; creating a commission; providing for the appointment of its members; and defining its powers and duties.

Referred to the Committee on Welfare.

By Messrs. JENKINS, VAUGHAN and LOVETT.
HOUSE BILL No. 858.

An Act amending the "Boiler Regulation Law" approved May 2, 1929 (P. L. 1513) extending its provisions to unfired pressure vessels and further regulating the construction, equipment, maintenance, operation, and inspection of boilers.

Referred to the Committee on Judiciary Special.

By Messrs. ERB and AUKER. HOUSE BILL No. 859.

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624) limiting the establishment and maintenance of branch banks.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. HOCKER, STROUP and JOHNSON.
HOUSE BILL No. 860.

An Act creating a Highway Investigation Commission for the purpose of making a study and investigation of all actviities of the Pennsylvania Department of Highways and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. JOHNSON. HOUSE BILL No. 861.

An Act amending the "State Employes' Retirement Law," approved June 27, 1923 (P. L. 858), extending the act to registers of will to the extent they are compensated by the Commonwealth.

Referred to the Committee on State Government.

By Mr. JOHNSON. HOUSE BILL No. 862.

An Act amending the act of July 16, 1941 (P. L. 405), entitled "An act providing a method of supplying, perfecting and recording birth records of certain persons * * *," increasing the amount to be paid for a certified copy of a birth record.

Referred to the Committee on Public Health and Sanitation.

By Mr. JOHNSON (By request).
HOUSE BILL No. 863.

An Act amending the "Uniform Commercial Code," approved April 6, 1953 (P. L. 3), providing for the clarification of remedies and procedures to enforce judgments related to secured transactions.

Referred to the Committee on Judiciary.

By Mr. JOHNSON. HOUSE BILL No. 864.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) imposing certain limitations on operators of kennels and regulating the issuance of licenses for their operation in boroughs.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. JOHNSON. HOUSE BILL No. 865.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), increasing the amount of primary and election expenses which may be expended under expense accounts without being accompanied by vouchers.

Referred to the Committee on Elections and Apportionment.

By Messrs. VAUGHAN, JENKINS, SPRAY and STUART. HOUSE BILL No. 866.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 45), prohibiting the levy, assessment or collection of any tax on the transfer of real estate to a veteran.

Referred to the Committee on Municipal Corporations.

By Messrs. VAUGHAN, JENKINS, SPRAY and STUART. HOUSE BILL No. 867.

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742) exempting transfers to veterans from the tax.

Referred to the Committee on Ways and Means.

By Messrs. WELSH, POMEROY, WILT and TOLL.
HOUSE BILL No. 868.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further prescribing a minimum work week for State employes, and providing for the payment of time and one-half for all overtime work.

Referred to the Committee on State Government.

By Messrs. STEVENS, JENKINS, WELSH and TOLL.
HOUSE BILL No. 869.

An Act amending the "Unemployment Compensation Law," approved Dec. 5, 1936 (1937 P. L. 2897), including services of industrial insurance agents within the definition of employment.

Referred to the Committee on Labor Relations.

By Messrs. WELSH and TOLL.
HOUSE BILL No. 870.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) by removing prohibition against unincorporated associations making political contributions.

Referred to the Committee on Elections and Apportionment.

By Messrs. TAYLOR, DALRYMPLE, WELSH and WILT.
HOUSE BILL No. 871.

An Act requiring employers to pay for medical examination fee where such examination is a condition of employment.

Referred to the Committee on Labor Relations.

By Miss DUFFY, Mrs. MARKLEY, Mrs. HENZEL and Mr. FRASCELLA. HOUSE BILL No. 872.

An Act amending the "Women's Labor Law," approved July 25, 1913, (P. L. 1024), prohibiting the working of women for more than six consecutive days without at least one day of rest.

Referred to the Committee on Labor Relations.

By Messrs. TOLL, GOLDSTEIN, LEONARD and WELSH. HOUSE BILL No. 873.

An Act prohibiting the sale, transfer, purchase, ownership, possession and use of tear and noxious gas, and tear gas guns; providing for certain exemptions and providing penalties.

Referred to Committee on Judiciary Special.

By Messrs. AMARANDO, SCARCELLI, STRAUSSER and SPRAY. HOUSE BILL No. 874.

An Act relating to apprenticeship; creating a State Apprenticeship Council in the Department of Labor and Industry to formulate an apprenticeship policy and program, and defining its powers and duties and providing for administration.

Referred to the Committee on Labor Relations.

By Mrs. MARKLEY, Messrs. VAUGHAN, TAYLOR and BRENNAN. HOUSE BILL No. 875.

An Act amending the act of May 18, 1937 (P. L. 654) entitled as amended "An act to provide for the safety and to protect the health and morals of persons while employed; * * *" requiring employers to furnish personal protective devices free of charge.

Referred to the Committee on Labor Relations.

By Messrs. McKEEVER, AMARANDO, STUART and MURPHY. HOUSE BILL No. 876.

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

Referred to the Committee on Labor Relations.

By Messrs. STEVENS, JENKINS, TOLL and WELSH. HOUSE BILL No. 877.

An Act amending the "Labor Anti-Injunction Act," approved (June 2, 1937, (P. L. 1108), removing certain restrictions on the application of the act.

Referred to the Committee on Labor Relations.

By Messrs. READINGER and BOWER. HOUSE BILL No. 878.

An Act relating to public works contracts providing for prevailing wages imposing duties upon the Secretary of Labor and Industry, providing remedies, penalties and repealing existing laws.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, TOLL and SCARCELLI. HOUSE BILL No. 879.

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) restricting the price fixing powers of the Milk Control Commission to prices to be paid for milk to persons producing milk.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. STIMMEL, POLASKI, VAUGHAN and WILT. HOUSE BILL No. 880.

An Act establishing a State Enforcement Officers Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and payments of certain medical expenses from the State Employes' Retirement Board.

Referred to the Committee on State Government.

By Mrs. HENZEL and Mrs. DONAHUE. HOUSE BILL No. 881.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the education and training of emotionally, mentally and physically handicapped and mentally gifted children; * * *.

Referred to the Committee on Education.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 274.

An Act amending the "Banking Code * * *" making further provision for receipts of deposits in certain cases.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 291.

An Act designating the counties responsible for the upkeep of certain convicts in penal or correctional institutions.

Referred to the Committee on Counties.

SENATE BILL No. 315.

An Act amending the "Rural State Highway Law * * *" changing or deleting a certain route and adding a certain new route.

Referred to the Committee on Highways.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. LOPRESTI. RESOLUTION No. 60.

In the House of Representatives, March 18, 1957.

The Commonwealth of Pennsylvania may be justly proud of its fine network of highways.

The Department of Highways is expanding vast sums of money in widening existing highways and building new highways in order to facilitate the smooth and even flow of the millions of vehicles that make use of our highways.

In spite of these facts, one cannot help but feel, in traveling over our highways, that one of the greatest bottlenecks and safety hazards to the public is the one-lane bridge that are not uncommon.

The elimination of one-lane bridges in our highway system is mandatory if we want to speed up the normal flow of vehicular traffic and remove safety hazards; therefore be it

Resolved, That the Secretary of Highways be directed to study the problem of one-lane bridges and plan for their complete elimination as soon as possible.

Referred to the Committee on Rules.

By Messrs. BELL, STRAUSSER and BREISCH. (Concurrent) RESOLUTION No. 61.

In the House of Representatives, March 18, 1957.

On March 15, 1956 a press conference report was issued from the office of George M. Leader, Governor of the Commonwealth of Pennsylvania, in which is found the statement from His Excellency, George M. Leader, Governor of the Commonwealth of Pennsylvania:

"I want to make it very clear at this point that I intend to devote a great deal of the next three years trying to unburden the people of the Commonwealth of a sales tax, stamp plan or no stamp plan."

On March 13, 1957 a blistering report on the shortcomings of the State Sales Tax Bureau was filed with the Senate of Pennsylvania.

The report, prepared by the Washington Management Consultant firm of McKinzie & Company and two sales tax experts from the Institute of Public Administration, pictured the sales tax operation as bogged down, demoralized, and inefficient.

Among reasons given for the disappointing returns from the 3% sales tax levy are:

(1) A backlog of forty thousand returns representing twenty percent (20%) of the total in the main office at Harrisburg with attached checks uncashed because of insufficient employes and improper filing methods.

(2) A staff of 400 field investigators being paid more than $200,000.00 per month in collecting less than their salaries on a two months' period checked.

(3) A high percentage of the field staff were found inexperienced, insufficiently trained to have even confidence and much less competence and to some extent unable to carry out their assignments because of extraneous interests and responsibilities.

(4) Two hundred so-called auditors on the Bureau's payroll who, during the last five months of 1955, had turned out the work which normally could be done by twenty-eight men.

(5) A lack of discipline among poltically appointed employes, particularly in the field offices.

These charges cast reflections upon the integrity of all public offices and must create serious doubts and grave apprehensions among the citizens of the Commonwealth concerning whether or not the sales tax is being collected.

An impartial investigation of these charges is necessary in order to remedy this condition, if true, and to insure the prompt and proper collection of the sales tax; therefore be it

Resolved (the Senate concurring), That the President Pro Tempore of the Senate appoint three members of the Senate and the Speaker of the House of Representatives appoint three members of the House who, together shall constitute a joint commission to make an immediate investigation of the administration of the collection of the sales and use tax as enacted by the 1955-56 Legislature, to cover all phases of the collection and administration of the said sales and use tax, to determine whether the said sales and use tax is being collected from all taxpayers within the Commonwealth, and to investigate the efficiency of the collection agents and all officers and employes of the Commonwealth charged with the collection and supervision of the collection of the said sales and use tax. The scope of the investigation shall be such as will enable the said committee to report back to the Legislature on all phases of the actual collection and the administration of the collection of the said sales and use tax. Such committee is charged with ascertaining as to whether or not politics and political appointments have affected the collection of the sales and use tax.

The committee shall have the power to issue subopenas under its hand and seal requesting and commanding any person or persons to appear before it and answer questions touching matters properly being inquired into and to produce such books, papers, records, and documents as the committee may deem necessary. Such subpoenas shall be served upon any person and shall have force and effect the subopenas issued out of courts of this Commonwealth. The committee shall have power to administer oaths and affirmations to witnesses appearing before it. Any person who shall wilfully neglect or refuse to testify before the committee or to produce any books, papers, records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such case; and be it further

Resolved, That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed sixty days.

Referred to the Committee on Rules.

By Messrs. GOODLING
and BRETH. RESOLUTION No. 62.

In the House of Representatives, March 18, 1957.

Dr. Logan J. Bennett, Executive Director of the Pennsylvania Game Commission and nationally known sportsman, biologist, wildlife administrator and field trial judge, has been chosen by the nation's leading outdoor writers to receive the third annual Winchester Outdoorsman of the Year award for 1956. Dr. Bennett was selected for this coveted award in a nation-wide ballot by more than one thousand two hundred fifty outdoor columnists and freelance writers from every state.

Presented each year by the Winchester-Western Division of Olin Mathieson Chemical Corporation, the award is made to help stimulate more interest in the outdoors—in hunting, fishing, conservation and outdoor recreation. Dr. Bennett was selected over many other notable nominees, including Ernest Hemingway, Ted Williams, Governor Joe Foss of South Dakota, General Curtis LeMay, and wildlife photographer Grancel Fitz.

Born in 1907 in Festus, Missouri, in the foothills of the Ozarks, Dr. Bennett spent much of his early life hunting for sport and for food. In fact, it was through the sale of pelts of opossum and coons that he bought his first gun, a seven dollar double barrel shotgun.

He went to Central College at Fayette, Missouri. He received his Bachelor's degree there, and it was at college that he decided to make a career of wildlife work. He traveled to Ames, Iowa to work for his Master's at Iowa State College, and arrived there with his worldly possessions: a pair of blue jeans, an old motorcycle and sidecar, the seven dollar shotgun and a pointer dog.

Dr. Bennett helped work his way through school by collecting various species of birds and mammals. These are now owned by Iowa and are used to train students of biology. Dr. Bennett eventually gained his Ph.D. at Ames, where he prepared a dissertation on the "Life History and Ecology of the Blue-Wing Teal." This work is still considered an outstanding reference on this species.

From 1937 to 1947 he was leader of the Pennsylvania Wildlife Cooperative Research Unit at Pennsylvania State University. While in this capacity he wrote many technical and popular articles on game management, and directed the scholastic and field training of many young men following careers in wildlife conservation. During this period, he also served in the U. S. Navy (from 1943 to 1945) as officer in charge of a malaria control unit in the Southwest Pacific.

In 1947 he was transferred to the Washington office of the U. S. Fish and Wildlife Service as Section Chief of the Cooperative Wildlife Research Program, and a year later became Chief of the Wildlife Research branch. In 1953, he accepted his present position with the Pennsylvania Game Commission, and now lives with his family in Bowmansdale, Pennsylvania.

A member of many scientific societies and past president of the Wildlife Society Dr. Bennett has written several books, the most recent being "Training Grouse and Woodcock Dogs," and numerous articles on wildlife management, hunting and dogs.

The selection of Dr. Bennett marks the third presentation of the award. Last year's Outdoorsman was Walter Alston, manager of the Brooklyn Dodgers. When initiated in 1954, the award went to screen star Robert Taylor.

We are indeed honored to have a Pennsylvanian receive this national award and further honored because Dr. Bennett holds an integral position in our State Government; therefore be it

Resolved, That the House of Representatives extend its

congratulations to Dr. Logan J. Bennett on his winning of the Winchester Outdoorsman of the Year award, and express its sincere thanks to him for his outstanding contributions in the fields of sports and wildlife; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Logan J. Bennett.

Referred to the Committee on Rules.

SENATE MESSAGE

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 77

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

And has appointed Messrs. FLEMING, WHALLEY and DENT a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 77 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 77

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. GIBSON, KELLER and POLASKI.

Ordered, That the Clerk inform the Senate accordingly.

TANNERSVILLE GRADE SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Tannersville School, 9th Grade, of Monroe County. They are here under the supervision of their teacher, Mr. Outlaw. They are the guests of the gentleman from Monroe, Mr. Cleveland.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 122

An Act amending the act of May 4, 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" permitting borough council to hold its organization meeting on first day after a holiday.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. POST from the Committee on Public Utilities, reported as committed, House Bill No. 319, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937, (P. L. 1053), providing additional standards for the determination of rates of common carriers of passengers by motor vehicle.

Mr. ESHLEMAN from the Committee on Education, reported as committed House Bill No. 347, entitled:

An Act amending the act of March 10, 1949, (P. L. 30), entitled, "An act relating to the public school system, etc. . . ." by providing for additional increments for professional employes having thirty years of public school service.

Mr. FETTEROLF from the Committee on Motor Vehicles, reported as committed, House Bill No. 395, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929, (P. L. 905), providing for approval to erect traffic signs, and changing the definition of the term "school zone."

Mr. OGILVIE from the Committee on State Government, reported as committed, House Bill No. 439, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire by gift on behalf of the Commonwealth, the property known as Graeme Park, in Horsham Township, Montgomery County, * * *, and making an appropriation.

Mr. COMER from the Committee on Motor Vehicles, reported as committed, House Bill No. 454, entitled:

An Act amending "The Vehicle Code" of May 1, 1929, (P. L. 905), further regulating the size of motor buses and motor omnibuses.

Mr. LAFORE from the Committee on Motor Vehicles, reported as committed, House Bill No. 573, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929, (P. L. 905), exempting veterans who served in the armed forces of the United States during any period of war or armed conflict and lost eyesight as a result of such service from fees charged for certificates of title or registration.

Mr. HORST from the Committee on State Government, reported as committed, House Bill No. 618, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land in the Borough of Millersville and in the Township of Manor, Lancaster County, for the use of the Millersville State Teachers College, and making an appropriation.

Mr. GRANVILLE E. JONES from the Committee on State Government, reported as committed, House Bill No. 786, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to acquire seventy-eight acres more or less of land in Washington Township * * * for the use of the Edinboro State Teacher's College and making an appropriation.

Mr. STRAUSSER from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 74, entitled:

An Act amending the "Vehicle Code" entitled "* * *," further regulating the issuance of registration plates to news photographers.

Mr. OGILVIE from the Committee on State Government, reported as committed, Senate Bill No. 216, entitled:

An Act amending "The Administrative Code of 1929" entitled "* * *," empowering the chairman of the Board of Finance and Revenue to appoint a secretary and make certain rules and regulations.

Mr. LUTTY from the Committee on State Government, reported as committed, Senate Bill No. 277, entitled:

An Act authorizing and empowering the Delaware River Port Authority, a body corporate and politic, functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey, and the express consent of the Congress of the United States, to appoint policemen; make rules and regulations for the prevention of disorder, the preservation of safety, and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate; to prevent the evasion of the payment of tolls; and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 34, entitled:

An Act relating to the distribution sale or transportation of deficient or misbranded insecticides fungicides rodenticides and other pesticides * * * and imposing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 262, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) extending the area in which school directors may attend meetings.

The first section was read.

On the question,

Will the House agree to the section?

Mrs. HENZEL offered the following amendments:

Amend Sec. 1 (Sec. 516.1), page 2, line 7, by striking out the bracket before "Commonwealth".

Amend Sec. 1 (Sec. 516.1), page 2, line 7, by inserting a bracket before "or".

Amend Sec. 1 (Sec. 516.1), page 2, line 8, by striking out "United States of America".

Amend Sec. 1 (Sec. 516.1), page 2, line 10, by inserting after "superintendent)" "or not more than two of its members on the annual convention of the National School Boards Association".

Amend Sec. 1 (Sec. 516.1), page 2, line 12, by inserting after "meeting" "within the Commonwealth and of not more than two members at the annual convention of the National School Boards Association, wherever held".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mrs. HENZEL offered the following amendment:

Amend Title, page 1, last two lines of Title, by striking out "extending the area in which school directors may attend meetings" and inserting in lieu thereof" "providing for atendance of school directors at National School Boards Conventions".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order.

The House proceeded to the second reading and consideration of House Bill No. 409, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing cities to increase allowances paid out of the police pension fund after the termination of the service of the contributors.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

ST. THOMAS CATHOLIC HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the St. Thomas Catholic High School of Allegheny County under the supervision of their teachers Sister Rosare and Sister Unice. They are the guests of the gentlemen from Allegheny, Messrs. Jenkins, Stevens, Johnston and Spray, and the lady from Philadelphia, Mrs. Varallo.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of Senate Bill No. 124, entitled:

An Act amending the act of July 13, 1953 (P. L. 431) entitled "An act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers" further providing a procedure for enforcement of the act.

On the question,

Shall the bill pass finally?

Miss DUFFY. Mr. Speaker, this bill as you know has to do with the attachment of the wages of the defendant husband or father who has refused to voluntarily support his family.

I explained last week I am opposed to this proposed legislation because it would force a destitute family to wait 30 days before setting into motion the wheels of attachment or before attaching the wages of the husband and father.

I asked what was the destitute family to do during this 30-day period? What were they to do for food? What were they to do for funds? I explained if the family were already on DPA, they could continue on DPA, which simply meant the Commonwealth and the taxpayers were assuming the burden that was rightfully that of the defendant.

If the family is not on DPA, I explained that it has been my experience it takes about three weeks to secure emergency aid from the Department of Public Assistance because they of course must make an investigation, and they cannot pay money to anybody who asks for it. So what is this family to do?

If there is a Salvation Army in the town, they can get food from the Salvation Army. If there is no Salvation Army in the town what is the family to do? Must the family be reduced to begging or starvation?

I ask those who support the bill why they have put in this 30-day waiting period, and they say we want to give the poor guy a chance. A chance to do what? A chance to starve his family to death?

The tender concern of the Senate supporters of this bill, for the irresponsible husband and father is indeed most touching, but I suggest that their concern is entirely misdirected.

At least if the family survives under this provision of the bill after 30 days they can have an attachment. However, the next provision of the bill is even worse. This provides that no attachment can be had on any of his future payments unless he is in every payment more than 29 days late.

Under the present law, if you can show that the defendant is one week late in his first payment, the next payment two weeks late, the third payment three weeks late, the fourth payment four weeks late, you can walk into court and say, "Your Honor, this man is chronically and constantly late. He is leaving the family under a severe hardship. They never know when they are getting money." You can get an attachment of his wages.

However, this proposed legislation would provide that the defendant can be up to 29 days late with every single payment. No attachment could be had unless he was 30 days late. This simply means the family is under constant threat of eviction from the landlord, that for long periods of time there was no money, that the woman cannot purchase food from the super market. She must purchase food from the more expensive corner grocer because she does not have ready cash and she must use credit. After about ten days or two weeks the corner grocer says, "Look, I am not in business for my health. I cannot give you any more credit." What is she to do for the next two weeks for food?

Last week after I went home I contacted some of the judges of our Municipal Court, and they all concurred in my opinion that this was a bad bill. With the permission of the House I will read some of these letters into the record in order that the Members of the House may know that the persons most experienced with this oppose this legislation.

By the way, these letters are from judges, some of whom are Republicans and some of whom are Democrats.

The first letter I received was from Judge Felix Piekavski. I requested him to write to the head of the Judiciary Committee, Mr. Tompkins, with a copy to me. It is addressed:

> Dear Mr. Tompkins: I have just learned that Senate Bill No. 124 will be before the House next week. This bill as I have been told provides that no wage attachment shall issue on an order of support unless thirty days (30) shall have elapsed.
>
> Having presided in the Domestic Relations Division in thousands of cases, I would suggest to you that a deferment in the issuance of a wage attachment may provoke unnecessary deprivation to the beneficiary of such an order. I found that frequently defendants in these proceedings are even willing that wage attachments issue on the very dates of the orders. Wage attachments are a salutory means of enforcing orders. Restricting the issuance of such wage attachments for thirty days would be a deprivation of funds to children and to mothers entitled to support directly from wages.
>
> May I suggest, therefore, that this bill would not be an aid to those who are in immediate need of support.

Judge Piekavski is a Democratic Judge. The next letter is from Judge Keller Gilbert, a Republican Judge.

> Dear Mr. Tompkins: I am informed by a Member of the House of Representatives that the above bill requires wives, in whose favor support orders have been entered, to wait thirty days after default in payment before an attachment on her husband's wages may issue, and providing further that the amount which employers would be entitled to deduct for their services in implementing this attachment is increased from two percent to five percent."

Well, that has been changed. The next paragraph:

> I understand this bill has now passed the Senate and has been or will be sent to the House for passage.
>
> I do not believe this is a good Bill. Not only is thirty days too long a period during which children may be without food, if this Bill becomes law, but it means also that a husband may forever evade the obligation of such a law by the simple device of seeing to it that he is never more than twenty-nine days in default.
>
> My experience in Domestic Relations Court during the past four years has revealed no complaints which would justify the above changes in the law.

I have also a letter from Judge Adrian Bonnelly which states approximately the same thing, his opposition to this bill. I also have a letter from Juanita Kidd Stout, Assistant District Attorney in charge of the Domestic Relation Division of the Municipal Court in Philadelphia. She states she is also opposed to the bill.

Members of the House, there is only one issue before the House, and that is this: Are you going to vote to protect the women and the children of our Commonwealth or are you going to aid and abet an irresponsible husband in avoiding his duties and obligations. If there is anyone here who is willing to take the bread out of the mouths of our children, I would like to know who you are? The women and the children of Pennsylvania would like to know who you are?

I therefore request a roll call vote.

Mr. ISAACS. Mr. Speaker, I would like to briefly interrogate the lady from Philadelphia, Miss Duffy.

The SPEAKER. Will the lady from Philadelphia, Miss Duffy, allow herself to be interrogated?

Miss DUFFY. I shall, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, the lady qualified her opening remarks by referring to defendant fathers or husbands. Will the lady advise the House if under this bill a defendant could not also be a woman or a mother?

Miss DUFFY. That is correct, Mr. Speaker, she could.

Mr. TOMPKINS. Mr. Speaker, I rise not so much in connection with the argument on the bill, but perhaps to clarify some issues.

The lady from Philadelphia has read some letters into the record which were addressed to myself as Chairman of the Judiciary Committee. I want this House to know that those letters arrived and I received them the week after the Judiciary Committee reported this bill to the floor of the House.

Therefore, I want no notions in anybody's mind that we refused to consider this correspondence at the time this bill was considered in Committee.

Nevertheless, while I am on my feet I want to say that I supported the bill in Committee and I support the bill on the floor of the House.

Mr. WORLEY. Mr. Speaker, I do not think we should go on considering bills in this House when they are not in the file on the Members' desks. Senate Bill 124, Printer's No. 74, is not in the file on my desk, and I checked with my neighbor who sits next to me and he informed me it is not in the file on his desk.

Last evening there was a bill, Senate Bill 161, Printer's No. 75—

The SPEAKER. The only matter before the House is Senate Bill 124, Printer's No. 74.

Will the Members inform the Chair whether they have copies of the bill on their desks? A copy will be supplied to the gentleman from Adams, Mr. Worley.

Mr. TOLL. Mr. Speaker, I would like to say a word or two in support of the position taken by the fair lady from Philadelphia, and that is, Mr. Speaker, in a city the size of Philadelphia, it takes a little while before a petition for support can reach the court for determination.

It may be that in some of the surrounding communities you can have a support petition presented and heard within a week or two, but in Philadelphia it takes us six weeks before a support case can get before the judge for determination. Add to that four more weeks under this bill before an attachment can be issued and you have a man who can refuse to support his wife and his children for practically 10 weeks. Put that in your bonnet.

Mr. McCORMACK. Mr. Speaker, I would like to make a brief remark with respect to this bill. I want to be as objective as possible and I want to say I have never been behind in my support payments since I have been married, so I can speak quite objectively.

I do not want to take bread from anyone's mouth, but the one objection I do have to the bill I think is serious.

Mr. Speaker, I enjoyed very much the letters which were read into the record by the lady from Philadelphia, Miss Duffy, stating that the judges were against this bill. As Mr. Toll pointed out, it takes, he said, four weeks, but I want to tell you the situation as it presently exists in Philadelphia with respect to support orders and the enforcement thereof.

When a mother goes into court and obtains a support order against the husband, at that time there is no question of garnisheeing any wages. That does not even come up except in very rare instances. It has never been my experience wherein the court agreed to attach the wages before there has been any failure to pay the support order. After the court enters the order, the husband, if he is in default, has to be in default for at least four weeks before the matter is considered and at the end of the four weeks the woman has to come back to court and notify the court the husband has not paid. From that time it takes at least ten weeks before the matter again comes up in court, and at that time the husband defendant comes into court. If he has not made any payments at that time, the court then will consider garnisheeing his wages. So this 30 day business just does not make sense to me, because Philadelphia is many days behind the 30 day period.

But the most important objection, Mr. Speaker, I have is that—and I am thinking solely of the woman—where an employer is involved in making payments to court and being responsible and subject to the jurisdiction of the Municipal Court, there is a certain percentage of employers who are going to say, "We are not going to do it, we would rather fire this man. We have a bookkeeping system, and the added details that are required, whether it only means an additional entry in the book, we are not going to do this added feature. We would rather fire the man because there is a surplus of labor anyhow."

That might be so in only relatively few cases, but, nevertheless, it should be sufficient to warrant our seriously considering the bad features of this bill. If there is a person fired as a result of it, we are going to have that many more people on public assistance in Pennsylvania.

Miss DUFFY. If the gentleman from Philadelphia is only concerned about the woman in this case, I do not think it very much matters whether he is fired or not in view of the fact that he is not supporting her anyway.

I would suggest he is more concerned with the man and, as I explained to him yesterday in Caucus, the procedure for putting money into an envelope and dropping it into a mail box is not so complicated and involved as to require 30 days for its performance.

Therefore, he has a simple way of avoiding his employer's ire, just pay the support order.

Mr. READINGER. Mr. Speaker, I do not like to be in the position of having to defend employers of husbands as against women and children, but I do think certain things should be said in the course of this debate to clarify some matters which have been raised by the lady from Philadelphia. She has put this before the House on an emotional basis and it should not be here on that basis.

Until 1953 there was no right to attach anybody's wages for support. The big thing which has been overlooked so far in this debate is that the courts have always had the power to attach the person of one who owes the duty of support and is failing to support his family. That has been the big weapon to make men support their families over the years.

In 1953 we passed this Pennsylvania Civil Procedural Support Law and we added for the first time the right to attach wages in the hands of the employer. We thought it was a good thing to do, and I still think it is a good law.

Apparently since that time there has grown up in certain areas a practice of obtaining a writ of attachment immediately upon obtaining a support order. In other words, it is assuming the husband who is ordered by the court to support would not do so, thereby compelling the employer to deduct it and remit the money to the support office.

The fact is that the courts have a right at any time after a man defaults in his payments to issue a capias or court order to a court officer to go out and pick up this person and bring him in and then tell him he is going to jail or pay. If it were not for that power and that right, I would certainly agree with the lady from Philadelphia.

What we are doing here is in a measure relieving the duties which have been imposed upon employers of people. When you are weighing the equities between a family which needs money and the employer of a man, you are not dealing between the erring husband, or the delinquent husband, and his family. I am afraid the lady has put this matter in such a light that you are being asked to vote as between the employer and the wife on the basis that his employe is not doing what he should do. I say that is an improper light in which to throw this whole thing.

We have a very definite and emphatic way of making husbands support their families. There have been many husbands who have gone to jail for short periods of time because they willfully would not pay a support order. In 98 percent of the cases the husbands are only too happy to obey the support orders after they are out of jail, because most people do not like to sit there.

There have been men in the past who are so willful that they will not pay even though they must sit in jail. I say to you this attachment procedure does not mean a thing in those cases, because the moment his wages are attached he simply quits his job and there is no money to be paid by the employer for any family.

The lady from Philadelphia has made the argument that persons under a duty to support could evade this by simply delaying their payments 29 days and then making a payment. I say that is not so. Once one of these attachments has been ordered and the wages have been attached, the court only modifies the order, if it sees fit to do so, by letting the employe pay his money directly to the probation office, but that does not mean another 30-day wait. If those payments are not made, the modified order provides that the man be picked up immediately and brought before the court or put in jail.

I say this should not be an emotional matter, it is pretty much a strict business matter. Some people have the idea that a woman who gets a support order must wait 30 days before she can go into court and have any real enforcement of the order made. That is not so. She can come before the court the next day or the next week and ask for an order of the court to pick up her husband and put him in jail, if that is what the court thinks ought to be done to make him pay.

I think we ought to vote on this thing in a sensible business like manner and not be swayed by any emotional issues.

Miss DUFFY. I am not putting this on an emotional basis whatsoever. First of all, the destitute family does not wish to put the husband in jail. If he is in jail, she is not getting any support. What she wants is the money, she does not want to put him in jail. He is putting it on an emotional basis.

Secondly, if he goes to jail, then he is sure to lose his job. I have represented a lot of women in these cases and I have never yet had the experience of an employer firing a man simply because his wages were attached.

His statement that a man could be 29 days in default and still she would be able to attach is utterly untrue. I suggest to the gentleman from Berks County that he has not read the bill. I refer him to page 2 of the bill where under Section 9(c) the part that has been inserted says:

> "The wages salary or commission of any person owing a duty of support upon failure to make the first payment within thirty days after an order of support has been served upon him or upon failure to make any subsequent payment within thirty days after the same was due may be attached in the following manner."

Therefore, he must be in default more than 29 days before an attachment can issue and it is true that the husband can constantly avoid payment, force his family to depend on his whim and be constantly up to 29 days late and no attachment can issue.

Therefore, I again request you to vote against this bill.

Mr. CARSON. Mr. Speaker, may I interrogate the young lady from Philadelphia?

The SPEAKER. Will the young lady from Philadelphia, Miss Duffy, permit herself to be interrogated?

Miss DUFFY. I shall, Mr. Speaker.

Mr. CARSON. Mr. Speaker, I would like to ask the young lady a question:

Has she ever represented a husband in Domestic Relations Court?

Miss DUFFY. No, I have not.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—138

Adams,	Farabaugh,	Light,	Rovansek,
Agnew,	Fetterolf,	Lippincott,	Royer,
Ashton,	Foster,	Lopresti,	Rudisill,
Auker,	Fox,	Mahan,	Schuster,
Barton,	George,	Markley,	Seltzer,
Bell,	Gibb,	Marsh,	Snare,
Bower,	Gibson,	McCormack,	Spray,
Bowman,	Goldstein,	McInroy,	Steckel,
Breisch,	Goodling,	McLaughlin,	Stevens,
Brennan,	Goodrich,	Merry,	Stimmel,
Brenninger,	Gramlich,	Metz,	Stone,
Breon,	Gross,	Mikula,	Stoner,
Brown,	Guthrie,	Miller, B. Z.,	Strausser,
Brucker,	Haudenshield,	Miller, H. G.,	Stroup,
Buchanan,	Heffner,	Miller, W. H.,	Stuart,
Carson,	Henzel,	Moody,	Thompson,
Cioffi,	Hocker,	Moscrip,	Tompkins,
Cleveland,	Horst,	Moyer,	Ujobai,
Cooper,	Ide,	Murphy,	Varner,
Dalrymple,	Isaacs,	Murray, H. P.,	Vaughan,
Davis,	Jenkins,	Murray, P. G.,	Wall,
DeLong,	Johnson,	Naugle,	Weidner,
Dengler,	Johnston,	O'Dell,	Wescott,
Dennison,	Jones, T. H. W.,	Ogilvie,	Whittaker,
Devlin,	Jump,	Parry,	Willard,
Dietterick,	Kamyk,	Petrosky,	Willaredt,
Donahue,	Kehler,	Phillips,	Wilt,
Donaldson,	Keller,	Piper,	Wood,
Down,	Kernaghan,	Pomeroy,	Worley,
Dunn,	Knecht,	Post,	Wyatt,
Edwards,	Kooker,	Price,	Yatron,
Eilberg,	Korns,	Pursley,	Zimmerman,
Erb,	Lafore,	Ragot,	Helm,
Eshleman,	Lee, A. M.,	Readinger,	Speaker
Ewing,	Lee, K. B.,	Rigby,	

NAYS—64

Amarando,	Fineman,	Lutty,	Scarcelli,
Anderson, M. S.,	Floyd,	Maxwell,	Schwartz,
Anderson, S. A.,	Flynn,	McCann,	Sherman,
Andrews,	Frascella,	McGee,	Shields,
Boies,	Gailey,	McKeever,	Smith,
Brand,	Garlock,	Mills,	Snider,
Breth,	Gelfand,	Monroe,	Taylor,
Bucchin,	Hamilton,	Muldowney,	Toll,
Capano,	Heavey,	Mullen,	Trusio,
Cianfrani,	Holt,	Munley,	Varallo,
Comer,	Jim,	Musto,	Verona,
Cummins,	Jones, G. E.,	O'Brien,	Walsh,
Curwood,	Krakow,	Pashley,	Wargo,
Dougherty,	Leonard,	Polaski,	Welsh,
Duffy,	Limper,	Reidenbach,	Wheeler,
Filo,	Lovett,	Renwick,	Williams,

NOT VOTING—7

Blair,	Kornick,	Mihm,	Wynd,
Boory,	Magee,	Silverman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 87 entitled as follows:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A A cities of the Third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487) requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged by streets and house numbers or alphabetically.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate one of the sponsors of the bill.

The SPEAKER. Will the gentleman from Chester, Mr. Brown, permit himself to be interrogated?

Mr. BROWN. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether there has not been a provision in the Permanent Registration Act since 1937 requiring municipalities to prepare street lists according to the arrangement of the United States Post Office by streets and house numbers or by rural free delivery numbers?

Mr. BROWN. I would assume that is correct, Mr. Speaker.

Mr. READINGER. Then I desire to ask the gentleman why this bill is necessary.

Mr. BROWN. Mr. Speaker, several counties in the state seem to be doing an illegal job at the present time. According to the information I have, there is a plague on both parties in this situation. Since my county is one of the counties that seems to be illegal at the present time, it would cost us about $30,000 to change the system over to comply with the law.

Therefore, this bill will let us gradually, over a period of three years, proceed in a legal manner with the rest of the state. Also some of the, shall I say, good Democratic counties will be able to do the same thing.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, I am not opposing this bill, but I did think the record should show that some communities have not seen fit to comply with the law since 1937. Whether three years is working a hardship on them, since this bill gives them three years to do it, I do not know.

I do not think we ought to be voting for too many of these bills to erase the past sins of municipalities. It should not be necessary to pass bills of this kind. I think these municipalities should get to work and get their street lists in compliance with the law and that we should not have to give them any moratorium. I suppose if they have violated the law since 1937, nobody would get too cross if they did not ultimately comply with the law for the next two years, but here we are giving them a definite period of three years. I am wondering whether they will comply during that time. I hope they will.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adams,	Fetterolf,	Limper,	Rigby,
Agnew,	Filo,	Lippincott,	Rovansek,
Amarando,	Fineman,	Lopresti,	Royer,
Anderson, M. S.,	Floyd,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Mahan,	Scarcelli,
Andrews,	Foster,	Markley,	Schuster,
Ashton,	Fox,	Marsh,	Schwartz,
Auker,	Frascella,	Maxwell,	Seltzer,
Barton,	Gailey,	McCann,	Sherman,
Bell,	Garlock,	McCormack,	Shields,
Boies,	Gelfand,	McGee,	Smith,
Bower,	George,	McInroy,	Snare,
Bowman,	Gibb,	McKeever,	Snider,
Brand,	Gibson,	McLaughlin,	Spray,
Breisch,	Goldstein,	Merry,	Steckel,
Brennan,	Goodling,	Metz,	Stevens,
Brenninger,	Goodrich,	Mikula,	Stimmel,
Breon,	Gramlich,	Miller, B. Z.,	Stone,
Breth,	Gross,	Miller, H. G.,	Stoner,
Brown,	Guthrie,	Miller, W. H.,	Strausser,
Brucker,	Hamilton,	Mills,	Stroup,
Bucchin,	Haudenshield,	Monroe,	Stuart,
Buchanan,	Heavey,	Moody,	Taylor,
Capano,	Heffner,	Moscrip,	Thompson,
Carson,	Henzel,	Moyer,	Toll,
Cianfrani,	Hocker,	Muldowney,	Tompkins,
Cioffi,	Holt,	Mullen,	Trusio,
Cleveland,	Horst,	Munley,	Ujobai,
Comer,	Ide,	Murphy,	Varallo,
Cooper,	Isaacs,	Murray, H. P.,	Varner,
Cummins,	Jenkins,	Murray, P. G.,	Vaughan,
Curwood,	Jim,	Musto,	Verona,
Dalrymple,	Johnson,	Naugle,	Wall,
Davis,	Johnston,	O'Brien,	Walsh,
DeLong,	Jones, G. E.,	O'Dell,	Wargo,
Dengler,	Jones, T. H. W.,	Ogilvie,	Weidner,
Dennison,	Jump,	Parry,	Welsh,
Devlin,	Kamyk,	Pashley,	Wescott,
Dietterick,	Kehler,	Petrosky,	Wheeler,
Donahue,	Keller,	Phillips,	Whittaker,
Donaldson,	Kernaghan,	Piper,	Willard,
Dougherty,	Knecht,	Polaski,	Willaredt,
Down,	Kooker,	Pomeroy,	Williams,
Duffy,	Korns,	Post,	Wilt,
Dunn,	Krakow,	Price,	Wood,
Edwards,	Lafore,	Pursley,	Worley,
Eilberg,	Lee, A. M.,	Ragot,	Wyatt,
Erb,	Lee, K. B.,	Readinger,	Yatron,
Eshleman,	Leonard,	Reidenbach,	Zimmerman,
Ewing,	Light,	Renwick,	Helm,
Farabaugh,			Speaker

NAYS—1

Lovett,

NOT VOTING—7

Blair,	Kornick,	Mihm,	Wynd,
Boory,	Magee,	Silverman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 93, entitled as follows:

An Act amending "The Penal Code" approved June 24,

1939 (P. L. 872) authorizing the exposure of poison to meadow mice and pine mice under certain conditions and conferring powers and imposing duties upon the Secretary of Agriculture.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fetterolf,	Lippincott,	Rigby,
Agnew,	Filo,	Lopresti,	Rovansek,
Amarando,	Fineman,	Lovett,	Royer,
Anderson, M. S.,	Floyd,	Lutty,	Rudisill,
Anderson, S. A.,	Flynn,	Mahan,	Scarcelli,
Andrews,	Foster,	Markley,	Schuster,
Ashton,	Fox,	Marsh.	Schwartz,
Auker,	Frascella,	Maxwell,	Seltzer,
Barton,	Gailey,	McCann,	Sherman,
Bell,	Garlock,	McCormack,	Shields,
Boies,	Gelfand,	McGee,	Smith,
Bower,	George,	McInroy,	Snare,
Bowman,	Gibb,	McKeever,	Snider,
Brand,	Gibson,	McLaughlin,	Spray,
Breisch,	Goldstein,	Merry,	Steckel,
Brennan,	Goodling,	Metz,	Stevens,
Brenninger,	Goodrich,	Mikula,	Stimmel,
Breon,	Gramlich,	Miller, B. Z.,	Stone,
Breth,	Gross,	Miller, H. G.,	Stoner,
Brown,	Guthrie,	Miller, W. H.,	Strausser,
Brucker,	Hamilton,	Mills,	Stroup,
Bucchin,	Haudenshield,	Monroe,	Stuart,
Buchanan,	Heavey,	Moody,	Taylor,
Capano,	Heffner,	Moscrip,	Thompson,
Carson,	Henzel,	Moyer,	Toll,
Cianfrani,	Hocker,	Muldowney,	Tompkins,
Cioffi,	Holt,	Mullen,	Trusio,
Cleveland,	Horst,	Munley,	Ujobai,
Comer,	Ide,	Murphy,	Varallo,
Cooper,	Isaacs,	Murray, H. P.,	Varner,
Cummins,	Jenkins,	Murray, P. G.,	Vaughan,
Curwood,	Jim,	Musto,	Verona,
Dalrymple,	Johnson,	Naugle,	Wall,
Davis,	Johnston,	O'Brien,	Walsh,
DeLong,	Jones, G. E.	O'Dell,	Wargo,
Dengler,	Jones, T. H.,	Ogilvie,	Weidner,
Dennison,	Jump,	Parry,	Welsh,
Devlin,	Kamyk,	Pashley,	Wescott,
Dietterick,	Kehler,	Petrosky,	Wheeler,
Donahue,	Keller,	Phillips,	Whittaker,
Donaldson,	Kernaghan,	Piper,	Willard,
Dougherty,	Knecht,	Polaski,	Willaredt,
Down,	Kooker,	Pomeroy,	Williams,
Duffy,	Korns,	Post,	Wilt,
Dunn,	Krakow,	Price,	Wood,
Edwards,	Lafore,	Pursley,	Worley,
Eilberg,	Lee, A. M.,	Ragot,	Wyatt,
Erb,	Lee, K. B.,	Readinger,	Yatron,
Eshleman,	Leonard,	Reidenbach,	Zimmerman,
Ewing,	Light,	Renwick,	Helm,
Farabaugh,	Limper,		Speaker

NAYS—0

NOT VOTING—7

Blair,	Kornick,	Mihm,	Wynd,
Boory,	Magee,	Silverman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 269, entitled as follows:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) further providing for the employment of a certified public accountant the duties of the township auditors and further regulating appropriations.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, I thought amendments would be introduced to correct the defects in this bill. I call to the attention of the membership that the duties of auditors are conferred upon certified public accountants. If an auditor fails to perform his duty in a legal manner, there are certain obligations against him provided for by statute.

However, under this particular bill the duties are passed on to the certified public accountants. They could commit a fraudulent act, and insofar as I can see, there would be no obligation, criminal or otherwise.

We think this is unsound. We think it opens the door to fraud, and therefore we feel the bill should be defeated unless it were amended to provide for obligations on the part of the certified public accountants.

Mr. JOHNSON. Mr. Speaker, I believe this bill in the light of what Mr. Goldstein has said, requires further study and I would like to move to place it on the final passage postponed calendar.

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 300 entitled as follows:

An Act regulating rights and duties of teachers in schools from the teaching and training of the mentally retarded functioning within the Department of Welfare and in schools for the teaching and training of the physically handicapped functioning within the Department of Health.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fetterolf,	Lippincott,	Rovansek,
Agnew,	Filo,	Lopresti,	Royer,
Amarando,	Fineman,	Lovett,	Rudisill,
Anderson, M. S.,	Floyd,	Lutty,	Scarcelli,
Anderson, S. A.,	Flynn,	Mahan,	Schuster,
Andrews,	Foster,	Markley,	Schwartz,
Ashton	Fox,	Marsh,	Seltzer,
Auker,	Frascella,	Maxwell,	Sherman,
Barton,	Gailey,	McCann,	Shields,
Bell,	Garlock,	McCormack,	Smith,
Boies,	Gelfand,	McGee,	Snare,
Bower,	George,	McInroy,	Snider,
Bowman,	Gibb,	McKeever,	Spray,
Brand,	Gibson,	McLaughlin,	Steckel,
Breisch,	Goldstein,	Merry,	Stevens,
Brennan,	Goodling,	Metz,	Stimmel,
Brenninger,	Goodrich,	Mikula,	Stone,
Breon,	Gramlich,	Miller, B. Z.,	Stoner,
Breth,	Gross,	Miller, H. G.,	Strausser,
Brown,	Guthrie,	Miller, W. H.,	Stroup,
Brucker,	Hamilton,	Mills,	Stuart,
Bucchin,	Haudenshield,	Monroe,	Taylor,
Buchanan,	Heavey,	Moody,	Thompson,

Capano,	Heffner,	Moscrip,	Toll,
Carson,	Henzel,	Moyer,	Tompkins,
Cianfrani,	Hocker,	Muldowney,	Trusio,
Cioffi,	Holt,	Mullen,	Ujobai,
Cleveland,	Horst,	Munley,	Varallo,
Comer,	Ide,	Murphy,	Varner,
Cooper,	Isaacs,	Murray, H. P.,	Vaughan,
Cummins,	Jenkins,	Murray, P. G.,	Verona,
Curwood,	Jim,	Musto,	Wall,
Dalrymple,	Johnson,	Naugle,	Walsh,
Davis,	Johnston,	O'Brien,	Wargo,
DeLong,	Jones, G. E.	O'Dell,	Weidner,
Dengler,	Jones, T. H.,	Ogilvie,	Welsh,
Dennison,	Jump,	Parry,	Wescott,
Devlin,	Kamyk,	Pashley,	Wheeler,
Dietterick,	Kehler,	Petrosky,	Whittaker,
Donahue,	Keller,	Phillips,	Willard,
Donaldson,	Kernaghan,	Piper,	Willaredt,
Dougherty,	Knecht,	Polaski,	Williams,
Down,	Kooker,	Pomeroy,	Wilt,
Duffy,	Korna,	Post,	Wood,
Dunn,	Krakow,	Price,	Worley,
Edwards,	Lafore,	Pursley,	Wyatt,
Eilberg,	Lee, A. M.,	Ragot,	Yatron,
Erb,	Lee, K. B.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
Ewing,	Light,	Renwick,	Speaker
Farabaugh,	Limper,	Rigby,	

NAYS—0

NOT VOTING—7

Blair,	Kornick,	Mihm,	Wynd,
Boory,	Magee,	Silverman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 362, entitled as follows:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing conveyance by school districts of the second class of unused and unnecessary lands and buildings to the city borough town or township coterminous with the district.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, line 5 from top of title, by inserting after "second" "third or fourth."

Amend Title, page 1, last line of title, by inserting after "with" "or within."

Amend Sec. 1, (Sec. 707), page 2, line 15, by inserting "with" "or within."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 369, entitled as follows:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing for the creation of capital reserve funds for capital expenditures.

On the question,

Will the House agree to the bill on third reading?

Mr. HOCKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 2403), page 2, line 6, by inserting after "for" "any."

Amend Sec. 1 (Sec. 2403), page 2, line 6, by inserting after "expenditures" "which fund shall be designated for a specific purpose or purposes at the time of its creation."

Amend Sec. 1 (Sec. 2403), page 2, line 9, by inserting after "city" "as specified at the time of the creation of the fund."

Amend Sec. 1 (Sec. 2403), page 2, line 9, by inserting after "purpose" "unless consent is first obtained by a majority vote of the electorate of the city by the use of a special question, as provided in the Pennsylvania Election Code."

Amend Sec. 1 (Sec. 2403), page 2, line 16, by striking out "any of the" and inserting in lieu thereof "the specific purpose or."

Amend Sec. 1 (Sec. 2403), page 3, lines 1, 2 and 3, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 370, entitled as follows:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) providing for the creation of capital reserve funds for capital expenditures.

On the question,

Will the House agree to the bill on third reading?

Mr. HOCKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 702), page 2, line 14, by inserting after "for" "any".

Amend Sec. 1 (Sec. 702), page 2, line 14, by inserting after "expenditures" "which fund shall be designated for a specific purpose or purposes at the time of its creation".

Amend Sec. 1 (Sec. 702), page 2, line 17, by inserting after "township" "as specified at the time of the creation of the fund".

Amend Sec. 1 (Sec. 702), page 2, line 18, by inserting after "purpose" "unless consent is first obtained by a majority vote of the electorate of the township by the use of a special question, as provided in the Pennsylvania Election Code".

Amend Sec. 1 (Sec. 702), page 3, line 5, by striking out

"any of the" and inserting in lieu thereof "the specific purpose or".

Amend Sec. 1 (Sec. 702), page 3, lines 10, 11 and 12, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 371, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) providing for the creation of capital reserve funds for capital expenditures.

On the question,

Will the House agree to the bill on third reading?

Mr. HOCKER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1502), page 2, line 7, by inserting after "for" "any".

Amend Sec. 1 (Sec. 1502), page 2, line 7, by inserting after "expenditures" "which fund shall be designated for a specific purpose or purposes at the time of its creation".

Amend Sec. 1 (Sec. 1502), page 2, line 10, by inserting after "township" "as specified at the time of the creation of the fund".

Amend Sec. 1 (Sec. 1502), page 2, line 10, by inserting after "purpose" "unless consent is first obtained by a majority vote of the electorate of the township by the use of a special question, as provided in the Pennsylvania Election Code".

Amend Sec. 1 (Sec. 1502), page 2, line 17, by striking out "any of the" and inserting in lieu thereof "the specific purpose or".

Amend Sec. 1 (Sec. 1502), page 3, lines 3, 4 and 5, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 384, entitled:

An Act authorizing and directing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Chester River in Delaware County between Twenty-second Street and Upland Avenue in the Borough of Upland * * * and making an appropriation therefor.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. Speaker, I would like to make a brief statement in support of this bill.

This bill is a bridge bill. It concerns a bridge on U. S. Highway 13 bypass.

Today in our mail boxes we received a brochure from the Greater Philadelphia Movement. On page 4 thereof it draws attention to the terrifically congested traffic condition between Philadelphia and Wilmington, Balitmore and Washington to the south.

The situation that this bridge seeks to correct is one of the greatest causes of traffic congestion between Philadelphia and the cities to the south.

On the road on which this bridge is to relieve congestion there is sometimes a traffic flow of 2,400 automobiles an hour. Sometimes the traffic is backed up from a half mile to a mile. This is a key road between the industries of lower Delaware County and the residential districts of upper Delaware County. It also provides a means of access for those workers who live in the City of Philadelphia, south Philadelphia and west Philadelphia, going to and fro to their jobs in lower Delaware County.

This bridge is essential. It is an endeavor to alleviate a very serious traffic situation. May I repeat, the correction of this possibly would be part of the interstate highway system. Again, the proof is contained in the brochure.

I would like everyone in the House to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—146

Adams,	Fetterolf,	Lippincott,	Scarcelli,
Agnew,	Filo,	Lovett,	Seltzer,
Anderson, S. A.,	Flynn,	Magee,	Smith,
Andrews,	Foster,	Mahan,	Snare,
Ashton,	Fox,	Markley,	Snider,
Auker,	George,	Marsh,	Spray,
Barton,	Gibb,	McCann,	Steckel,
Bell,	Gibson,	McInroy,	Stevens,
Bower,	Goldstein,	Merry,	Stimmel,
Bowman,	Goodling,	Metz,	Stone,
Brand,	Goodrich,	Mikula,	Stoner,
Breisch,	Gramlich,	Miller, B. Z.,	Strausser,
Brenninger,	Gross,	Miller, H. G.,	Stroup,
Breon,	Guthrie,	Miller, W. H.,	Stuart,
Brown,	Hamilton,	Mills,	Taylor,
Brucker,	Haudenshield,	Moody,	Thompson,
Bucchin,	Heavey,	Moscrip,	Tompkins,
Buchanan,	Heffner,	Moyer,	Trusio,
Carson,	Henzel,	Muldowney,	Ujobai,
Cioffi,	Hocker,	Mullen,	Varner,
Cleveland,	Horst,	Murphy,	Vaughan,
Cooper,	Ide,	Murray, H. P.,	Wall,
Cummins,	Isaacs,	Murray, P. G.,	Weidner,
Dalrymple,	Johnson,	Musto,	Wescott,
Davis,	Johnston,	Naugle,	Wheeler,
DeLong,	Jones, T. H.,	O'Dell,	Whittaker,
Dengler,	Jump,	Ogilvie,	Willard,
Dennison,	Kehler,	Phillips,	Willaredt,
Dietterick,	Keller,	Piper,	Williams,
Donahue,	Kernaghan,	Polaski,	Wilt,
Donaldson,	Knecht,	Pomeroy,	Wood,
Down,	Kooker,	Post,	Worley,
Dunn,	Korns,	Price,	Wyatt,
Edwards,	Lafore,	Pursley,	Zimmerman,
Erb,	Lee, A. M.,	Ragot,	Helm,
Eshleman,	Lee, K. B.,	Rigby,	Speaker
Ewing,	Light,	Royer,	

NAYS—46

Amarando,	Frascella,	Lutty,	Renwick,
Anderson, M. S.,	Gailey,	Maxwell,	Rovansek,
Breth,	Garlock,	McKeever,	Rudisill,
Capano,	Gelfand,	McLaughlin,	Schuster,
Cianfrani,	Holt,	Monroe,	Schwartz,
Curwood,	Jim,	Munley,	Sherman,
Devlin,	Jones, G. E.	O'Brien,	Shields,
Dougherty,	Kamyk,	Parry,	Toll,
Duffy,	Krakow,	Pashley,	Verona,
Eilberg,	Leonard,	Readinger,	Wargo,
Farabaugh,	Limper,	Reidenbach,	Welsh,
Fineman,			Yatron,

NOT VOTING—17

Blair,	Comer,	Lopresti,	Petrosky,
Boies,	Floyd,	McCormack,	Silverman,
Boory,	Jenkins,	McGee,	Varallo,
Brennan,	Kornick,	Mihm,	Walsh,
			Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mrs. SARAH A. ANDERSON filed the following reasons for her vote on House Bill No. 384.

Many of my neighbors and constitutents are employed in South Eastern Delaware County and many others have had occasion to travel between Philadelphia and Wilmington. All have complained of the Chester traffic bottleneck on U. S. Highway 13 By Pass.

I therefore, vote in favor of House Bill 384 as necessary for the benefit of the travelling public in general and the citizens of Philadelphia.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 411 entitled as follows:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) fixing the minimum requirements necessary to entitle contributors to the police pension fund to retire further regulating appropriations to the fund and the payment of increments upon retirement.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fetterolf,	Lippincott,	Rovansek,
Agnew,	Filo,	Lopresti,	Royer,
Amarando,	Fineman,	Lovett,	Rudisill,
Anderson, M. S.,	Floyd,	Lutty,	Scarcelli,
Anderson, S. A.,	Flynn,	Mahan,	Schuster,
Andrews,	Foster,	Markley,	Schwartz,
Ashton,	Fox,	Marsh,	Seltzer,
Auker,	Frascella,	Maxwell,	Sherman,
Barton,	Gailey,	McCann,	Shields,
Bell,	Garlock,	McCormack,	Smith,
Boies,	Gelfand,	McGee,	Snare,
Bower,	George,	McInroy,	Snider,
Bowman,	Gibb,	McKeever,	Spray,
Brand,	Gibson,	McLaughlin,	Steckel,
Breisch,	Goldstein,	Merry,	Stevens,
Brennan,	Goodling,	Metz,	Stimmel,
Brenninger,	Goodrich,	Mikula,	Stone,
Breon,	Gramlich,	Miller, B. Z.,	Stoner,
Breth,	Gross,	Miller, H. G.,	Strausser,
Brown,	Guthrie,	Miller, W. H.,	Stroup,
Brucker,	Hamilton,	Mills,	Stuart,
Bucchin,	Haudenshield,	Monroe,	Taylor,
Buchanan,	Heavey,	Moody,	Thompson,
Capano,	Heffner,	Moscrip,	Toll,
Carson,	Henzel,	Moyer,	Tompkins,
Cianfrani,	Hocker,	Muldowney,	Trusio,
Cioffi,	Holt,	Mullen,	Ujobai,
Cleveland,	Horst,	Munley,	Varallo,
Comer,	Ide,	Murphy,	Varner,
Cooper,	Isaacs,	Murray, H. P.,	Vaughan,
Cummins,	Jenkins,	Murray, P. G.,	Verona,
Curwood,	Jim,	Musto,	Wall,
Dalrymple,	Johnson,	Naugle,	Walsh,
Davis,	Johnston,	O'Brien,	Wargo,
DeLong,	Jones, G. E.	O'Dell,	Weidner,
Dengler,	Jones, T. H.,	Ogilvie,	Welsh,
Dennison,	Jump,	Parry,	Wescott,
Devlin,	Kamyk,	Pashley,	Wheeler,
Dietterick,	Kehler,	Petrosky,	Whittaker,
Donahue,	Keller,	Phillips,	Willard,
Donaldson,	Kernaghan,	Piper,	Willaredt,
Dougherty,	Knecht,	Polaski,	Williams,
Down,	Kooker,	Pomeroy,	Wilt,
Duffy,	Korns,	Post,	Wood,
Dunn,	Krakow,	Price,	Worley,
Edwards,	Lafore,	Pursley,	Wyatt,
Eilberg,	Lee, A. M.,	Ragot,	Yatron,
Erb,	Lee, K. B.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
Ewing,	Light,	Renwick,	Speaker
Farabaugh,	Limper,	Rigby,	

NAYS—0

NOT VOTING—7

Blair,	Kornick,	Mihm,	Wynd,
Boory,	Magee,	Silverman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 462 entitled as follows:

An Act amending the act of May 29, 1917 (P. L. 322) entitled "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs tadpoles and terrapin * * *" permitting settlement of penalties for violations on field receipts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fetterolf,	Lippincott,	Rovansek,
Agnew,	Filo,	Lopresti,	Royer,
Amarando,	Fineman,	Lovett,	Rudisill,
Anderson, M. S.,	Floyd,	Lutty,	Scarcelli,
Anderson, S. A.,	Flynn,	Mahan,	Schuster,
Andrews,	Foster,	Markley,	Schwartz,
Ashton,	Fox,	Marsh,	Seltzer,
Auker,	Frascella,	Maxwell,	Sherman,
Barton,	Gailey,	McCann,	Shields,
Bell,	Garlock,	McCormack,	Smith,
Boies,	Gelfand,	McGee,	Snare,
Bower,	George,	McInroy,	Snider,
Bowman,	Gibb,	McKeever,	Spray,
Brand,	Gibson,	McLaughlin,	Steckel,
Breisch,	Goldstein,	Merry,	Stevens,
Brennan,	Goodling,	Metz,	Stimmel,
Brenninger,	Goodrich,	Mikula,	Stone,
Breon,	Gramlich,	Miller, B. Z.,	Stoner,
Breth,	Gross,	Miller, H. G.,	Strausser,

Brown,	Guthrie,	Miller, W. H.,	Stroup,
Brucker,	Hamilton,	Mills,	Stuart,
Bucchin,	Haudenshield,	Monroe,	Taylor,
Buchanan,	Heavey,	Moody.	Thompson,
Capano,	Heffner,	Moscrip,	Toll,
Carson,	Henzel,	Moyer,	Tompkins,
Cianfrani,	Hocker,	Muldowney,	Trusio,
Cioffi,	Holt,	Mullen,	Ujobai,
Cleveland,	Horst,	Munley,	Varallo,
Comer,	Ide,	Murphy,	Varner,
Cooper,	Isaacs,	Murray, H. P.,	Vaughan,
Cummins,	Jenkins,	Murray, P. G.,	Verona,
Curwood,	Jim,	Musto,	Wall,
Dalrymple,	Johnson,	Naugle,	Walsh,
Davis,	Johnston,	O'Brien,	Wargo,
DeLong,	Jones, G. E.	O'Dell,	Weidner,
Dengler,	Jones, T. H.,	Ogilvie,	Welsh,
Dennison,	Jump,	Parry,	Wescott,
Devlin,	Kamyk,	Pashley,	Wheeler,
Dietterick,	Kehler,	Petrosky,	Whittaker,
Donahue,	Keller,	Phillips,	Willard,
Donaldson,	Kernaghan,	Piper,	Willaredt,
Dougherty,	Knecht,	Polaski,	Williams,
Down,	Kooker,	Pomeroy,	Wilt,
Duffy,	Korns,	Post,	Wood,
Dunn,	Krakow,	Price,	Worley,
Edwards,	Lafore,	Pursley,	Wyatt,
Eilberg,	Lee, A. M.,	Ragot,	Yatron,
Erb,	Lee, K. B.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
Ewing,	Light,	Renwick,	Speaker
Farabaugh,	Limper,	Rigby,	

NAYS—0

NOT VOTING—7

Blair,	Kornick,	Mihm,	Wynd,
Boory,	Magee,	Silverman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 556 entitled as follows:

An Act relating to criminal prosecution permitting defendants to make motions for discharge on the ground that the evidence is insufficient to sustain the charge and providing for the effect thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fetterolf,	Lippincott,	Rovansek,
Agnew,	Filo,	Lopresti,	Royer,
Amarando,	Fineman,	Lovett,	Rudisill,
Anderson, M. S.,	Floyd,	Lutty,	Scarcelli,
Anderson, S. A.,	Flynn,	Mahan,	Schuster,
Andrews,	Fox,	Markley,	Schwartz,
Ashton,	Foster,	Marsh,	Seltzer,
Auker,	Frascella,	Maxwell,	Sherman,
Barton,	Gailey,	McCann,	Shields,
Bell,	Garlock,	McCormack,	Smith,
Boies,	Gelfand,	McGee,	Snare,
Bower,	George,	McInroy,	Snider,
Bowman,	Gibb,	McKeever,	Spray,
Brand,	Gibson,	McLaughlin,	Steckel,
Breisch,	Goldstein,	Merry,	Stevens,
Brennan,	Goodling,	Metz,	Stimmel,
Brenninger,	Goodrich,	Mikula,	Stone,
Breon,	Gramlich,	Miller, B. Z.,	Stoner,
Breth,	Gross,	Miller, H. G.,	Strausser,
Brown,	Guthrie,	Miller, W. H.,	Stroup,
Brucker,	Hamilton,	Mills,	Stuart,
Bucchin,	Haudenshield,	Monroe,	Taylor,
Buchanan,	Heavey,	Moody,	Thompson,
Capano,	Heffner,	Moscrip,	Toll,
Carson,	Henzel,	Moyer,	Tompkins,
Cianfrani,	Hocker,	Muldowney,	Trusio,
Cioffi,	Holt,	Mullen,	Ujobai,
Cleveland,	Horst,	Munley,	Varallo,
Comer,	Ide,	Murphy,	Varner,
Cooper,	Isaacs,	Murray, H. P.,	Vaughan,
Cummins,	Jenkins,	Murray, P. G.,	Verona,
Curwood,	Jim,	Musto,	Wall,
Dalrymple,	Johnson,	Naugle,	Walsh,
Davis,	Johnston,	O'Brien,	Wargo,
DeLong,	Jones, G. E.	O'Dell,	Weidner,
Dengler,	Jones, T. H.,	Ogilvie,	Welsh,
Dennison,	Jump,	Parry,	Wescott,
Devlin,	Kamyk,	Pashley,	Wheeler,
Dietterick,	Kehler,	Petrosky,	Whittaker,
Donahue,	Keller,	Phillips,	Willard,
Donaldson,	Kernaghan,	Piper,	Willaredt,
Dougherty,	Knecht,	Polaski,	Williams,
Down,	Kooker,	Pomeroy,	Wilt,
Duffy,	Korns,	Post,	Wood,
Dunn,	Krakow,	Price,	Worley,
Edwards,	Lafore,	Pursley,	Wyatt,
Eilberg,	Lee, A. M.,	Ragot,	Yatron,
Erb,	Lee, K. B.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
Ewing,	Light,	Renwick,	Speaker
Farabaugh,	Limper,	Rigby,	

NAYS—0

NOT VOTING—7

Blair,	Kornick,	Mihm,	Wynd,
Boory,	Magee,	Silverman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 579, Printer's No. 158, and

House Bill No. 582, Printer's No. 123

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 734, entitled as follows:

A Supplement of the act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" regulating expenditures and commitments by administrative bodies boards and commissions during a portion of each biennium.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Lancaster, Mr. Wood.

The SPEAKER. Will the gentleman from Lancaster, Mr. Wood, permit himself to be interrogated?

Mr. WOOD. Mr. Speaker, I yield to the gentleman from McKean, Mr. Johnson.

The SPEAKER. The gentleman from Lancaster, Mr. Wood, yields to the gentleman from McKean, Mr. Johnson.

Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, this is a poor substitute, but I will accept it.

Mr. JOHNSON. Mr. Speaker, it reminds me of the story that he who puts his feet in another man's shoes gets athlete's foot.

I do not think that will happen this time however.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman from McKean whether it is the purpose of this bill to limit all departmental expenditures during the last three months of the biennium to one-eighth of the total amount of money appropriated to that department for the biennium?

Mr. JOHNSON. Mr. Speaker, the bill limits the expenditures to one-eighth for the purchare of equipment, materials, supplies and the payment of salaries and other compensation and fees for services made by any administrative body, board and commission.

It does not include subsidies, or mandated items, or construction costs, or anything like that. It merely covers the ordinary and necessary common expenditures of a department during the biennium.

Mr. READINGER. Does it mean if the Department of Public Assistance program has been enlarged during a biennium so that additional personnel is required, and so forth, that during the last three months of a biennium they can spend only one-eighth of the total amount appropriated for the biennium?

Mr. JOHNSON. I would say that would be correct. We feel that good planning would not make it necessary for any unusual, unprecedented expenditures during the last three months.

Mr. READINGER. Does this bill mean that if the Department of Welfare program is delayed in getting under way for the first six months of the biennium for the reason that the budget is not approved for the first six months of its operations, thereafter with an expanded program it is to be limited during the last three months of the biennium to one-eighth of the total amount appropriated?

Mr. JOHNSON. That is true, Mr. Speaker. For the enumerated items in this bill they would be limited to that expenditure.

Mr. READINGER. May I ask the gentleman whether he or any other person on his side has contacted any of the present state departments to ascertain what effect this might have upon their operations during the last three months of the biennium?

Mr. JOHNSON. We have talked to the Secretary of the Department of Revenue and he has indicated that he can get by by limiting his expenditures to one-eighth.

I believe the Department of Public Assistance, since you have referred to that department, contemplate purchasing 300 recording devices of some kind, which would be prohibited under this bill.

Mr. READINGER. Has the gentleman contacted the Department of Welfare to ascertain what effect this bill would have on it and its functions?

Mr. JOHNSON. I believe an effort to contact them was of no avail because the Secretary is in the hospital and I believe the hearing has been delayed for that reason.

Mr. READINGER. I could not hear the last part of the gentleman's answer.

Mr. JOHNSON. The Secretary is not available for questioning or for a hearing on the matter. So we have not received word from him, since, I understand he is in the hospital.

Mr. READINGER. May I ask whether the gentleman has contacted the Budget Secretary, or anybody under him, to ascertain what effect this might have on the orderly functions of any department of the state, or any administrative body or commission?

Mr. JOHNSON. No, we have not.

Mr. READINGER. Mr. Speaker, this bill may have some merit in stopping things which probably have gone on in this Commonwealth for many years, and that would be the purchase of certain equipment, supplies, and so forth, during the last period of a biennium. But it seems to me the way this bill is set up it is nothing but another political bill to embarrass this administration.

Apparently no actual attempt has been made to ascertain what legitimate functions of the departments might be adversely affected if this bill were put on the law books.

If the gentleman has any information concerning unwarranted spending of money by departments during the last three months of a biennium, I think he should produce it. I have heard many stories about departments during the latter part of a biennium spending money in a way which might seem to be reckless and unwarranted. That is not only true of this administration, it is true of every administration in the past to some extent.

For us to pass a bill which will blindly handcuff departments which are charged by us with carrying out certain functions does not make any sense to me except on a political basis.

I think this administration can carry out the duties which it has undertaken, many of which have been prescribed by us and many of which have been subscribed to by us as being worthy and proper programs. If this House is willing to pass a bill of this kind in its present state of blindness, then I underestimate the intelligence of the membership.

There probably is a way in which departments can be deterred or stopped from purchasing things which are not necessary at the time simply because they have an unexpended appropriation available.

Ladies and Gentlemen, it seems to me that this is not the way to do it. I am not going to let this bill pass without my vehement protest being voiced today. There certainly is a better way to do what you are intending to do without burning down the barn to get rid of a few mice that might be in the barn.

Mr. LOVETT. Mr. Speaker, may I interrogate the substitute?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall Mr. Speaker.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman in the case of public assistance if we had an emergency in the last four months where they had to put on additional help in order to take care of the cases on public assistance, whether or not this bill would affect that particular subject?

Mr. JOHNSON. Mr. Speaker, would the gentleman explain what he means by an emergency that would occur momentarily in the Department of Public Assistance which would require large scale employment of personnel?

Mr. LOVETT. We may have many strikes during that

period of time when people are out of work, and they would have to be put on public assistance. Would it be proper not to have sufficient help to do the job?

Mr. JOHNSON. In answer to the gentleman, I do not beleive the civil service setup of the Department of Public Assistance would have available personnel with which they could skyrocket their payroll overnight. I think if you would have to take civil service examination and through all of the various processes involved, I do not beleive an emergency like that could be met by a rapid hiring of workers.

Mr. LOVETT. Are all of the employes of the Department of Public Assistance now under civil service?

Mr. JOHNSON. I would say, yes, I do not believe there is one employe of that Department who is not under civil service.

Mr. LOVETT. May I ask the gentleman if all of those employes have been trained by the Department of Public Assistance and have passed the civil service examinations?

Mr. JOHNSON. I would say every employe of the Department of Public Assistance has qualified under the laws pertaining to civil service. Since there is Federal money involved, I believe they are all under the merit system. They either have been blanketed in by law or they have taken an examination.

Mr. LOVETT. Would the gentleman state in the event an emergency arose and our hands would be tied due to civil service, we could not take care of our people in Pennsylvania who were in need?

Mr. JOHNSON. Mr. Speaker, my answer to that question is this. I cannot conceive of a wholesale emergency arising in a very quick period of time but what the present employes—who I am sure are not overworked—could take care of. It would just be a matter of drawing checks. You can draw and sign checks very easily and quickly. This only affects a three-months period.

Mr. LOVETT. Mr. Speaker, if I understand the Public Assistance Law, even though a man is unemployed, there would have to be some investigation there as to whether or not he was entitled to public assistance. It would not be just a matter of drawing checks.

Mr. JOHNSON. If a man is unemployed, Mr. Speaker, the answer is he will get $35 a week under our present Unemployment Compensation Law after, I believe a one-week waiting period.

Mr. LOVETT. Providing the gentleman has worked long enough to have that quarterly period in which he receives that payment.

Mr. JOHNSON. That is right.

Mr. LOVETT. But, Mr. Speaker, there might be many cases wherein he would not have?

Mr. JOHNSON. I would say the instances of that nature are now rare.

Mr. LOVETT. And the gentleman feels there could be no emergency in any of these departments whereby you could handcuff the departments to the extent that they could not function and perform their duties that we have laid down to them by law?

Mr. JOHNSON. I cannot conceive of it. If money is needed, I believe that our Constitution provides that we can borrow $10 million very rapidly for such a purpose under the articles of our State Constitution.

Mr. LOVETT. I do not think the fact that we can borrow money would enter into that particular stage of the different departments borrowing money under the Constitution. I just do not quite follow the gentleman.

Mr. JOHNSON. To be more straightforward, I would say I cannot conceive of an emergency being created within this limited period that would call for any unprecedented and unusual expenditures for equipment or these other enumerated items as set out in the bill.

Mr. LOVETT. Mr. Speaker, I thank the gentleman.

I wish I could feel as the gentleman does, that these emergencies could not arise but I am very fearful they will arise, and I do not think that we should pass legislation of this kind. I feel that it is unnecessary.

Mr. McCANN. Mr. Speaker, would the gentleman from McKean permit himself to be interrogated?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, would the gentleman tell us if this particular bill would also deal with Labor and Industry in the last one-eighth of its budget?

Mr. JOHNSON. I would say with respect to departmental expenditures for equipment, and so forth, it would apply. That is right.

Mr. McCANN. Mr. Speaker, would the gentleman from McKean tell us then if there was a major steel strike, which has occurred many times in the past, and all of the "captive" coal mines shut down laying off all the men in which event the UC Section of Labor and Industry has to put on quite a number of additional people to handle the claims, if this fell in the last one-eighth of a biennium, could they or could they not, if this were law, pay those people if it required more money?

Mr. JOHNSON. Mr. Speaker, I am sorry I am not too familiar with the administration of the Unemployment Compensation Fund and the payment of the workers handling that fund. That fund is also part Federal money, and the employes of that particular department are also entirely on civil service. The same limitations with respect to hirings as provided under the Civil Service Law with respect to that department would pertain to the Department of Public Assistance.

Mr. McCANN. Would the gentleman concur that in the Civil Service Law there are provisions dealing with provisional employment which is temporary employment to take care of such situations?

Mr. JOHNSON. Your question is, is it possible to have temporary employment to take care of such situations in the Civil Service Act?

Mr. McCANN. That is right.

Mr. JOHNSON. I regret I cannot answer that question.

Mr. McCANN. Mr. Speaker, I will answer that question. There is.

The next question, since we have a case history to show, we will say there was a major steel strike, Mr. Speaker, which occurred in the last eighth of this program, and the UC Section had to put on approximately 50 to 75 additional personnel to handle the claims, and it fell in the last eighth of the biennium, could they or could they not be paid if it is granted they have a right to place them on the employment?

Mr. JOHNSON. Mr. Speaker, we are talking now about the Unemployment Compensation Fund?

Mr. McCANN. And the workers who are employed by that fund.

Mr. JOHNSON. As I recall, having attended budget hearings, I do not believe we budget that fund or the expenditures from that fund. I believe the personnel, the hiring of personnel, and the number of personnel and all are entirely within the confines of that fund. We do not budget it, and I do not believe this bill would apply to that.

As I understand it, this bill applies to the department itself for the ordinary departmental functions.

Mr. McCANN. Mr. Speaker, if we have cleared that point, and the strike continued in the same manner as it did not too many years ago, and the people were placed on the DPA rolls, in addition to receiving money from their UC payments since they have large families, and the UC rolls and the DPA rolls up within the one-eighth of this biennium budget, could they in turn pay those personnel since they have the same right to put on provisional personnel from the lists they have established by previous examinations? Could they pay these people in this last eighth of the biennium?

Mr. JOHNSON. My answer is, Mr. Speaker, I am not sure whether the same thing obtains with respect to the disbursement of the Department of Public Assistance. What we do with that fund, as I recall, is to give them $150 million, or something like that, and they budget their salaries themselves. If such an emergency like that would occur or if the necessity would occur during the last three months of the biennium—and we are always in session during that time—it would only take three or four days to get legislation through this House and Senate and signed by the Governor to correct and take care of any emergency.

Mr. McCANN. Mr. Speaker, is there any place in this bill wherein the items the gentleman just mentioned are specific?

Mr. JOHNSON. The fact that we could—

Mr. McCANN. No, no. If an emergency arose, is there anything in this bill dealing with any type of emergency in any department or any agency in the Commonwealth?

Mr. JOHNSON. There is not.

Mr. McCANN. There is not, sir?

Mr. JOHNSON. If we would be in session and an emergency occurred, we could correct it like we did the flood disaster in August of 1955.

Mr. McCANN. Mr. Speaker, may I thank the gentleman very kindly?

Just to be very brief, I do believe the gentleman is driving at a rather good point in trying to control the situation, but I sincerely believe he has missed quite a few points in the operation of state government, to some of which I know the gentleman knows the answers. I hope it will never occur in this Commonwealth again, but past experience has shown it can happen and has happened. On those grounds I think we should be lenient enough and sincere enough to trust the heads of the department, that they would have a right to operate to take care of the needs of the people of this Commonwealth if the occasion should arise. I believe those gentlemen would be the first to stand up to defend those rights.

I think until such time as those questions are clearly answered and that a policy is established regarding such subjects as have been discussed here today, we at least should take a position of opposing such legislation until we are absolutely clear that we are not doing an injustice to our own people whom we represent.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, there have been intimations, have there not, that the Highway Department is employing too many engineering firms to do it's planning?

Mr. JOHNSON. I believe that is true, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, there have been intimations, have there not, that the Highway Department is sadly deficient in personnel, that it needs designing draftsmen, that it needs engineers, that it is undermanned?

Mr. JOHNSON. I believe that is right.

Mr. ANDREWS. Mr. Speaker, it is also true, is it not, that we are in the process of passing legislation vastly increasing the scope of operations of the Highway Department, surveys here, surveys there, resolutions expanding the operations.

Mr. JOHNSON. That is right.

Mr. ANDREWS. Then I would like to ask the Majority Leader, if we are going to dispense with the services of some of the engineering concerns that are supposed to draft designs for highway projects, if we are to recruit the necessary personnel for the Highway Department, if we are to comply with one-half of the resolutions and bills that pass this House requiring services by the Department, how are we going to do it unless they can expand their appropriations for personnel and expand them drastically?

Mr. JOHNSON. Mr. Speaker, as I understand this bill, we are limiting the departments to expenditures in the last three months which would be equivalent to one-eighth of their total appropriation. I cannot see but what any department on this Hill with proper planning, proper management, would be able to so gauge their expenditures so they could in that last three months live comfortably within the amount of money which has been allotted to them for the purpose intended.

If you are talking about the Highway Department—and I grant you the question of the application of this bill to the Highway Department is more or less a matter of conjecture by reason of the fact that we do not budget the funds of the Highway Department—and what would be a budgetary figure for them for the last three months, that would be a matter of conjecture. I understand that so far as the Highway Department is concerned, the Governor has a blank check and can allocate money to the Highway Department at any time, any place and in any amount.

Mr. ANDREWS. Mr. Speaker, the performance system is a new budget idea. We control salaries, do we not, total appropriations, in the Highway Department, the amount which can be paid, should be paid, limitations and no limitations upon salaries?

Mr. JOHNSON. Mr. Speaker, to answer the question of the gentleman—

Mr. ANDREWS. I will change my question. I just want to have on the record as a statement by the Majority Leader that if the Highway Department finds it possible to expand its force of engineers, of designing draftsmen and of the other employes it will need, since this bill applies to the final three months of the present biennium,

that the operation of this bill will not in any way impede the proper expansion of the Highway Department.

Mr. JOHNSON. Mr. Speaker, I will first say that we as a Legislature have nothing to do at the present time with the expenditure of Highway Department funds. They have a blank check. The money is earmarked by our Constitution from the gasoline and Motor License Fund to the Highway Department and they can spend it any way they wish, for salaries, or for roads, or for anything else. We do not legislate their budget. I believe they expend it at the whim of the Governor, and I doubt whether this bill would apply to the Highway Department.

Mr. ANDREWS. Mr. Speaker, the powers in the Highway Department are not constitutional powers, are they? They are not given a free ticket so far as the Constitution is concerned?

Mr. JOHNSON. That is a debatable question. Under the present setup of the Highway Department the Secretary of Highways has a blank check and he can spend all the money on local roads, he can spend it all on Federal roads, or he can spend it all on salaries, if he wants to, as I understand the present situation.

Mr. ANDREWS. The gentleman is not responsive. I asked him whether those privileges were constitutional privileges or privileges that have arisen by reason of the enactment of the Highway Code?

Mr. JOHNSON. Mr. Speaker, No. 1, they are not constitutional only insofar as the gasoline tax is earmarked into the Motor License Fund.

I would say in answer to the second part of your question, yes, if the system that obtains today obtains under law, it would be within the Highway Code, or it is due to an application of the rights of this General Assembly, which we certainly ought to take back unto ourselves.

Mr. ANDREWS. Mr. Speaker, to further interogate the gentleman, this House at any time has the power to extend its strong arm and control Highway Department expenditures if it would so desire?

Mr. JOHNSON. In answer to the gentleman's question. I sincerely hope that before this General Assembly ends—

Mr. ANDREWS. The gentleman is not responsive.

Mr. JOHNSON. We will have a budget like that in front of us wherein we will do our legislative duty and budget the Highway Department funds, which we do not do at the present time.

Mr. ANDREWS. Mr. Speaker, the gentleman is not responsive.

Mr. JOHNSON. I do not believe the gentleman asked a question, I believe he made a statement. Would the gentleman put it in the form of a question?

Mr. ANDREWS. I will consider it put in the form of a question. Consider it a question. The question is, cannot this House at any time it is so disposed extend its strong arm and govern the line of expenditures of the Highway Department?

Mr. JOHNSON. I would say, yes, that is correct.

Mr. ANDREWS. Then, Mr. Speaker, I desire it stated as a matter of record that this bill is not an extension of the powers of this House, of the powers of the General Assembly, to curb Highway Department expenditures for personnel during the final three months of this biennium?

Mr. JOHNSON. In answer to that question, I consider this bill to do exactly that in that it does not curb the Highway Department. That was my interpretation of the bill, that it only applied in my opinion to those departments over which we have exercised budgetary control.

Mr. ANDREWS. I thank the gentleman.

Mr. Speaker, that was the only point I desired to establish, that this bill, neither by direct statement nor by inference, can in any way curtail the power of the Highway Department to increase its expenditures for personnel during the final three months of this biennium.

Mr. McCORMACK. Mr. Speaker, I would like to amplify the remarks made by Mr. Andrews.

I am opposed to this bill because I think it is a violation of the spirit of the Constitution of Pennsylvania. We are attempting illogically, without any semblance of rhyme or reason, to curtail the administrative branch. The Constitution says there are three co-equal powers, the executive, the legislative and the judicial. I think this is definitely an encroachment on the power of the executive and I am sorry to see it happen.

It has been demonstrated that the Majority Leader is not interested in learning the legitimate needs of the various departmental heads. It was stated that Secretary of Welfare Shapiro is in the hospital. If they really want to question him, why do they not wait or see his assistant? They have not attempted, I believe they said, to talk with the Budget Secretary. I think if we are going to bring out on the floor legislation like this, we should consider fully the needs and requirements of the administrators.

I am, therefore, very much opposed to the bill on the basis that it is not constitutional.

Mr. READINGER. Mr. Speaker, one further final word on this bill.

All of us remember the last session which ran for about 16 months, and we are well aware of the fact that many of these departmental programs were not fully nor thoroughly authorized until way past the beginning of the biennium.

Just for the sake of illustration, if a department were given $16 million to carry out its functions for the biennium, and for some reason or other, dispute over taxes, or the amount of the appropriation, or what ever it might be, the program of that department did not get started for five or six months after the biennium began, obviously the rate of spending would have been kept to an absolute minimum during the first four, five or six months. Perhaps the rate of spending would have been $1 million a month. So you got to the last three months and you would find that your $16 million is necessary to be expended because the program was enlarged during the biennium, but you would be handicapped by the fact that you were restricted to one-eighth of whatever amount you were given. I say a bill of this kind, even though we are in session, could do a great deal of damage to any sensible program. I do not think the questions have been gone into thoroughly enough, I do not think your background material which you have been able to give to us is factual and complete enough, and I say we are shooting in the dark. We are doing a dangerous thing here and something that should not be done.

Mr. ANDREWS. Mr. Speaker, I would like one further interrogation of the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, the bill refers to any

administrative body, board or commission. Will the Majority Leader tell us whether he regards the Highway Department as an administrative body? If it is an administrative body, then does not this bill apply to the Highway Department?

Mr. JOHNSON. Mr. Speaker, I would say it is an administrative body, it is a department of our state government. But inasmuch as we do not by legislation allocate any funds to them or appropriate any money to them as such, I did not feel this bill applied.

Mr. ANDREWS. Mr. Speaker, would the Majority Leader defer action long enough to enable him unofficially to consult the Attorney General, or other legal advisors, to determine whether his interpretation of the act is, in fact, in line with the wording of the measure?

Mr. Speaker, further, at this time we are dealing with too serious a matter to have simply opinions taken off one's cuff. This is a very serious matter and we should fortify ourselves with competent legal advice. Because if it does, by chance, apply to the Highway Department, the enactment of this bill will be defeating the very purposes for which the minority and the majority have spoken insofar as the Highway Department is concerned. What is the objection to bringing in legal opinion which we can present to the Members of this House?

I have no desire, Mr. Chairman, to defeat this measure. I think there are many, many expenditures made during the final three months by the various departments which should be curbed, but I fear this measure will be used to handicap the very department which is being criticized because it has not acted. Then when it desires to act, there will be a law on the statute books preventing it from acting.

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman, with respect to the Highway Department, let us say the bill does apply to the Highway Department. Let us say that the Motor License Fund money which would be available to them in this current biennium would be $650 million, which includes Federal money plus state money. If you divide that by eight, I would say that would give the Highway Department ample funds to hire design engineers and personnel and pay the costs of running their department during a three months period.

Mr. ANDREWS. Mr. Speaker, will the gentleman read the bill? It says, "or appropriated to it for such purposes." What are "such purposes"? Such purposes are the materials, the supplies, the salaries and the compensation. So under the wording of this bill the department would be limited insofar as its specific expenditures for salaries were concerned to one-eighth of what it can spend during the biennium.

Mr. JOHNSON. Mr. Speaker, I agree with the gentleman as far as the Highway Department is concerned by reason of the fact that there is no budget as such for the Highway Department with respect to salaries, operating expenses, and so forth. Therefore, the application of this bill to the Highway Department is in doubt. I grant you that. I do not believe it applies to that particular Department.

Mr. ANDREWS. Mr. Speaker, does the gentleman object to delaying action for at least a day while the Majority Leader fortifies himself with such legal opinion as he may himself desire to consult?

Mr. JOHNSON. Mr. Speaker, I believe the gentleman has a parliamentary motion which he can make to delay. If he will make the motion, we will see how the membership on this side feels about it.

Personally I would like to see a vote on the bill today. I think the principles are very clear in the bill. I do not see how any further debate will point out anything further with respect to the bill.

Mr. ANDREWS. Mr. Speaker, I would be very loath to make a motion for delay, knowing in what complete command the Majority Leader is of the hosts which he can summon when he is so disposed. It would simply be a matter of record in so far as the Majority Leader is concerned that he has informed this House that this bill does not apply to the Highway Department. I have no doubt he has convinced his membership to that effect, and we are willing to go forward on the supposition that this bill does not apply in any way to the Highway Department.

Mr. FINEMAN. Mr. Speaker, may I briefly interrogate the Majority Leader?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. FINEMAN. Mr. Speaker, I would preface my questions, and they will be brief, with the observation that I am honestly soliciting information. I am not asking this question by way of criticism, although I am firmly opposed to this bill because of the many reasons that have heretofore been stated.

As this bill is presently worded, does not the restriction on the total amount of expenditures in the last one-eighth of the biennium include a restriction on all disbursements that exceed one-eighth of the total appropriation for the biennium, whether or not that disbursement is in payment of an expense that was previously accrued or whether the disbursement was actually in payment of an expense incurred during the last three months of the biennium?

Mr. JOHNSON. I would say that it would cover payments on accounts payable as well as current purchases that are bought for cash.

Mr. FINEMAN. So that as a matter of fact, the bill in its present form is not only a restriction for the last three months of the biennium but could very well and conceivably be a restriction on disbursements covering payments of expenses incurred, let us say, five or six months prior to the end of the biennium.

Mr. JOHNSON. The Chairman of the Appropriations Committee says the answer to that question is, no.

Mr. FINEMAN. Well, that answer would be inconsistent with the answer you gave me to my previous question. Let me rephrase that previous question.

I asked you whether or not this restriction on disbursements covers disbursements made on payment of expenses previously accrued prior to the last three months?

Mr. JOHNSON. The accounting system of the Commonwealth has taken a material change in the last year, as I understand it. I understand under our present budgetary way of handling things, when an expense is incurred in the form of a liability or accounts payable, it is automatically deducted from a budget expenditure and is no longer considered an expenditure on an accrual basis. Mr. Wood, who has been working on that basis, says therefore that would not be deducted from the budget during the last three months.

Mr. FINEMAN. Let me present this hypothetical situation. Suppose the Commonwealth made a purchase for equipment in the twenty-first month of the biennium and the supplier did not furnish a bill for that item of equipment until the twenty-second month, will the payment of that bill in the twenty-second month be included in this restriction in this bill?

Mr. JOHNSON. No, it would not, because our present method of expenditure by the Commonwealth is to charge from the appropriation the amount owing when the contract is signed or the liability incurred.

Mr. FINEMAN. Is there anything in this bill the gentleman can point to which clearly states these expenditures do not include disbursements made for accrued expenses but on the contrary are limited to expenses incurred in the last three months of the biennium?

Mr. JOHNSON. I would say under the new accrual system of accounting when the liability is incurred, the deduction is made from the appropriation. The payment of the bill is merely a bookkeeping transaction from cash on hand.

Mr. FINEMAN. So that in substance the restriction on disbursements would not include payments made for purchases previously incurred prior to the last three months of the biennium?

Mr. JOHNSON. As I understand it, that is correct.

Mr. FINEMAN. Thank you.

Mr. READINGER. Mr. Speaker, I just want to ask one question of the Majority Leader in connection with that last statement.

Mr. Speaker, do I understand if a department wanted to go hog-wild on spending, and so forth, they could do it the fourth, fifth or sixth month previous to the end of the biennium and incur the obligation which would have to be paid during the last three months? Is that the meaning of this bill?

Mr. JOHNSON. To understand the way our budget office works, before you can make an expenditure for a particular item you must obtain an appropriation symbol from the Budget Department, as I understand it. Whether you are given an appropriation budget symbol for a particular item or how they do it under this new accrual method on that particular basis that you are mentioning, I cannot say, but I do know that under the accrual basis the appropriation is charged the day they make the purchase and incur the liability.

Mr. READINGER. Then I will repeat my question. Under the system that you have outlined, can a department which has $10 million left during the last six months of a biennium spend $9 million of that by incurring obligations which would not be paid until the last three months of a biennium?

Mr. JOHNSON. That is correct. As I understand our budget system they could create the liability for their entire budget the very first month of operation if they have received an appropriation symbol.

Mr. READINGER. Then this bill would serve no purpose whatsoever if a department was minded to dispose of its appropriation to the extent of more than one-eighth of it prior to the last three months, is that correct?

Mr. JOHNSON. I would say under our system, Mr. Speaker, that would be true. If the budget office previous to the last three-months period has given appropriation symbols which will permit the department head to spend all of his money, he could have it spent. That is correct. This bill is designed to curb the department head, who has not received the necessary authority but who has the appropriation symbol provided, from making unusual and unnecessary expenditures during the last three months so as to give the taxpayers a break and to provide a basis for figuring lapsed appropriations before the end of the biennium.

Mr. READINGER. One further question. Will the gentleman not agree this bill goes much further than his expressed intention concerning it?

Mr. JOHNSON. No. The purpose of this bill, first, is to curtail unnecessary and unusual and lavish expenditures during the last three months. I believe we received some information there was one department that had only spent $12,000 of a $300,000 appropriation, and they wanted the $300,000 this next biennium again. In order to get rid of this $300,000 they were going around asking various departments if they needed moving picture machines and projectors and various things like that. This bill would curtail and stop that type of spending during the last three months of a biennium.

Mr. READINGER. Would it not be easier to pass a bill through this House, if the gentleman has such specific information, revoking that appropriation so that they could not take the balance of the $300,000 and look for something to spend it on?

Mr. JOHNSON. For the information of the gentleman we have a bill prepared which will be introduced today lapsing that very appropriation, among others.

Mr. READINGER. Then this bill would not be necessary if you did that with all of them, would it?

Mr. JOHNSON. Yes, this bill was necessary in order for us to pass a lapsing appropriation statute between now and the end of a biennium. We must stop them from lavishly spending this money before we have a chance to put through a lapsing appropriation.

Mr. READINGER. I thank the gentleman.

Mr. JOHNSON. This bill affects future bienniums also.

Mr. LOVETT. Mr. Speaker, may I just ask the Majority Leader one more question?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman believe in bargains?

Mr. JOHNSON. Bargains?

Mr. LOVETT. Yes.

Mr. JOHNSON. Yes, I made a bargain at the expense of the Parliamentarian just this week.

Mr. LOVETT. Does the gentleamn feel if some department head in his last three months had a sufficient amount of money left from his appropriation and he saw the opportunity of saving quite a bit of money for the state of Pennsylvania he should not be able to take advantage of that bargain?

Mr. JOHNSON. Mr. Speaker, I would say I do not know what kind of bargain the gentleman means. I am afraid it would be a rarity in a case like that.

Mr. LOVETT. May I say to the gentleman that we are dealing with supplies of all kinds and equipment of all kinds, and there are times the gentleman well knows when there are bargains and when it is to the advantage

of the individual or to the state to take advantage of that bargain, would not this bill prohibit that?

Mr. JOHNSON. Mr. Speaker, in answer to the question, under the present rules of the Department of Property and Supplies with respect to purchasing things in large quantities at bargains, I believe there is an element of advertising that must be had, and it goes to the lowest bidder as I understand it.

Mr. LOVETT. Does that period of advertising exceed three or four months?

Mr. JOHNSON. It runs in my mind the advertisement runs 30 days. I could be wrong.

Mr. LOVETT. Then they could very easily accomplish their purpose within that time under the advertisement.

Mr. PETROSKY. Mr. Speaker, at the outset I would like to say I disagree entirely with the gentleman from McKean County on the impact of the measure before us.

I firmly agree with my colleagues on this side of the House when they say this will affect the administrative bodies that they spoke of, the Highway Department, the Game Commission, the Fish Commission, and other groups.

In my 17 years of service in this House I believe this proposal before us is the most ill-conceived and asinine proposal we have ever had before this body. I honestly believe the final enactment of such a proposal would bring about a complete breakdown of businesslike administration in our state government.

You have heard the debate here and the pros and cons of the legislation we have before us. Beyond that, am I to assume that the Majority Leader does not know how state government is operated? Or must I assume that the Majority Leader and the Republican party, in the event this bill is finally passed, want to take the responsibility of the adverse impact this would have on our state government?

Does the gentleman know we are today reaching out for highly skilled technical men for the good operation of our various state departments, men we cannot get, men who are not subject to the political grabbag such as they have been in the past? Does the gentleman know that in National Engineering Magazines we are advertising for highly qualified engineers to be brought into the system in Pensylvania? Does the gentleman know we have had in the short time this program has been in effect 30 replies which sound as if these men would be willing to come into our state government? Will we be able to provide the salaries for these people once they have accepted a position?

I am not going to elaborate at length and take the time of the House on this, but were I the chief executive of this state—and I will say that for the 50 Senators and the 210 House Members who sit here—I would veto this measure if passed by the Assembly and issue a blistering attack and condemnation of the people who fostered the idea. You have got it coming to you. Pass it, take the responsibility and live with what you receive.

Mr. VARNER. Mr. Speaker, sometime during this debate someone made the remark that we could not intelligently vote for this piece of legislation. I for one, and the others who plan to vote for this bill, resent that remark and I desire that it be stricken from the record.

Mr. READINGER. Mr. Speaker, I think during my first six terms in this House at the beginning of each session I received a beautiful block of glass known as a paperweight. I do not know who bought those paperweights, but whenever they were bought they must have bought them by the millions. Probably that was one of those departments years ago which was trying to spend some money during the last part of a biennium, so they bought paperweights.

Of course, when I got here in 1936 paperweights were pretty much out of fashion. I do not know what the other Members used them for, but I never could find any real use for them, not that kind of use anyway.

So there probably is some merit to what is being attempted here, but this is not the time to be doing anything. If the Majority Leader had the information which I requested earlier in this debate concerning the effect on various departments now operating during the rest of this biennium, perhaps we would be satisfied to go along with this. I do not have that information.

This bill was only reported from Committee last Tuesday. It was on first reading last Wednesday, and Wednesday we adjourned for the week. I have had no opportunity to obtain any information up to this time and I do not think you did either. Obviously, your Majority Leader has not been able to obtain the basic information on which we can honestly and intelligently decide this issue.

MOTION TO LAY ON TABLE

Mr. READINGER. In view of that fact and the fact that I would like to obtain the information which possibly I can get by next Monday, I now move that this bill be laid upon the table.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. READINGER and PETROSKY and were as follows:

YEAS—75

Amarando,	Floyd,	McCann,	Schuster,
Anderson, M. S.,	Flynn,	McCormack,	Schwartz,
Anderson, S. A.,	Frascella,	McGee,	Sherman,
Andrews,	Gailey,	McKeever,	Shields,
Boles,	Garlock,	McLaughlin,	Smith,
Brennan,	Gelfand,	Monroe,	Snider,
Breth,	Hamilton,	Muldowney,	Stone,
Bucchin,	Heavey,	Mullen,	Taylor,
Cianfrani,	Holt,	Munley,	Toll,
Cioffi,	Jim,	Musto,	Trusio,
Comer,	Jones, G. E.	O'Brien,	Varallo,
Cummins,	Kamyk,	Pashley,	Verona,
Curwood,	Kornick,	Petrosky,	Walsh,
Devlin,	Krakow,	Polaski,	Wargo,
Dougherty,	Leonard,	Readinger,	Welsh,
Duffy,	Limper,	Reidenbach,	Wheeler,
Eilberg,	Lopresti,	Renwick,	Williams,
Filo,	Lovett,	Rovansek,	Yatron,
Fineman,	Lutty,	Rudisill,	

NAYS—124

Adams,	Ewing,	Lafore,	Rigby,
Agnew,	Fetterolf,	Lee, A. M.,	Royer,
Ashton,	Foster,	Lee, K. B.,	Scarcelli,
Auker,	Fox,	Light,	Seltzer,
Barton,	George,	Lippincott,	Snare,
Bell,	Gibb,	Mahan,	Spray,
Blair,	Gibson,	Markley,	Steckel,
Bower,	Goldstein,	Marsh,	Stevens,
Bowman,	Goodling,	McInroy,	Stimmel,
Brand,	Goodrich,	Merry,	Stoner,
Breisch,	Gramlich,	Metz,	Strausser,
Brenninger,	Gross,	Mikula,	Stroup,
Breon,	Guthrie,	Miller, B. Z.,	Stuart,
Brown,	Haudenshield,	Miller, H. G.,	Thompson,
Brucker,	Heffner,	Miller, W. H.,	Tompkins,
Buchanan,	Henzel,	Moody,	Ujobai,
Carson,	Hocker,	Moscrip,	Varner,

Cleveland,	Horst,	Moyer,	Vaughan,
Cooper,	Ide,	Murray, H. P.,	Wall,
Dalrymple,	Isaacs,	Murray, P. G.,	Weidner,
Davis,	Jenkins,	Naugle,	Wescott,
DeLong,	Johnson,	O'Dell,	Whittaker,
Dengler,	Johnston,	Ogilvie,	Willard,
Dennison,	Jones, T. H.,	Parry,	Willaredt,
Dietterick,	Jump,	Phillips,	Wilt,
Donahue,	Kehler,	Piper,	Wood,
Donaldson,	Keller,	Pomeroy,	Worley,
Down,	Kernaghan,	Post,	Wyatt,
Dunn,	Knecht,	Price,	Zimmerman,
Edwards,	Kooker,	Pursley,	Helm,
Erb,	Korns,	Ragot,	Speaker
Eshleman,			

NOT VOTING—10

Boory,	Magee,	Mills,	Silverman,
Capano,	Maxwell,	Murphy,	Wynd,
Farabaugh,	Mihm,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I wish to congratulate the opposition on its political solidarity. We are now about to vote on a bill which in my opinion contains many blank spots. You do not know the answers and I do not know the answers, but I assure you I intend to follow through as Minority Floor Leader and obtain from the various departments the information which we do not have today. If this bill should pass with your votes today, I hope for your sake that we are not confronted by real evidence from the departments indicating that their operations for the balance of this biennium will be seriously handicapped. You will not like the situation you will be in if you pass this bill without that information and then we find out that it looks real bad.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—124

Adams,	Eshleman,	Korns,	Ragot,
Agnew,	Ewing,	Lafore,	Rigby,
Ashton,	Fetterolf,	Lee, A. M.,	Royer,
Auker,	Foster,	Lee, K. B.,	Scarcelli,
Barton,	Fox,	Light,	Seltzer,
Bell,	George,	Lippincott,	Snare,
Blair,	Gibb,	Mahan,	Spray,
Bower,	Gibson,	Markley,	Steckel,
Bowman,	Goldstein,	Marsh,	Stevens,
Brand,	Goodling,	McInroy,	Stimmel,
Breisch,	Goodrich,	Merry,	Stoner,
Brenninger,	Gramlich,	Metz,	Strausser,
Breon,	Gross,	Mikula,	Stroup,
Brown,	Guthrie,	Miller, B. Z.,	Stuart,
Brucker,	Haudenshield,	Miller, H. G.,	Thompson,
Buchanan,	Heffner,	Miller, W. H.,	Tompkins,
Carson,	Henzel,	Moody,	Ujobai,
Cleveland,	Hocker,	Moscrip,	Varner,
Cooper,	Horst,	Moyer,	Vaughan,
Dalrymple,	Ide,	Murray, H. P.,	Wall,
Davis,	Isaacs,	Murray, P. G.,	Weidner,
DeLong,	Jenkins,	Naugle,	Wescott,
Dengler,	Johnson,	O'Dell,	Whittaker,
Dennison,	Johnston,	Ogilvie,	Willard,
Dietterick,	Jones, T. H.,	Parry,	Willaredt,
Donahue,	Jump,	Phillips,	Wilt,
Donaldson,	Kehler,	Piper,	Wood,
Down,	Keller,	Pomeroy,	Worley,
Dunn,	Kernaghan,	Post,	Wyatt,
Edwards,	Knecht,	Price,	Zimmerman,
Erb,	Kooker,	Pursley,	Helm,
			Speaker

NAYS—75

Amarando,	Floyd,	McCann,	Schuster,
Anderson, M. S.,	Flynn,	McCormack,	Schwartz,
Anderson, S. A.,	Frascella,	McGee,	Sherman,
Andrews,	Gailey,	McKeever,	Shields,
Boles,	Garlock,	McLaughlin,	Smith,
Brennan,	Gelfand,	Monroe,	Snider,
Breth,	Hamilton,	Muldowney,	Stone,
Bucchin,	Heavey,	Mullen,	Taylor,
Clanfrani,	Holt,	Munley,	Toll,
Cioffi,	Jim,	Musto,	Trusio,
Comer,	Jones, G. E.	O'Brien,	Varallo,
Cummins,	Kamyk,	Pashley,	Verona,
Curwood,	Kornick,	Petrosky,	Walsh,
Devlin,	Krakow,	Polaski,	Wargo,
Dougherty,	Leonard,	Readinger,	Welsh,
Duffy,	Limper,	Reidenbach,	Wheeler,
Eilberg,	Lopresti,	Renwick,	Williams,
Filo,	Lovett,	Rovansek,	Yatron,
Fineman,	Lutty,	Rudisill,	

NOT VOTING—10

Boory,	Magee,	Mills,	Silverman,
Capano,	Maxwell,	Murphy,	Wynd,
Farabaugh,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 123, entitled as follows:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" permitting county commisisoners to hold their organization meeting on the day after a holiday.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Farabaugh,	Limper,	Rigby,
Agnew,	Fetterolf,	Lippincott,	Rovansek,
Amarando,	Filo,	Lopresti,	Royer,
Anderson, M. S.,	Fineman,	Lovett,	Rudisill,
Anderson, S. A.,	Floyd,	Lutty,	Scarcelli,
Andrews,	Flynn,	Mahan,	Schuster,
Ashton,	Foster,	Markley,	Schwartz,
Auker,	Fox,	Marsh,	Seltzer,
Barton,	Frascella,	Maxwell,	Sherman,
Bell,	Gailey,	McCann,	Shields,
Blair,	Garlock,	McCormack,	Smith,
Boles,	Gelfand,	McGee,	Snare,
Bower,	George,	McInroy,	Snider,
Bowman,	Gibb,	McKeever,	Spray,
Brand,	Gibson,	McLaughlin,	Steckel,
Breisch,	Goldstein,	Merry,	Stevens,
Brennan,	Goodling,	Metz,	Stimmel,
Brenninger,	Goodrich,	Mikula,	Stone,
Breon,	Gramlich,	Miller, B. Z.,	Stoner,
Breth,	Gross,	Miller, H. G.,	Strausser,
Brown,	Guthrie,	Miller, W. H.,	Stroup,
Brucker,	Hamilton,	Mills,	Stuart,
Bucchin,	Haudenshield,	Monroe,	Taylor,
Buchanan,	Heavey,	Moody,	Thompson,
Capano,	Heffner,	Moscrip,	Toll,
Carson,	Henzel,	Moyer,	Tompkins,
Clanfrani,	Hocker,	Muldowney,	Trusio,
Cioffi,	Holt,	Mullen,	Ujobai,
Cleveland,	Horst,	Munley,	Varallo,
Comer,	Ide,	Murphy,	Varner,
Cooper,	Isaacs,	Murray, H. P.,	Vaughan,
Cummins,	Jenkins,	Murray, P. G.,	Verona,
Curwood,	Jim,	Musto,	Wall,
Dalrymple,	Johnson,	Naugle,	Walsh,
Davis,	Johnston,	O'Brien,	Wargo,

DeLong,	Jones, G. E.	O'Dell,	Weidner,
Dengler,	Jones, T. H.,	Ogilvie,	Welsh,
Dennison,	Jump,	Parry,	Wescott,
Devlin,	Kamyk,	Pashley,	Wheeler,
Dietterick,	Kehler,	Petrosky,	Whittaker,
Donahue,	Keller,	Phillips,	Willard,
Donaldson,	Kernaghan,	Piper,	Willaredt,
Dougherty,	Knecht,	Polaski,	Williams,
Down,	Kooker,	Pomeroy,	Wilt,
Duffy,	Korns,	Post,	Wood,
Dunn,	Krakow,	Price,	Worley,
Edwards,	Lafore,	Pursley,	Wyatt,
Eilberg,	Lee, A. M.,	Ragot,	Yatron,
Erb,	Lee, K. B.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
Ewing,	Light,	Renwick,	Speaker

NAYS—0

NOT VOTING—6

Boory,	Magee,	Silverman,	Wynd,
Kornick,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 268

Mr. McCANN. Mr. Speaker, I move that the vote by which House Bill No. 268, Printer's No. 75, entitled:

> An act amending the act of May 1, 1933 (P. L. 103), entitled 'An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto,' changing the dues payable by the township for membership in the State Association of Township Supervisors.

Was defeated on final passage on Wednesday, March 13, 1957, be reconsidered.

Mr. HAMILTON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Beaver, Mr. Hamilton vote on the final passage of this bill?

Mr. HAMILTON. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 253

Mr. LIPPINCOTT. Mr. Speaker, I move that the vote by which House Bill No. 253, Printer's No. 126, entitled:

> An act amending the act of June 24, 1895 (P. L. 212), entitled 'An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments,' increasing the term of office of Superior Court judges to twenty-one years and limiting them to one term, with certain exceptions,

was defeated on final passage on Monday, March 18, 1957, be reconsidered.

Mr. ISAACS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Delaware, Mr. Lippincott vote on the final passage of this bill?

Mr. LIPPINCOTT. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Delaware, Mr. ISAACS vote on the final passage of this bill?

Mr. ISAACS. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

BILL POSTPONED

Mr. LIPPINCOTT. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILL ON THIRD READING

Mr. GOODLING. Mr. Speaker, I call up on page 4 of today's calendar, bills on third reading, House Bill No. 579.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 579, entitled as follows:

An Act requiring the Pennsylvania Turnpike Commission to change the names of certain interchanges on the Pennsylvania Turnpike.

On the question,

Will the House agree to the bill on third reading?

Mr. STONE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1, page 2, line 7 by inserting after "Interchange" where it appears the second time "and the interchange known as the "Perry Highway Interchange" shall be renamed the "Warrendale-Ambridge Interchange."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

REPORTS FROM COMMITTEES

Mr. O'BRIEN from the Committee on Publi Utilities, reported as amended, House Bill No. 91, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053) redefining the conveying or transmission of messages or communications to include

the transmission of television signals by cables for compensation to homes, apartment houses, commercial and noncommercial buildings or to any other subscriber.

Mr. STIMMEL from the Committee on State Government, reported as committed, House Bill No. 590, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County and making an appropriation.

Mr. STIMMEL from the Committee on State Government, reported as committed, House Bill No. 591, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County and making an appropriation.

Mr. STIMMEL from the Committee on State Government, reported as committed House Bill No. 592, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County, and making an appropriation.

Mr. HAROLD G. MILLER from the Committee on Railroads and Railways, reported as committed, House Bill No. 738, entitled:

An Act repealing the act of May 1, 1907 (P. L. 147) entitled "An act to require corporations owning, leasing, or operating steam or electric railways, and engaged in the business of carrying freight or passengers, within this State, to report to the Secretary of Internal Affairs the number of statute miles of lines so operated * * *."

RESOLUTION

TIME OF NEXT MEETING

Mr. GIBSON offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, March 19, 1957.

Resolved, (the Senate concurring), that when the House of Representatives adjourns this week, it reconvene Monday, March 25, 1957, at three o'clock p. m., EST, and when the Senate adjourns this week, it reconvene Monday, March 25, 1957, at three o'clock p. m., EST.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPUBLICAN CAUCUS

Mr. JOHNSON. Mr. Speaker, I would like to announce that there will be a Republican caucus on Monday, March 25, at 2:00 o'clock rather than 3:00 o'clock, the usual time. Our caucus will be moved one hour ahead, to 2:00 o'clock on Monday.

DEMOCRATIC CAUCUS

Mr. READINGER. Mr. Speaker, I would like to announce that the Democrats will hold a caucus on Monday, March 25, at 2:00 p. m. instead of the usual time.

MEMBER WELCOMED

The SPEAKER. The Chair welcomes back to the Hall of the House, after an illness, the gentleman from Butler, Representative Wendell H. Miller. The Chair is glad to see he has improved.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a former Member, the gentleman from Chester County, Mr. Amos M. Leisey.

LADIES REPRESENTING THE HAMILTON DISSTON HOME AND SCHOOL ASSOCIATION WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House ladies representing the Hamilton Disston Home and School Association of Philadelphia. They are the guests of the lady from Philadelphia, Mrs. Varallo.

HOUSE RESOLUTION No. 54

Mr. ERB. Mr. Speaker, I call up on page 5 of today's calendar, House Resolution No. 54.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 12, 1957.

One-tenth of a mile west of the Borough of Duncansville Pennsylvania in the Township of Allegheny County of Blair there exists a highway intersection said intersection consisting of highways known and numbered as State Highway Routes 22 220 and 764.

Said intersection is located and serves a geographical area of some two hundred thousand residents of which the City of Altoona Pennsylvania is the principal area said city being in the proximity of six miles from said intersection.

Said intersection is located on the principal route from East to West (Routes 22 and 220) across the Commonwealth of Pennsylvania (excepting only the Pennsylvania Turnpike) and on a principal route.

The cictizens are deeply shocked and appalled by the accidents at said intersection and the failure of the Pennsylvania Department of Highways to adopt remedial measures in the interest of public welfare therefore be it.

Resolved, That in the interest of the public welfare and in the interest of the good name and reputation of the citizens of this area in particular and in the Commonwealth of Pennsylvania generally for the regard of human life and property that the Governor be requested to order and direct the Pennsylvania Department of Highways to study and observe the said dangerous intersection and to eliminate the hazards to life and property there existing either by reconstruction or by the installation of adequate safety devices.

HOUSE RESOLUTION No. 56

Mr. POST. Mr. Speaker, I call up on page 6 of today's calendar, House Resolution No. 56.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 12, 1957.

Legislative route 40033 in Luzerne County a highway starting at Dewey Park in Nanticoke City and terminating at Franklin Brewery Hill in Hanover Township was built five years ago During those five years it has been the scene of forty automobile accidents seven of them involving fatalities

It is obvious that the safety conditions of this highway require study and improvement therefore be it

Resolved That the Secretary of Highways is hereby requested to investigate into the safety conditions and traffic

hazards of Legislative route 40033 and take such actions as the investigation indicates are needed and in addition to any other action the Secretary of Highways is specifically requested to remove the mushroom type medial dividers on the highway and replace them with a solid medial divider and to erect additional guard rails along the route and be it further

Resolved That a copy of this resolution be forwarded to the Secretary of Highways

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. McINROY asked and obtained permission for the Committee on Railroads and Railways to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. BREON asked and obtained unanimous consent to address the House.

Mr. Speaker, on the front page of today's issue of a Harrisburg newspaper there appears a story concerned with a portrait recently completed by Mr. Franklin C. Watkins of Senator Joseph Clark. This story reports there is some furor surrounding the portrayal of the distinguished Senator from Pennsylvania. One gentleman says it, "Makes Joe look like Hamlet." Another gentleman says "Do we want Joe or Sir Laurence Olivier?"

The artist answered the furor in this manner and I quote:

> I expected some shrieks. My purpose was to portray a little more thoughful type of person than a politician. I painted Senator Clark as I thought he ought to be painted. I didn't think he fitted into the usual pattern of a mayor or politician.

Mr. Speaker, I submit as a matter of public record that I find it necessary to disagree with Mr. Watkins' personal interpretation of the word "politician" and further state that politics in my opinion is indeed an honorable profession comprised, perhaps not in its entirety but certainly in its majority, of serious, thoughtful men and women.

I resent the inference that politicians, who are men and women actively engaged in the science of government, should not be at least considered thoughtful.

ANNOUNCEMENT

Reservations for the newspaper correspondents' gridiron dinner, April twenty-third at the Penn-Harris, are now being taken in the news room.

ADJOURNMENT

Mr. PIPER. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 20, 1957 at 10:00 a. m.

The motion was agreed to, and (at 4:17 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG PA., WEDNESDAY, MARCH 20, 1957. No. 27.

SENATE

WEDNESDAY, March 20, 1957.

The Senate met at 9:00 o'clock a.m., Eastern Standard Time.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

The PRESIDING OFFICER. At the request of the President pro tempore of the Senate, the Honorable M. Harvey Taylor, the Chair is presiding at today's Session.

PRAYER

The Chaplain, Reverend Doctor FERDINAND DERK, Pastor of the First Methodist Church, Shickshinny, offered the following prayer:

May we bow our heads in prayer?

Almighty and eternal God, Who fillest all space and Who nevertheless no space can contain, from Thee, as the source of all things, we have our being. To Thee, as the end of all things, we draw near.

May Thy blessing be upon Thy servants who apply themselves to their work. Inspire us in our enterprises, help us in our endeavors, prompt our designs and purify our minds that yearn to know themselves and Thee.

O Father of light, give us discernment to know the truth. O Father of spirits, give us courage to uphold what we know to be true. To the glory of Thy Name, the good of Thy church, the increase of piety and the salvation of our souls, through Jesus Christ, our Lord, we pray. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. MAHANY, further reading was dispensed with, and the Journal was approved.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, it is my understanding that the Bureau of Licensure for Professional Nurses has in mind for this summer to call in all of the graduate nurses to Harrisburg in order that they take the State Board Examinations. They use the excuse that the reason they are sending for them to come to Harrisburg is that there is no room large enough in Pittsburgh or any other area in which the examination could be conducted.

This is a tremendous injustice to these girls. Some of them, for instance, might have to travel 300 miles to get to Harrisburg and for them to pay their expenses for three or four days, it might take $100 to $200. There are not very many nurses who have that kind of money, and for many it was even a hardship to go to school.

Therefore, Mr. President, I am introducing this legislation which would not permit the Licensure Board to have all of the girls come to Harrisburg. We have fourteen State Teachers' Colleges and four State-aided schools which, I am sure, are close enough to their areas. I have checked and these schools have the facilities and the personnel who are already working for the State.

Mr. President, I am also introducing a bill whereby the nurses would be allowed to take the examination at one of the fourteen State Teachers' Colleges or at the University of Pittsburgh, University of Pennsylvania, Penn State, Temple or the University of Pennsylvania, whichever is nearest their homes.

Mr. President, another bill I am going to introduce falls in line with the highway raucous being made in Freeport. We have a bridge that has a limit of seven tons. In order for the children to get to school in Freeport from Senator Dent's area in Westmoreland County, the bus has to unload these children and they walk across this bridge. When they do get out of the bus, the bus closely follows these children across the bridge and it slows the traffic. The fact that they are walking across this bridge causes traffic to slow up and, consequently, the bridge is filled with traffic going both ways and it carries a much heavier load than it should and it is very, very unsafe. When you walk across that bridge while vehicles are moving, the bridge shakes. The bridge was moved off its piers in 1920 when they had an ice gorge there. The bridge, in its present condition, is very unsafe and dangerous.

I prevail on the Highways Committee to act on this bill at the earliest possible time.

Therefore, Mr. President, I am presenting to the Chair, these three bills.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 398, entitled:

An Act amending the act of May 22, 1951 (P. L. 317) entitled "The Professional Nursing Law," providing for examination for licensure to be given at State Teachers' Colleges and State-aided universities.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 399, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport, Armstrong County and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 400, entitled:

An Act amending the act of March 2, 1956 (P. L. 1211) entitled "Practical Nurse Law," providing for examinations for licensure to be given at State teachers colleges and State-aided universities.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President and Members of the Senate, one of the leading stars in the firmament of American States was Charles Evans Hughes, first Governor of the State of New York, then a candidate for the Presidency of the United States, Secretary of State and, finally, Justice of the Supreme Court of the United States. He was the man who had the firmness and bravery to hail, before the bar of public opinion, the various insurance companies which, at that time, milked the people of many funds and ran roughshod over the citizenry of the United States.

As a result of the investigation conducted by Charles Evans Hughes, some sedentary measures were undertaken which more or less harnessed the insurance companies.

Now in recent years, there is a new octupus coming into the field which, under the pretext of rendering a quasi-public service, is escaping the light of scrutinizing investigation. I am referring, Mr. President, to the Blue Cross. The Blue Cross runs terrific advertisements. When you come to Philadelphia, on each conspicuous place you see an advertisement, stating that two out of three people have Blue Cross. However, the tragedy of the situation is that the holders of those Blue Cross certificates do not realize that they are getting only a certain number of days. Upon expiration of that period, they are done. I learned this from a tragic experience in my own family. Therefore, when disaster strikes, the Blue Cross may sometimes not help you.

All I want, according to this bill, is for them to state, in bold letters on their fine advertisements and on all their appeals to the public to join the Blue Cross, that the help is only limited; it is not total coverage.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 401, entitled:

An Act requiring the inclusion of the number of days of hospital care per year in all advertisements and offers for hospitalization.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 402 ,entitled:

An Act prohibiting payments of State aid in certain cases to hopitals which employ persons who are not citizens of the United State or have not been domiciled in Pennsylvania during a prescribed period.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 403, entitled:

An Act requiring the State Treasurer and other State officials to deduct the tax imposed by any first class city upon salaries, wages and other compensation paid to officers and employes of the Commonwealth residing within that city and to make a return and remit the tax so deducted to the Revenue Commissioner of the city.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 404, entitled:

An Act relating to services furnished to or performed for contractors and subcontractors regulating waivers, releases, receipts and other evidence of payment and their effect providing procedure for collecting certain claims.

Which was committed to the Committee on State Government.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 405, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the discharge of firmarms except under certain specified circumstances.

Which was committed to the Committee on Judiciary General.

Messrs. MAHANY and DENT read in place and presented to the Chair Senate Bill No. 406, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to sell and convey a tract of land situate in the Borough of Lewistown, Mifflin County, Pennsylvania, to The General State Authority.

Which was committed to the Committee on State Government.

Messrs. YOSKO, DONOLOW and STIEFEL read in place and presented to the Chair Senate Bill No. 407, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

Which was committed to the Committee on Appropriations.

Mr. YOSKO read in his place and presented to the Chair Senate Bill No. 408, entitled:

A Joint Resolution proposing an amendment to article 4, sections 8 and 21 of the Constitution of the Commonwealth of Pennsylvania, making the office of the Attorney General an elective office.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 29, entitled:

An Act amending the act of May 9, 1949 (P. L. 908) entitled * * * authorizing county controllers to destroy or dispose of certain records and papers.

Senate Bill No. 36, entitled:

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended * * * providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard

Senate Bill No. 100, entitled:

An Act amending the act of May 9, 1949 (P. L. 908) * * * authorizing county commissioners to destroy or dispose of certain records and papers.

Whereupon,
The President pro tempore (M. Harvey Tayor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 87, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the third Class Boroughs Towns and Townships" approved April 29, 1937 (P. L. 487) requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged by streets and house numbers or alphabetically.

Which was committed to the Committee on Elections.

House Bill No. 93, entitled:

An Act amending "The Penal Code" approved June 24 1939 (P. L. 872) authorizing the exposure of poison to meadow mice and pine mice under certain conditions and conferring powers and imposing duties upon the Secretary of Agriculture.

Which was committed to the Committee on Agriculture.

House Bill No. 30, entitled:

An Act regulating rights and duties of teachers in schools from the teaching and training of the mentally retarded functioning within the Department of Welfare and in schools for the teaching and training of the physically handicapped functioning within the Department of Health.

Which was committed to the Committee on Education.

House Bill No. 384, entitled:

An Act authorizing and directing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Chester River in Delaware County between Twenty-second Street and Upland Avenue in the Borough of Upland * * * and making an appropriation therefor.

Which was committed to the Committee on Highways.

House Bill No. 411, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) fixing the minimum requirements necessary to entitle contributors to the police pension fund to retire further regulating appropriations to the fund and the payment of increments upon retirement.

Which was committed to the Committee on Local Government.

House Bill No. 462, entitled:

An Act amending the act of May 29, 1917 (P. L. 322) entitled "An act to give protection and to regulate the catching or taking or having in possession within this Commonwealth of any bullfrogs tadpoles and terrapin * * *" permitting settlement of penalties for violations on field receipts.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 556, entitled:

An Act relating to criminal prosecutions permitting defendants to make motions for discharge on the ground that the evidence is insufficient to sustain the charge and providing for the effect thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 734, entitled:

A Supplement to the act of April 9, 1929 (P L. 177) known as "The Administrative Code of 1929" regulating expenditures and commitments by administrative bodies boards and commissions during a portion of each biennium.

Which was committed to the Committee on State Government.

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

He also presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

TIME OF NEXT MEETING

In the House of Representatives, March 19, 1957.

Resolved (the Senate concurring), That when the House of Representatives adjourns this week, it reconvene Monday, March 25, 1957, at three o'clock, p.m., E.S.T.; and when the Senate adjourns this week, it reconvene Monday, March 25, 1957, at three o'clock, p.m., E.S.T.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 124 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 124, entitled:

An Act amending the act of July 13, 1953 (P. L. 431) entitled "An act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers" further providing a procedure for enforcement of the act

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on Monday's Calendar.

HOUSE CONCURS IN SENATE BILL No. 123

He also returned to the Senate, Senate Bill No. 123, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes amending, revising, consolidating and changing the laws relating thereto" permitting county commissioners to hold their organization meeting on the day after a holiday.

with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 77, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 77, entitled:

An Act providing for the rendition of certain reports by public bodies corporate and politic known as "Authorities."

and has appointed Messrs. GIBSON, KELLER and POLASKI as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

GENERAL COMMUNICATION

REPORT OF THE COMMISSION ON GOVERNMENTAL REORGANIZATION, DEALING WITH CONSERVATION OF NATURAL RESOURCES

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as Follows:

20 March 1957.

To the Honorable
The President of the Senate
and Speaker of the House of
Representatives:

Gentlemen:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganiaztion, dealing with Conservation of Natural Resources.

Respectfully,

/s/ A. J. Drexel Biddle, Jr.
A. J. DREXEL BIDDLE, JR.
Major General
Chairman

Governmental Reorganization
Commission

Encl.

The PRESIDING OFFICER. For the information of the Membership, this communication will be noted in the Journal, and the Report will be printed in the Appendix thereto. Copies of this Report are on the Members' desks.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

MEMORIALIZING CONGRESS TO IMMEDIATELY ENACT LEGISLATION WHICH WILL SEEK A MODIFICATION OF ALL AGREEMENTS GIVING FOREIGN NATIONS CRIMINAL JURISDICTION OVER UNITED STATES SERVICE PERSONNEL

Messrs. PECHAN and WOLF offered the following resolution which was twice read and referred to the Committee on Rules:

In the Senate, March 20, 1957.

The members of our armed forces serving abroad, their civilian component and the dependents of each, are now subject to the criminal jurisdiction of more than fifty countries in which they may be on duty by reason of the N A T O Status of Forces Treaty, the Administrative Agreement with Japan, and Executive Agreements with other nations. These agreements penalize our servicemen who are serving abroad by depriving them of many of the rights granted by our Constitution, which they have sworn to defend.

The Senate deplores the arrangements now existing which make service in our armed forces abroad a hazard by depriving our servicemen, their civilian component and dependents of the rights and guarantees of our Constitution.

The General Assembly therefore expresses its belief that all United States service personnel stationed abroad should be tried by United States military tribunals under the Uniform Code of Military Justice for offenses committed on foreign soil, therefore be it

Resolved, (the House of Representatives concurring), That the Congress of the United States be memorialized to immediately enact legislation which will seek a modification of all agreements giving foreign nations criminal jurisdiction over United States service personnel stationed there in order that the United States may regain exclusive jurisdiction over members of its armed forces or if necessary the Congress should terminate or denounce these agreements, and be it further

Resolved, That copies of this resolution be sent to the President and Vice President of the United States; to all Senators and members of the House of Representatives of the United States, and that copies be filed with the Clerk of the House of Representatives and the Clerk of the Senate of the United States.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 24, entitled :

An Act providing for the rendition of certain reports by joint interstate bodies

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 24

Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 24.

Mr. MAHANY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

SENATE 23

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled, as amended, "The Realty Transfer Tax Act," requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 161

Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 161.

Mr. MAHANY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 70, Printer's No. 84; and

Senate Bill No. 71, Printer's No. 85.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No.81, entitled:

An act concerning gifts of securities to minors providing for custodians of such gifts and their powers and duties defining the effect of the gifts on guardians of minors or their estates conferring jurisdiction on orphans' courts and absolving agents dealing with securities from certain responsibilities.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I desire to be recorded as voting "no" on this legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Harney,	McMenamin,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Kalman,	Murray,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Propert,	Walker,
Dent,	Kromer,	Ruth,	Watkins,
Derk,	Lane,	Sarraf,	Watson,
DiSilvestro,	Madigan,	Schmidt,	Weiner,
Donolow,	Mahany,	Scott,	Whalley,
Ehrgood,	Mallery,	Silvert,	Wolfe,
Elliott,	McCreesh,	Stevenson,	Yosko,
Flack,	McGinnis,	Stiefel,	Fleming,
			Presiding Officer

NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent

that the following bills, on third reading, go over in their order:

House Bill No. 143, Printer's No. 139;
Senate Bill No. 157, Printer's No. 56; and
Senate Bill No. 159 (Pink).

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 227, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) "Reference and Arbitration Law" making awards upon approval by the court judgments of the court and giving them the dignity of judicial proceedings.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 249 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 331, entitled:

An Act reenacting and amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act" extending the provisions of the act for a further limited period of time and requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Hays,	Mullin,	Van Sant,
Berger,	Kalman,	Murray,	Wade,
Blass,	Kessler,	Pechan,	Wagner,
Camiel,	Kopriver, Jr.,	Propert,	Walker,
Chapman,	Kromer,	Ruth,	Watkins,
Dent,	Lane,	Sarraf,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Silvert,	Wolfe,
Ehrgood,	McCreesh,	Stevenson,	Yosko,
Elliott,	McGinnis,	Stiefel,	Fleming,
Flack,	McMenamin,	Taylor,	Presiding Officer
Harney,			

NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 332, Printer's No. 63;
House Bill No. 333, Printer's No. 137;
House Bill No. 334, Printer's No. 159;
House Bill No. 335, Printer's No. 66; and
House Bill No. 336, Printer's No. 67.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 32, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," authorizing unnaturalized foreignborn residents to own or possess dogs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 68, Printer's No. 83, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 69, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" further regulating the use of commercial motor vehicles.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 1 (Sec. 502.1), page 3, line 3, by inserting after "activities": "if the person performing the extra-curricular transportation has a contract with the school or school district in which the school is located for the transportation of its students between their homes and school"; Amend Sec. 1 (Sec. 502.1), page 3, by inserting between lines 8 and 9: "For the purposes of this clause extra-curricular activities shall include athletic forensic musical dramatic or any other similar event or exhibition held under the supervision of school authorities in which the school children are participants or spectators and in which the school is represented by a team or participating body."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 69, Printer's No. 78, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 130, Printer's No. 49, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 162, entitled:

An Act amending the act of March 31, 1949 (P. L. 372) entitled "The General State Authority Act of 1949" requiring that contractors' bonds cover equipment rentals.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 250, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "The Fish Law of 1925," excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsmen's show.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 257, Printer's No. 86;
Senate Bill No. 258 (Pink);
Senate Bill No. 265 (Pink);
Senate Bill No. 319 (Pink); and
Senate Bill No. 327 (Pink).

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 341, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding new routes in Washington County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 346, entitled:

An Act amending the act of June 22, 1931 (P .L. 594) entitled "Rural State Highway Law" extending a route in Lehigh County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 356, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" changing a route in Chester County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 372, entitled:

An Act amending the act of June 22, 1931 (P. L. 594)

entitled "Rural State Highway Law" adding routes in Clinton County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 479, Printer's No. 92, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President and Members of the Senate, the subject I am about to speak upon pertains primarily to my county of Washington. I imagine that most of you from western Pennsylvania read in the metropolitan newspapers last week where one Dennis Harshall, of Frances Mine, near Burgettstown, was arrested by the county detectives of Allegheny County, accompanied by a member of the Pennsylvania State Police. In the course of the process of the arrest of Mr. Harshall who, incidentally, is sixty-five years of age and has suffered four heart attacks, while taking him to Pittsburgh, Mr. Harshall allegedly died while going through the tubes.

It so happens that a former distinguished Member of the House of Representatives from our county, a medical doctor who attended Mr. Harshall, stated that Dennis Harshall actually died due to the fact that the State Police and the county detectives of Allegheny County accosted this man who was in a very weakened condition. They did not permit him to go before a magistrate and put up bail for his appearance in Allegheny County.

To give you the gist of what actually happened, Dennis Harshall was formerly a district organizer for the United Mine Workers of America and back about two years ago, he started suffering from heart attacks. Of course, he had the privilege of being attended by some prominent physicians in our county. The other night, just before he died, Dennis Harshall felt that he would like to see his grandchildren in Morgantown. His wife told me that he had a premonition that he might pass away. Therefore, he took his car and drove one of his daughters to the courthouse in Washington, Pennsylvania, who, incidentally, works for our Clerk of the Courts. He drove home to Morgantown and he became ill over there. His daughter, Mrs. Felton, who resides in Morgantown, drove this old man back home. He was home only a short time when he tried to get his doctor on the telephone. He could not reach his doctor by telephone and so he drove his car down around the corner to see the doctor. When he found that the doctor was not in, he drove back and the State Police and county detectives followed him back home. Here is the story that they told me.

Mr. Harshall was stopped in the yard of his home by the State Police, county detectives and one other man. He wore a light sweater. They held him outside in the chill air. He only weighed about 130 pounds and had only been out of the hospital about three weeks. They interrogated him there and then he walked in the house where his wife and another daughter were. They talked in the kitchen and the State Policeman said, "You are under arrest and we are taking you to Allegheny County because there is something about drugs that you are involved in." Mrs. Harshall told the officers, "If you take my husband out of here and take him to Pittsburgh in his present condition, he will never come back alive." The officers did not pay any attention to her. They took the old man out of the house and, I understand, shoved him down the steps. They put him in the car even without a coat. His daughter ran out and pleaded and cried to the police and said, "Please, let my father take his coat and let me go with him. Let me go with him because he might die." However, they would not let her go. They took this poor old man into Pittsburgh.

In the examination, I am advised by the daughters of Dennis Harshall, they went through his clothing and found that the medicine he had on his person was medicine which was prescribed by doctors and that he was not involved in any unlawful acts as far as we know.

Of course, the doctors had prescribed morphine, I believe, to the old man due to his coronary condition because he had such severe pain. He had two or three tablets in his pocket. The doctor, Doctor O. A. Hindman, by the way, who served in the House, told me that this old man could have anything he wanted in order to alleviate this pain. He did not have to participate in any unlawful acts. Doctor Hindman told me that the man could have this dope and they prescribed it. A doctor in Washington also prescribed it in order to alleviate the pain, because the man had four coronary attacks and they did not expect him to live. Naturally, he could not live. That is the reason they gave him the prescription, in order for him to survive.

According to the newspapers, they claim there was some lady who involved this old man in swiping prescriptions. I believe her name was Webster, from McDonald. However, the family knows nothing about this and it could not be true because Dennis Harshall did not need to forge any prescriptions for any sort of dope at all. He had all he could use since the doctors gave him the right by giving him prescriptions.

The point I want to make here today is this, Mr. President. I know there is always a hue and a cry when somebody is arrested. However, the point I want to make is that Dennis Harshall was a law-abiding citizen of Washington County. He had lived there all of his life. He had never been arrested. He had four heart attacks. He was just out of the hospital for three weeks when these people grabbed him and took him into Pittsburgh and, naturally, Doctor Hindman said that the excitement was bound to kill this old man.

Why could they not have taken this old man to a squire and let him put up bond? He could have gotten bond anywhere in Washington County. He might be living today. If that is the way they train the State Police in Pennsylvania, and the county detectives in Allegheny County, I want you to know that we in Washington County know it, and we do not like it.

I think the Department of Justice should look into this. I have requested our District Attorney in Washington County to find out all the legal details in regard to what happened. If it were not for the dilatoriness and the arbitrariness and the lack of common decency on the part

of these officers, in all probability old man Harshall, who was a fine old gentleman, would probably be living today.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Monday, March 25, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9:57 o'clock, a. m., Eastern Standard Time, until Monday, March 25, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 20, 1957.

The House met at 10:00 a. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Charles E. Ritter, Jr., Pastor of St. Paul's Evangelical Lutheran Church, White Haven, Pa., guest Chaplain, offered the following prayer:

What man is he that feareth the Lord: him shall He teach in the way that He shall choose. His soul shall dwell at ease: and his seed shall inherit the earth. (Psalms 25:12, 13).

Almighty and Everlasting God, Who art always more ready to hear than we to pray, and art wont to give more than either we desire or deserve; pour down upon us the abundance of Thy mercy, forgiving us those things whereof our conscience is afraid, and giving us those good things which we are not worthy to ask, but through Thy loving kindness and Thy tender mercies, have been ever of old. Give, we humbly beseech Thee, to all nations peace and concord, preserve our country from discord and contention, direct and defend our President, the Governor of this Commonwealth, and all in authority; and bless and keep our magistrates, and all our people, that we may lead a peaceable and prosperous life in Thy fear and protection, and serve Thee with everlasting innocence, righteousness, and blessedness, through Jesus Christ, Thy Son, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, March 11, 1957? If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, March 19, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. THOMPSON and COOPER. HOUSE BILL No. 882.

An Act amending the "Business Corporation Law," approved May 5, 1933 (P. L. 364), changing notice requirements to stockholders when increase in indebtedness shall be considered at meetings.

Referred to the Committee on Judiciary.

By Messrs. GAILEY and DeLONG. HOUSE BILL No. 883.

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by authorizing annexation of city owned property in certain instances.

Referred to the Committee on Cities—Third Class.

By Messrs. GELFAND and TAYLOR. HOUSE BILL No. 884.

An Act to repeal Secs. 662, 663 and 730 of "The Penal Code" of June 24, 1939 (P. L. 872), relating to the imposition of penalties against railroad employes and other persons for certain activities during strikes, and against transportation employes for injuries or death resulting from their actions.

Referred to the Committee on Labor Relations.

By Mrs. MUNLEY, Messrs. WARGO and CUMMINS. HOUSE BILL No. 885.

An Act amending the "Public Assistance Law," approved June 24, 1937, (P. L. 2051), prohibiting, requiring conveyance or encumbrance of real property for repayment of public assistance; canceling existing obligations not assigned by Commonwealth; requiring reconveyances and satisfaction of existing encumbrances.

Referred to the Committee on Welfare.

By Messrs. BUCHANAN and STONER. HOUSE BILL No. 886.

A Supplement to the act approved June 27, 1923, (P. L. 858), entitled "An act establishing a State employes' retirement system, etc. . . ." by permitting contributors to obtain credits for service while on leave under certain conditions.

Referred to the Committee on State Government.

By Messrs. HAMILTON and PIPER. HOUSE BILL No. 887.

An Act relating to employers and employes of railroads and providing for the regulation of health and safety conditions in places of railroad employment.

Referred to the Committee on Railroads and Railways.

By Mr. WALL. HOUSE BILL No. 888.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing scholarships to graduates of secondary schools of other states.

Referred to the Committee on Education.

By Messrs. STECKEL and MOSCRIP. HOUSE BILL No. 889.

An Act amending the act of June 4, 1901 (P. L. 431), entitled "An act defining the rights and liabilities of parties to, and regulating the effect of, contracts for work and labor to be done, and labor and materials to be furnished, to any building, bridge, * * *; providing remedies for the recovery of debts due by reason of such contracts, and repealing consolidating and extending existing laws in relation thereto," requiring public notice of intent to file before commencing construction or other operations as a prerequisite to a lien of certain claims, and imposing duties on prothonotaries.

Referred to the Committee on Judiciary.

By Mr. AUSTIN M. LEE and Mrs. BEATRICE Z. MILLER. HOUSE BILL No. 890.

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. COMER, BRUCKER and AMARANDO. HOUSE BILL No. 891.

An Act amending the "Public Assistance Law" approved June 24, 1927 (P. L. 2051), cancelling obligations given as security prior to January 1, 1942 and requiring the purchase thereof from assignees by the Commonwealth.

Referred to the Committee on Welfare.

By Messrs. STRAUSSER, JOHNSTON and FLYNN. HOUSE BILL No. 892.

An Act relating to services furnished to or performed for contractors and sub-contractors; regulating waivers, releases, receipts and other evidence of payment and their effect.

Referred to the Committee on Judiciary.

By Messrs. VAUGHAN, STUART, SCHUSTER and LUTTY. HOUSE BILL No. 893.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," further regulating payments to certain beneficiaries under the fund.

Referred to the Committee on Welfare.

By Messrs. VAUGHAN, STUART, SCHUSTER and LUTTY. HOUSE BILL No. 894.

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), changing the amount of payments to certain beneficiaries.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. POMEROY, DOUGHERTY, KAMYK and HAUDENSHIELD. HOUSE BILL No. 895.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), making eligible for assistance certain aged, disabled and other persons who are inmates of public institutions.

Referred to the Committee on Welfare.

By Mr. LAFORE and Mrs. HENZEL. HOUSE BILL No. 896.

A Joint Resolution proposing an amendment to article four section four and article four section eight of the Constitution, providing for the election of the Attorney General.

Referred to the Committee on State Government.

By Messrs. WOOD and JOHNSON. HOUSE BILL No. 897.

An Act lapsing certain unexpended balances of appropriations heretofore made by the General Assembly.

Referred to the Committee on Appropriations.

By Messrs. WORLEY and STROUP. HOUSE BILL No. 898.

An Act relating to motion-picture films, reels and stereopticon views and slides, and of the banners, posters and other like advertising matter used in connection therewith; establishing a Board of Censors; providing a system of registration of exhibitors, examination of films, disapproval thereof, notification to registrants and district attorneys; and providing penalties for the violation of this act.

Referred to the Committee on Law and Order.

By Messrs. LOPRESTI, LIMPER, MUSTO and POST. HOUSE BILL No. 899.

An Act regulating arbitration of controversies between labor and management when arbitration is required by written contract or agreement; * * *.

Referred to the Committee on Labor Relations.

By Messrs. CIOFFI and MAHAN. HOUSE BILL No. 900.

An Act requiring every railway car used for transportation of employes to have certain equipment and providing penalties.

Referred to the Committee on Railroads and Railways.

By Mrs. DONAHUE and Mrs. MUNLEY. HOUSE BILL No. 901.

An Act declaring and adopting the song "Pennsylvania" by Mickey Long and Russell C. Gillam as the State song.

Referred to the Committee on State Government.

By Messrs. BRENNAN and KELLER. HOUSE BILL No. 902.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), repealing provisions authorizing the formation and operation of vocational school districts; and extending provisions for payment by the Commonwealth and between school districts on account of vocational or other extension tuition and for area technical schools.

Referred to the Committee on Education.

By Messrs. BRENNAN and KELLER. HOUSE BILL No. 903.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing operation of area technical schools by joint school committees and changing provisions for payments by the Commonwealth for vocational education.

Referred to the Committee on Education.

By Mr. VAUGHAN. HOUSE BILL No. 904.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing administrative tasks, functions or duties required to be performed on Saturdays in certain offices to be performed on Mondays; regulating the number of employes to be maintained for such purposes.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. AGNEW, ADAMS and SELTZER. (Concurrent) RESOLUTION No. 63.

In the House of Representatives, March 19, 1957.

Labor organizations under the protection of law have developed and prospered and are a beneficial and integral part of the society and economy not only of the Commonwealth of Pennsylvania but also of the United States of America.

Labor organizations under the protection of the law of the nation and of the several states now exercise powers almost unlimited over the membership of these organizations, and officers of labor organizations are without the compulsion of law in the receiving, expending, and disbursing of funds derived from the membership.

The activities of labor organizations have an impact on the national economy and society as great as that of

business corporations and other groups now the subject of extensive regulatory legislation.

Labor organizations perform and have performed a notable and worthwhile service to their members and the general public in the seeking and obtaining of higher wages, incidental benefits and improved conditions of employment. The majority of all labor organizations are led and have been led by honest, competent and dedicated officers. The affairs of a majority of labor organizations are conducted and have been conducted in a democratic and fair manner.

Some labor organizations are not officered by honest, competent and dedicated members, and the affairs of some labor organizations are operated in a manner not democratic and seemingly for the personal and financial aggrandizement of the officers of these organizations.

When union membership is incidental to the gainful employment by which a citizen of these United States supports himself and his family, whether such membership is voluntary or involuntary, certain basic rights of membership ought by reason of the natural law to exist, and these rights ought to be defined and protected by law.

The matters referred to in this resolution exist outside the jurisdiction of the Commonwealth of Pennsylvania as well as within the Commonwealth, and partly because of the judicial interpretation of the interstate commerce clause of the federal constitution, are federal in scope.

Legislation to remedy these conditions in the Commonwealth of Pennsylvania has been introduced in the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, Session of 1957, House Bills numbered 769, 770, 771 and 772; therefore be it

Resolved (the Senate concurring), That the General Assembly does by this resolution memorialize the Congress of the United States of America to enact legislation defining and protecting the right of members of labor organizations, regulating labor organizations in the manner similar to that prescribed in the House Bills above mentioned, and by such legislation to strengthen the democratic processes of such labor organizations, in the interests of the membership of these organizations and for the general welfare of the people of the United States of America; and be it further

Resolved, That the federal legislation above requested shall not be designed to affect, nor interfere with in any manner, the existing collective bargaining processes and the legitimate activities of such labor organizations; nor shall such legislation be intended in any manner to weaken the economic position of such labor organizations, but rather by the elimination of existing abuses, to strengthen the union movement; and be it further

Resolved, That copies of House Bills numbered 769, 770, 771 and 772, together with copies of this resolution, be sent to each of Pennsylvania's thirty Congressman, Senator Edward Martin, Senator Joseph S. Clark and James R. Mitchell, the Secretary of Labor.

Referred to the Committee on Rules.

By Messrs. G. E. JONES and HOLT.

RESOLUTION No. 64.

In the House of Representatives, March 19, 1957.

The Pennsylvania Fair Employment Practice Act was enacted by the General Assembly of the Commonwealth on October 27, 1955. A declaration of public policy was therein embodied which stated the policy of all the Commonwealth to be that of fostering the employment of all individuals in accordance with their fullest capacities, regardless of their race, color, religious creed, ancestry, age or national origin, and to safeguard their right to obtain and hold employment without discrimination.

There was created the Pennsylvania Fair Employment Practice Commisison which had as its duties and powers the implementation of what was declared to be the public policy of the Commonwealth in employment matters. The Commisison was, among other things, to make recommendations to agencies and officers of the Commonwealth or political subdivisions of government or board, department, commission or school district thereof to effectuate such policies. Therefore, in order to assist the Commission in its assigned task, be it

Resolved, That the Auditor General be urged to submit a quarterly report to the Pennsylvania Fair Employment Practice Commission stating the name, race and religion of all employes upon the Commonwealth's pay roll.

Referred to the Committee on Rules.

By Messrs. YATRON, ROVANSEK and RENWICK.

(Concurrent) RESOLUTION No. 65.

In the House of Representatives, March 19, 1957.

Citizens of our Commonwealth who are of advanced age want and should be allowed the opportunity to live pleasant and useful lives even after the age of retirement. Many times for lack of the proper understanding from society these men and women are not enjoying what could be the happiest and most fruitful years of their lives.

Far too many employers refuse to hire men over forty years of age in spite of our F.E.P.C. legislation.

It also seems that our educational, recreational and other welfare programs are centered on our youth, with little regard for persons of advanced years.

The rapid rise in the proportion of older citizens in our Commonwealth presents numerous and increasingly serious social and human problems; therefore be it

Resolved, (the Senate concurring) That the Joint State Government Commission is hereby directed to make a comprehensive and intensive study of the problems and needs of the aging and the aged throughout the Commonwealth, and to develop in cooperation with other governmental and voluntary groups methods of assisting the Commonwealth in meeting these needs and problems. The study shall include but not be limited to the following:

1. Employment opportunities for older persons,
2. Recreational facilities for older persons.
3. Housing facilities for older persons.
4. Counseling and personal services for older persons, including employment guidance and placement, medical care, institutional service and educational and related services; and be it further

Resolved, That the Joint State Government Commission shall report to the next session of the General Assembly the results of its studies and investigations and recommendations.

Referred to the Committee on Rules.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, March 19, 1957.

Resolved, (the Senate concurring), that when the House of Representatives adjourns this week, it reconvene Monday, March 25, 1957, at three o'clock p. m., EST, and when the Senate adjourns this week, it reconvene Monday, March 25, 1957, at three o'clock p. m. EST.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 29.

An Act amending the act of May 9, 1949 (P. L. 908) entitled * * * authorizing county controllers to destroy or dispose of certain records and papers.

SENATE BILL No. 36.

An Act amending the act of May 21, 1943 (P. L. 571) entitled a samended * * * providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard.

SENATE BILL No. 100.

An Act amending the act of May 9, 1949 (P. L. 908) *. * *" authorizing county commissioners to destroy or dispose of certain records and papers.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 29.

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of defaults or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgment thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

HOUSE BILL No. 330.

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence, Nos. 81, 222, 227 and 281.

Amended House Bills returned for concurrence, No. 337.

Resolution for concurrence, Serial No. 107.

REPORT OF COMMISSION ON GOVERNMENTAL REORGANIZATION

The SPEAKER laid before the House a communication and report of the Commission on Governmental Reorganization.

The communication was read by the Clerk as follows:

20 March 1957.

To The Honorable
The President of the Senate
and Speaker of the House of
Representatives:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Conservation of Natural Resources.

Respectfully,

A. J. DREXEL BIDDLE, JR.
Major General
Chairman
Governmental Reorganization
Commission

encl.

The SPEAKER. Copies of the report have been placed in the post office boxes of the Members.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 24.

An Act providing for the rendition of certain reports by joint interstate bodies.

SENATE BILL No. 161.

An Act amending the act of December 27, 1951 (P. L. 1742) entitled, as amended, "The Realty Transfer Tax Act," requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 29.

An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law * * * and providing for the reinstatement of the liens of such claims and judgments.

HOUSE BILL No. 330.

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' * * * increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons.

SENATE BILL No. 29.

An Act amending the act of May 9, 1949 (P. L. 908) entitled * * * authorizing county controllers to destroy or dispose of certain records and papers.

SENATE BILL No. 36.

An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended * * * providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard.

SENATE BILL No. 100.

An Act amending the act of May 9, 1949 (P. L. 908)

* * *" authorizing county commissioners to destroy or dispose of certain records and papers.

Whereupon,

The SPEAKER, in the presence of the House, signed the smae.

The SPEAKER. The Chair has been informed that the lady from Lehigh, Mrs. Markley, is this week celebrating her wedding anniversary. In honor of that event the Chair requests the lady from Lehigh, Mrs. Markley, to preside over the First Reading Calendar.

Mrs. MARKLEY IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 91, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) redefining the conveying or transmission of messages or communications to include the transmission of television signals by cables for compenation to homes apartment houses commercial and noncommercial buildings or to any other subscriber.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 319, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) providing additional standards for the determination of rates of common carriers of passengers by motor vehicle.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 347, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An Act relating to the public school system etc . . ." by providing for additional increments for professional employes having thirty years of public school service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 395, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) providing for approval to erect traffic signs and changing the definition of the term "school zone."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 439, entitled:

An Act authorizing the Pensylvania Historical and Museum Commission to acquire by gift on behalf of the Commonwealth the property known as Graeme Park in Horsham Township Montgomery County * * * and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 454, entitled:

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905) further regulating the size of motor buses and motor omnibuses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 573, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) exempting veterans who served in the armed forces of the United States during any period of war or armed conflict and lost eyesight as a result of such servce from fees charged for certificates of title or registration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 590, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 591, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 592, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 618, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville and in the Township of Manor Lancaster County for the use of the Millersville State Teachers College and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 738, entitled:

An Act repealing the act of May 1, 1907 (P. L. 147) entitled "An act to require corporations owning leasing or operating steam or electric railways and engaged in the business of carrying freight or passengers within this State to report to the Secretary of Internal Affairs the number of statute miles of lines so operated * * *"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 786, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire seventy-eight acres more or less of land in Washington Township * * * for the use of the Edinboro State Teacher's College and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 74, entitled:

An Act amending the "Vehicle Code" entitled "* * * *" further regulating the issuance of registration plates to news photographers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 216, entitled:

An Act amending "The Administrative Code of 1929" entitled "* * *" empowering the chairman of the Board of Finance and Revenue to appoint a secretary and make certain rules and regulations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 277, entitled:

An Act authorizing and empowering the Delaware River Port Authority a body corporate and politic functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey and the express consent of the Congress of the United States to appoint policemen make rules and regulations for the prevention of disorder the preservation of safety and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate to prevent the evasion of the payment of tolls and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The SPEAKER (W. Stuart Helm) IN THE CHAIR.

The SPEAKER. The Chair thanks the lady from Lehigh, Mrs. Markley.

BILL ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 391, entitled:

An Act amending the act of July 11, 1917 (P. L. 802) entitled "An act authorizing county commissioners to repay moneys collected on forfeited recognizances in certain cases" providing for the return of forfeited recognizances upon application therefor.

The first section was read.
On the question,
Will the House agree to the section?
Mr. EILBERG offered the following amendments:

Amend Sec. 1 (Sec. 2), page 2, line 8, by inserting after "court" and has paid the costs in connection therewith.
Amend Sec. 1 (Sec. 2), page 2, line 9, by striking out "four" and inserting in lieu thereof "two."

They were agreed to.
The section was agreed to as amended.
The second section and title were separately read and agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 362, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing conveyance by school districts of the second, third or fourth class of unused and unnecessary lands and buildings to the city, borough, town or township coterminous with or within the district.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Adams,	Farabaugh,	Limper,	Renwick,
Anderson, S. A.,	Fetterolf,	Lippincott,	Rigby
Andrews,	Filo,	Lopresti,	Rovansek,
Ashton,	Floyd,	Lovett,	Royer,
Barton,	Flynn,	Lutty,	Rudisill,
Bell,	Fox,	Mahan,	Scarcelli,
Boies,	Gailey,	Markley,	Seltzer,
Bower,	Garlock,	Marsh,	Sherman,
Bowman,	Gelfand,	Maxwell,	Smith,
Brand,	George,	McCann,	Snare,
Breisch,	Gibb,	Metz,	Snider,
Brennan,	Gibson,	McInroy,	Spray,
Brenninger,	Goldstein,	McKeever,	Steckel,
Breon,	Goodling,	Mikula,	Stevens,
Breth,	Goodrich,	Miller, B. Z.,	Stimmel,
Brown,	Gramlich,	Miller, H. G.,	Stoner,
Brucker,	Gross,	Miller, W. H.,	Strausser,
Bucchin,	Guthrie,	Mills,	Stroup,
Buchanan,	Hamilton,	Monroe,	Stuart,
Capano,	Haudenshield,	Moody,	Taylor,
Carson,	Heffner,	Moscrip,	Thompson,
Cioffi,	Henzel,	Moyer,	Toll,
Cleveland,	Hocker,	Muldowney,	Tompkins,
Comer,	Horst,	Mullen,	Varallo,
Cooper,	Isaacs,	Munley,	Varner,
Cummins,	Jim,	Murphy,	Vaughan,
Curwood,	Johnson,	Murray, H. P.,	Wall,
Davis,	Johnston,	Murray, P. G.,	Walsh,
DeLong,	Jones, T. H.,	Naugle,	Wargo,
Dengler,	Jump,	Ogilvie,	Weidner,
Dennison,	Kamyk,	Parry,	Welsh,
Devlin,	Kehler,	Pashley,	Wescott,

Dietterick,	Keller,	Phillips,	Whittaker,
Donaldson,	Kernaghan,	Piper,	Willard,
Dougherty,	Knecht,	Polaski,	Willaredt,
Down,	Kooker,	Pomeroy,	Williams,
Duffy,	Korns,	Post,	Wilt,
Dunn,	Krakow,	Price,	Worley,
Edwards,	Lafore,	Pursley,	Wyatt,
Eilberg,	Lee, A. M.,	Ragot,	Yatron,
Erb,	Leonard,	Readinger,	Zimmerman,
Eshleman,	Light,	Reidenbach,	Helm,
Ewing,			Speaker

NAYS—0

NOT VOTING—40

Agnew,	Foster,	McCormack,	Schwartz,
Amarando,	Frascella,	McGee,	Shields,
Anderson, M. S.,	Heavey,	McLaughlin,	Silverman,
Auker,	Holt,	Merry,	Stone,
Blair,	Ide,	Mihm,	Trusio,
Boory,	Jenkins,	Musto,	Ujobai,
Cianfrani,	Jones, G. E.	O'Brien,	Verona,
Dalrymple,	Kornick,	O'Dell,	Wheeler,
Donahue,	Lee, K. B.,	Petrosky,	Wood,
Fineman,	Magee,	Schuster,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MILLERSVILLE STATE TEACHERS COLLEGE STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Laboratory School of Millersville State Teachers College of Lancaster County under the supervision of their teacher, Miss Cresswell. They are the guests of the gentleman from Lancaster, Mr. Eshleman.

STUDENTS IN YOUTH DAY GOVERNMENT WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of 24 students representing Youth Day in Government from Lancaster County, sponsored by the Lancaster County Jaycees under the supervision of Richard Filling, President-elect of Greater Millersville Jaycees. They are the guests of the gentleman from Lancaster, Mr. Eshleman.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 369, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing for the creation of capital reserve funds for capital expenditures.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Adams,	Farabaugh,	Lippincott,	Rigby,
Anderson, S. A.,	Fetterolf,	Lopresti,	Rovansek,
Andrews,	Filo,	Lovett,	Royer,
Ashton,	Floyd,	Lutty,	Rudisill,
Barton,	Flynn,	Mahan,	Scarcelli,
Bell,	Fox,	Markley,	Seltzer,
Boles,	Gailey,	Marsh,	Sherman,
Bower,	Garlock,	Maxwell,	Smith,
Bowman,	Gelfand,	McCann,	Snare,
Brand,	George,	McInroy,	Snider,
Breisch,	Gibb,	McKeever,	Spray,
Brennan,	Gibson,	Metz,	Steckel,
Brenninger,	Goldstein,	Mikula,	Stevens,
Breon,	Goodling,	Miller, B. Z.,	Stimmel,
Breth,	Goodrich,	Miller, H. G.,	Stoner,
Brown,	Gramlich,	Miller, W. H.,	Strausser,
Brucker,	Gross,	Mills,	Stroup,
Bucchin,	Guthrie,	Monroe,	Stuart,
Buchanan,	Hamilton,	Moody,	Taylor,
Capano,	Haudenshield,	Moscrip,	Thompson,
Carson,	Heffner,	Moyer,	Toll,
Cioffi,	Henzel,	Muldowney,	Tompkins,
Cleveland,	Hocker,	Mullen,	Ujobai,
Comer,	Horst,	Munley,	Varallo,
Cooper,	Isaacs,	Murphy,	Varner,
Cummins,	Jim,	Murray, H. P.,	Vaughan,
Curwood,	Johnson,	Murray, P. G.,	Wall,
Davis,	Johnston,	Naugle,	Walsh,
DeLong,	Jones, T. H.,	Ogilvie,	Wargo,
Dengler,	Jump,	Parry,	Weidner,
Dennison,	Kamyk,	Pashley,	Welsh,
Devlin,	Kehler,	Phillips,	Wescott,
Dietterick,	Keller,	Piper,	Whittaker,
Donaldson,	Kernaghan,	Polaski,	Willard,
Dougherty,	Knecht,	Pomeroy,	Willaredt,
Down,	Kooker,	Post,	Williams,
Duffy,	Korns,	Price,	Wilt,
Dunn,	Krakow,	Pursley,	Worley,
Edwards,	Lafore,	Ragot,	Wyatt,
Eilberg,	Lee, A. M.,	Readinger,	Yatron,
Erb,	Leonard,	Reidenbach,	Zimmerman,
Eshleman,	Light,	Renwick,	Helm,
Ewing,	Limper,		Speaker

NAYS—0

NOT VOTING—39

Agnew,	Foster,	McCormack,	Schwartz,
Amarando,	Frascella,	McGee,	Shields,
Anderson, M. S.,	Heavey,	McLaughlin,	Silverman,
Auker,	Holt,	Merry,	Stone,
Blair,	Ide,	Mihm,	Trusio,
Boory,	Jenkins,	Musto,	Verona,
Cianfrani,	Jones, G. E.	O'Brien,	Wheeler,
Dalrymple,	Kornick,	O'Dell,	Wood,
Donahue,	Lee, K. B.,	Petrosky,	Wynd,
Fineman,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 370, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) providing for the creation of capital reserve funds for capital expenditures.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Adams,	Farabaugh,	Lippincott,	Rigby,
Andrews,	Fetterolf,	Lopresti,	Rovansek,
Anderson, S. A.,	Filo,	Lovett,	Royer,
Ashton,	Floyd,	Lutty,	Rudisill,
Barton,	Flynn,	Mahan,	Scarcelli,
Bell,	Fox,	Markley,	Seltzer,
Boles,	Gailey,	Marsh,	Sherman,
Bower,	Garlock,	Maxwell,	Smith,
Bowman,	Gelfand,	McCann,	Snare,
Brand,	George,	McInroy,	Snider,
Breisch,	Gibb,	McKeever,	Spray,
Brennan,	Gibson,	Metz,	Steckel,
Brenninger,	Goldstein,	Mikula,	Stevens,
Breon,	Goodling,	Miller, B. Z.,	Stimmel,
Breth,	Goodrich,	Miller, H. G.,	Stoner,

Brown,	Gramlich,	Miller, W. H.,	Strausser,
Brucker,	Gross,	Mills,	Stroup,
Bucchin,	Guthrie,	Monroe,	Stuart,
Buchanan,	Hamilton,	Moody,	Taylor,
Capano,	Haudenshield,	Moscrip,	Thompson,
Carson,	Heffner,	Moyer,	Toll,
Cioffi,	Henzel,	Muldowney,	Tompkins,
Cleveland,	Hocker,	Mullen,	Ujobai,
Comer,	Horst,	Munley,	Varallo,
Cooper,	Isaacs,	Murphy,	Varner,
Cummins,	Jim,	Murray, H. P.,	Vaughan,
Curwood,	Johnson,	Murray, P. G.,	Wall,
Davis,	Johnston,	Naugle,	Walsh,
DeLong,	Jones, T. H.,	Ogilvie,	Wargo,
Dengler,	Jump,	Parry,	Weidner,
Dennison,	Kamyk,	Pashley,	Welsh,
Devlin,	Kehler,	Phillips,	Wescott,
Dietterick,	Keller,	Piper,	Whittaker,
Donaldson,	Kernaghan,	Polaski,	Willard,
Dougherty,	Knecht,	Pomeroy,	Willaredt,
Down,	Kooker,	Post,	Williams,
Duffy,	Korns,	Price,	Wilt,
Dunn,	Krakow,	Pursley,	Worley,
Edwards,	Lafore,	Ragot,	Wyatt,
Eilberg,	Lee, A. M.,	Readinger,	Yatron,
Erb,	Leonard,	Reidenbach,	Zimmerman,
Eshleman,	Light,	Renwick,	Helm,
Ewing,	Limper,		Speaker

NAYS—0

NOT VOTING—39

Agnew,	Foster,	McCormack,	Schwartz,
Amarando,	Frascella,	McGee,	Shields,
Anderson, M. S.,	Heavey,	McLaughlin,	Silverman,
Auker,	Holt,	Merry,	Stone,
Blair,	Ide,	Mihm,	Trusio,
Boory,	Jenkins,	Musto,	Verona,
Cianfrani,	Jones, G. E.	O'Brien,	Wheeler,
Dalrymple,	Kornick,	O'Dell,	Wood,
Donahue,	Lee, K. B.,	Petrosky,	Wynd,
Fineman,	Magee,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 371, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) providing for the creation of capital reserve funds for capital expenditures.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Adams,	Ewing,	Limper,	Rigby,
Agnew,	Farabaugh,	Lippincott,	Rovansek,
Anderson, S. A.,	Fetterolf,	Lopresti,	Royer,
Andrews,	Filo,	Lovett,	Rudisill,
Ashton,	Floyd,	Lutty,	Scarcelli,
Barton,	Flynn,	Mahan,	Seltzer,
Bell,	Fox,	Markley,	Sherman,
Boles,	Gailey,	Marsh,	Smith,
Bower,	Garlock,	Maxwell,	Snare,
Bowman,	Gelfand,	McCann,	Snider,
Brand,	George,	McInroy,	Spray,
Breisch,	Gibb,	McKeever,	Steckel,
Brennan,	Gibson,	Metz,	Stevens,
Brenninger,	Goldstein,	Mikula,	Stimmel,
Breon,	Goodling,	Miller, B. Z.,	Stoner,
Breth,	Goodrich,	Miller, H. G.,	Strausser,
Brown,	Gramlich,	Miller, W. H.,	Stroup,
Brucker,	Gross,	Mills,	Stuart,
Bucchin,	Guthrie,	Monroe,	Taylor,
Buchanan,	Hamilton,	Moody,	Thompson,
Capano,	Haudenshield,	Moscrip,	Toll,
Carson,	Heffner,	Moyer,	Tompkins,
Cioffi,	Henzel,	Muldowney,	Ujobai,
Cleveland,	Hocker,	Mullen,	Varallo,
Comer,	Horst,	Munley,	Varner,
Cooper,	Isaacs,	Murphy,	Vaughan,
Cummins,	Jim,	Murray, H. P.,	Wall,
Curwood,	Johnson,	Murray, P. G.,	Walsh,
Davis,	Johnston,	Naugle,	Wargo,
DeLong,	Jones, T. H.,	Ogilvie,	Weidner,
Dengler,	Jump,	Parry,	Welsh,
Dennison,	Kamyk,	Pashley,	Wescott,
Devlin,	Kehler,	Phillips,	Whittaker,
Dietterick,	Keller,	Piper,	Willard,
Donaldson,	Kernaghan,	Polaski,	Willaredt,
Dougherty,	Knecht,	Pomeroy,	Williams,
Down,	Kooker,	Post,	Wilt,
Duffy,	Korns,	Price,	Worley,
Dunn,	Krakow,	Pursley,	Wyatt,
Edwards,	Lafore,	Ragot,	Yatron,
Eilberg,	Lee, A. M.,	Readinger,	Zimmerman,
Erb,	Leonard,	Reidenbach,	Helm,
Eshleman,	Light,	Renwick,	Speaker

NAYS—0

NOT VOTING—38

Amarando,	Frascella,	McGee,	Schwartz,
Anderson, M. S.,	Heavey,	McLaughlin,	Shields,
Auker,	Holt,	Merry,	Silverman,
Blair,	Ide,	Mihm,	Stone,
Boory,	Jenkins,	Musto,	Trusio,
Cianfrani,	Jones, G. E.	O'Brien,	Verona,
Dalrymple,	Kornick,	O'Dell,	Wheeler,
Donahue,	Lee, K. B.,	Petrosky,	Wood,
Fineman,	Magee,	Schuster,	Wynd,
Foster,	McCormack,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 579, Printers No. 182

was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 34. entitled as follows:

An act relating to the distribution sale or transportation of deficient or misbranded insecticides fungicides rodenticides and other pesticides * * * and imposing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WORLEY. Mr. Speaker, the President of our Adams County Fruit Growers' Association, the President of the largest fruit growers' association in any county of this Commonwealth, is opposed to the enactment of this House Bill No. 34, Printer's No. 144, into law in its present form and substance.

He has asked me to vote against this bill and Mr. Speaker, I request that I be recorded as voting "no."

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Adams,	Ewing	Light,	Renwick,
Agnew,	Farabaugh,	Limper,	Rigby,
Anderson, S. A.,	Fetterolf,	Lippincott,	Rovansek,
Andrews,	Filo,	Lopresti,	Royer,
Ashton,	Floyd,	Lovett,	Rudisill,
Barton,	Flynn,	Lutty,	Scarcelli,
Bell,	Fox,	Mahan,	Seltzer,
Boles,	Galley,	Markley,	Sherman,
Bower,	Garlock,	Marsh,	Smith,
Bowman,	Gelfand,	Maxwell,	Snare,
Brand,	George,	McCann,	Snider,
Breisch,	Gibb,	McInroy,	Spray,
Brennan,	Gibson,	McKeever,	Steckel,
Brenninger,	Goldstein,	Metz,	Stevens,
Breon,	Goodling,	Mikula,	Stimmel,
Breth,	Goodrich,	Miller, B. Z.,	Stoner,
Brown,	Gramlich,	Miller, H. G.,	Strausser,
Brucker,	Gross,	Miller, W. H.,	Stroup,
Bucchin,	Guthrie,	Mills,	Stuart,
Buchanan,	Hamilton,	Monroe,	Taylor,
Capano,	Haudenshield,	Moody,	Thompson,
Carson,	Heffner,	Moscrip,	Toll,
Cioffi,	Henzel,	Moyer,	Tompkins,
Cleveland,	Hocker,	Muldowney,	Ujobai,
Comer,	Horst,	Mullen,	Varallo,
Cooper,	Isaacs,	Munley,	Varner,
Cummins,	Jenkins,	Murphy,	Vaughan,
Curwood,	Jim,	Murray, H. P.,	Wall,
Davis,	Johnson,	Murray, P. G.,	Walsh,
DeLong,	Johnston,	Naugle,	Wargo,
Dengler,	Jones, T. H.,	Ogilvie,	Weidner,
Dennison,	Jump,	Parry,	Welsh,
Devlin,	Kamyk,	Pashley,	Wescott,
Dietterick,	Kehler,	Phillips,	Whittaker,
Donaldson,	Keller,	Piper,	Willard,
Dougherty,	Kernaghan,	Polaski,	Willaredt,
Down,	Knecht,	Pomeroy,	Williams,
Duffy,	Kooker,	Post,	Wilt,
Dunn,	Korns,	Price,	Wyatt,
Edwards,	Krakow,	Pursley,	Yatron,
Eilberg,	Lafore,	Ragot,	Zimmerman,
Erb,	Lee, A. M.,	Readinger,	Helm,
Eshleman,	Leonard,	Reidenbach,	Speaker

NAYS—1

Worley,

NOT VOTING—37

Amarando,	Foster,	McCormack,	Schuster,
Anderson, M. S.,	Frascella,	McGee,	Schwartz,
Auker,	Heavey,	McLaughlin,	Shields,
Blair,	Holt,	Merry,	Silverman,
Boory,	Ide,	Mihm,	Stone,
Cianfrani,	Jones, G. E.	Musto,	Trusio,
Dalrymple,	Kornick,	O'Brien,	Verona,
Donahue,	Lee, K. B.,	O'Dell,	Wheeler,
Fineman,	Magee,	Petrosky,	Wood,
			Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 262, Printer's No. 183

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 409, entitled as follows:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing cities to increase allowances paid out of the police pension fund after the termination of the service of the contributors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Adams,	Ewing,	Light,	Renwick,
Agnew,	Farabaugh,	Limper,	Rigby,
Anderson, S. A.,	Fetterolf,	Lippincott,	Rovansek,
Andrews,	Filo,	Lopresti,	Royer,
Ashton,	Floyd,	Lovett,	Rudisill,
Barton,	Flynn,	Lutty,	Scarcelli,
Bell,	Fox,	Mahan,	Seltzer,
Boles,	Galley,	Markley,	Sherman,
Bower,	Garlock,	Marsh,	Smith,
Bowman,	Gelfand,	Maxwell,	Snare,
Brand,	George,	McCann,	Snider,
Breisch,	Gibb,	McInroy,	Spray,
Brennan,	Gibson,	McKeever,	Steckel,
Brenninger,	Goldstein,	Metz,	Stevens,
Breon,	Goodling,	Mikula,	Stimmel,
Breth,	Goodrich,	Miller, B. Z.,	Stoner,
Brown,	Gramlich,	Miller, H. G.,	Strausser,
Brucker,	Gross,	Miller, W. H.,	Stroup,
Bucchin,	Guthrie,	Mills,	Stuart,
Buchanan,	Hamilton,	Monroe,	Taylor,
Capano,	Haudenshield,	Moody,	Toll,
Carson,	Heffner,	Moscrip,	Tompkins,
Cioffi,	Henzel,	Moyer,	Thompson,
Cleveland,	Hocker,	Muldowney,	Ujobai,
Comer,	Horst,	Mullen,	Varallo,
Cooper,	Isaacs,	Munley,	Varner,
Cummins,	Jenkins,	Murphy,	Vaughan,
Curwood,	Jim,	Murray, H. P.,	Wall,
Davis,	Johnson,	Murray, P. G.,	Walsh,
DeLong,	Johnston,	Naugle,	Wargo,
Dengler,	Jones, T. H.,	Ogilvie,	Weidner,
Dennison,	Jump,	Parry,	Welsh,
Devlin,	Kamyk,	Pashley,	Wescott,
Dietterick,	Kehler,	Phillips,	Whittaker,
Donaldson,	Keller,	Piper,	Williams,
Dougherty,	Kernaghan,	Polaski,	Willard,
Down,	Knecht,	Pomeroy,	Willaredt,
Duffy,	Kooker,	Post,	Wilt,
Dunn,	Korns,	Price,	Worley,
Edwards,	Krakow,	Pursley,	Wyatt,
Eilberg,	Lafore,	Ragot,	Yatron,
Erb,	Lee, A. M.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
			Speaker

NAYS—0

NOT VOTING—37

Amarando,	Frascella,	McGee,	Schwartz,
Anderson, M. S.,	Heavey,	McLaughlin,	Shields,
Auker,	Holt,	Merry,	Silverman,
Blair,	Ide,	Mihm,	Stone,
Boory,	Jones, G. E.	Musto,	Trusio,
Cianfrani,	Kornick,	O'Brien,	Verona,
Dalrymple,	Lee, K. B.,	O'Dell,	Wheeler,
Donahue,	Magee,	Petrosky,	Wood,
Fineman,	McCormack,	Schuster,	Wynd,
Foster,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 582, Printer's No. 123

was passed over at the request of the SPEAKER.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 281.

An Act amending the act of June 1, 1956 (Appropria-

tion Acts page 120 Act No. 150-A) entitled "The General Appropriation Act of 1955" decreasing appropriations to the Department of Revenue.

Referred to the Committee on Appropriations.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, a few days ago my office inadvertently placed an unsponsored communication in the post office boxes of the various Members. For doing that I was very properly rebuked by the gentleman from Allegheny and was reminded by the Chair that the practice of placing unsponsored communications in the boxes of the Members was not in accordance with the Rules of the House. I knew that very well, Mr. Speaker, and the error was inadvertent.

I understand there has very recently been placed in the boxes of the Members, at least some of the Members, a special report on road administration for which there is no sponsorship and no way of telling who is responsible for this special report on road administration. I have not read this communication, I am not familiar with its purpose, but I rally to the support of the gentleman from Allegheny who properly rebuked me and to express wonder why his rebuke does not travel across the full surface of possible offenders.

PERMISSION TO ADDRESS HOUSE

Mr. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, when I raised the question as to anonymous communications being placed in the mail boxes, I had no desire to rebuke anybody. I had no knowledge as to who was responsible for same, I merely wished to prevent more anonymous solicitations of votes and anonymous petitions being placed in my box.

Had I received the communication concerning highways to which Mr. Andrews has referred, I would have taken the same position. I have no recollection of having received any such contribution.

A violation of ethics, whether it be on my side or the other side, is subject to the same censure so far as I am concerned.

The SPEAKER. The Chair has been informed that it has always been the practice that communications placed in the Members' boxes should first be cleared with the Chief Clerk's office. The Chair would request the Chief Clerk to so inform the Postmaster.

No communications should be placed in the post office boxes without having the approval of his office for so doing, and that will be continued unless the membership of this House orders otherwise.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. WARGO asked and obtained unanimous consent to address the House.

Mr. Speaker, in the past few days there has been a good deal of talk about an investigation of the State Highway Department. Reckless charges of poor administration have been made.

I personally feel that any investigation to be made by this body should start at once. Mr. Joseph Lawler, the Secretary of Highways, has publicly stated he welcomes an investigation. I know he is sincere when he says this.

I am sure when the investigation is completed the people of Pennsylvania will be convinced that our Highway Department is in better shape now than it has ever been. They will know that Joe Lawler is an honest, hard-working man whose chief concern has been that for every dollar of the taxpayers' money spent the people will receive a dollar's worth of service in return.

PERMISSION TO ADDRESS HOUSE

Mrs. MUNLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, a few days ago a Pittsburgh newspaper saw fit to attack the administration of the State Highway Department. For reasons which I do not know, this paper did not bother to check any facts before the article was written. These falsehoods will be exposed completely. Today I just want to point out one or two of them.

The paper stated that the highway program is not being developed as fast as it should be. If the paper had looked in its own back yard, it would find in the Pittsburgh District in 1953-1954 biennium $24 million worth of road building contracts were awarded, but in the 1955-1956 biennium with the Highway Department under the leadership of Joseph Lawler this amount was more than doubled and $54 million worth of contracts were let in the Pittsburgh District alone. In other words, in the area in which this paper is published state road building is now moving twice as fast as it did before Joseph Lawler became Secretary of Highways.

This paper, if it had bothered for one minute to check the facts, would have found that not one engineering employe in the Pittsburgh District office has been fired by this administration. It would find that the District Engineer under Joseph Lawler is the same man who was District Engineer under the previous Republican administration. From the beginning of his tenure it has been Mr. Lawler's policy to retain capable, qualified people who were willing to work, regardless of their political affiliation.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, in the absence of the Minority Leader I desire to state that there is no disposition on the part of any responsible Democratic party leader to evade or impede any inquiry which this House, or the General Assembly composed of both Houses, may desire to make concerning the activities of the Highway Department concerning its present personnel, as to whether capable technical people have been dispensed with for political reasons.

We welcome an inquiry along all of those lines and we welcome the inquiry because there has been such an outrageous misrepresentation of facts. I will not take the time of the House to refer to more than one of the mistaken statements which have been made

It has been currently stated that 25 county superintendents are Democratic chairmen. There are two county superintendents who are Democrats and county chairmen.

I could go through the entire list of the accusations made against the Highway Department and the manner and method of its operating and show that 80 percent of all the allegations are as false as the allegation to which I have made reference.

We hope we will have the report from the Majority Leader very shortly concerning the capable, high-minded, efficient Republicans who have been fired from the payroll because of their political affiliation. We await that report with a great deal of interest and expectation, and we think if the Majority Leader had the facts he would have filed the report long ago.

REPORTS FROM COMMITTEES

Mr. BOWER from the Committee on Appropriations, reported as committed, House Bill No. 860, entitled:

An Act creating a Highway Investigation Commission for the purpose of making a study and investigation of all activities of the Pennsylvania Department of Highways and making an appropriation.

Mr. HOCKER from the Committee on Appropriations, reported as committed, Senate Bill No. 280, entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund.

Mr. HOCKER from the Committee on Appropriations, reported as committed, Senate Bill No. 281, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts page 120 Act No. 150-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five" decreasing appropriations to the Department of Revenue.

BILLS ON FIRST READING

Mr. HOCKER asked and obtained unanimous consent for Senate Bill No. 280 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 280 entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Mr. HOCKER asked and obtained unanimous consent for Senate Bill No. 281 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 281 entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts page 120 Act No. 150-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five" decreasing appropriations to the Department of Revenue.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. EDWARDS. Mr. Speaker, I move that this House do now adjourn until Monday, March 25, 1957 at 3:00 p. m.

The motion was agreed to, and (at 11:15 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, MARCH 25, 1957. No. 28.

SENATE

MONDAY, March 25, 1957.

The Senate met at 3:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. GEORGE I. MELHORN, Pastor of the Moxham Lutheran Church, Johnstown, offered the following prayer:

Let us pray.

Father of infinite love and compassion, Who understandests the needs and desires of men, we look to Thee for guidance and direction as this body is opened for official business. We ask that Thou would look with favor upon those who represent the constituents of this State; guide and direct them in their decisions; bless Thou the Commonwealth of which we are all a part. May that which we do, O Father, be done according to Thy good pleasure, that all our decisions may be according to Thy will.

Bless each one of us in Thy service, the Governor of the Commonwealth, the Senators, Members of the official body of the House and all those who would serve Thee.

May we be one in union and spirit, unanimity, that Thy cause may be prospered, Thy love exemplified in the lives of those who know Thee and acknowledge Thee.

We offer our prayer in the name of Christ, our Savior. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. MADIGAN, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. RUTH asked and obtained leave of absence for Mr. MILLER, for the week, due to illness.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 25, 1957.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

Thomas Jefferson wrote that "some men look at constitutions with sanctimonious reverence and deem them like the ark of the covenant, too sacred to be touched . . ."

But, Jefferson warned, "the laws and institutions must go hand in hand with the progress of the human mind . . ."

In my view, these words of a great American admonished future generations to take care that their constitutions did not become political strait jackets to constrain and hamper government in its adjustment to change.

We are now faced with the imperative need to revise our Constitution. For this fundamental law of the Commonwealth, within whose framework we must meet all of our responsibilities as a sovereign State, has been in effect since January 1, 1874.

No one doubts that it should be brought into keeping with our times; no one argues that many of its provisions have become obsolete as a result of the Commonwealth's continuing growth.

Yet, so far, we have done nothing about it.

In this neglect we are alone among our neighboring states. The New York Constitution was revised in 1938; and a fifteen-man constitution study commission is now doing preliminary work in advance of a referendum on the question of a constitutional convention. And New Jersey effected a forward-looking revision of her Constitution in 1947.

We in Pennsylvania have reached the point where we can no longer disregard the inadequacy of our organic law, written better then fourscore years ago, to cover mid-Twentieth Century needs.

It is time we did something about it.

Accordingly, I lay before you the draft of a bill which would create a temporary State commission for the specific purpose of studying the Commonwealth's Constitution "in the light of contemporary conditions and the anticipated problems and needs of the people of the Commonwealth."

This Commission on Constitutional Revision would consist of fifteen Pennsylvanians, appointed by me with the advice and consent of the Senate.

It would have the duty of determining whether or not changes in our Constitution are advisable; and, if so, how best we might effect them. If the Commission

concludes that we should proceed by amendment, it is empowered to recommend such a course, and to include, in its report, drafts of the proposed amendment or amendments.

On the other hand, the Commission may conclude that our Constitution needs general revision. In this case, it would collect, compile, and analyze "such information as it may deem useful to the delegates at a constitutional convention, and shall make any recommendation as to the substance of the revision it may consider appropriate."

The Commission's final report to the Governor and the General Assembly would be submitted not later than one week after the convening of the General Assembly in regular session in 1959.

Members of the Commission will be reimbursed for their expenses, but not otherwise compensated, and $175,000 is appropriated for their use.

In urging your support of this measure, it is pertinent, I think, to tell you that Governor William C. Sproul, in his Inaugural Address in January 1919, expressed serious concern over the need for prompt Constitutional revision. Accordingly, he recommended the creation of a commission on constitutional amendment and revision.

The General Assembly embraced this proposal by the Act of June 4, 1919, and the Commission so established reported to the General Assembly on December 15, 1920.

The able men and women who constituted the Commission came to the conclusion that a considerable number of changes of substance were necessary to update the Constitution, and therefore recommended that it be revised—not simply burdened with a large number of additional amendments.

As part of their report they submitted a proposed revised Constitution, and recommended that the calling of a constitutional convention be put to the voters.

In due course this was done, by the Act of April 27, 1921.

Unfortunately, the proposition was rejected at the polls.

Nearly four decades have passed since Governor Sproul saw the need for "prompt" Constitutional revision.

Those decades have been unprecedented economic development and social change. They have constituted a period which has placed enormous demands upon us for effective self-government, for ordered liberty in a highly interdependent community structure.

But all this while we have gone on amending our Constitution piecemeal—thus aggravating, rather than relieving, the need for thorough revision.

Were our Constitution a relatively simple charter of government like the Constitution of the United States, there would be no need to talk of revision.

The Constitution of Pennsylvania is not, however, a simple instrument confined to the essentials of governmental organization and powers, and of the guaranties of individual liberty.

It is freighted with provisions which treat the legislative branch of the State Government with distrust; with provisions dealing specifically and inflexibly with various matters of public policy; with provisions hampering imaginative and broad-scaled attacks upon the pressing problems of urban and metropolitan living.

All of you are familiar with our Constitution and know, as I do, that the Commonwealth has been forced to evade, by various makeshifts, a number of its strictures.

The Constitution says that a bill must be read three times before it is brought to a vote in either house of the General Assembly. We know, of course, that this is impractical—if not impossible.

And we know that the State's debt limit for capital purposes is fixed by the Constitution at $1 million, thus forcing the Authority device of borrowing money as an expedient and necessary means of evasion.

So we incur huge debts, in the semipublic, semiprivate operations of the Authorities—an expensive and inefficient makeshift at best.

These examples which I have cited are chosen at random to illustrate obsolescences in our Constitution. Many others come to my mind, just as they will to yours.

Together, they comprise a powerful argument in favor of Constitutional study by an expert, nonpartisan group, such as the Commission on Constitutional Revision whose creation this bill would allow.

There is a particularly apt statement on this subject in the report submitted June 20, 1955, to President Eisenhower by the Commission on Intergovernmental Relations. Let me quote part of it to you:

"Early in its study the Commission was confronted with the fact that many state constitutions restrict the scope, the effectiveness, and adaptability of State and local action. These self-imposed constitutional limitations make it difficult for many states to perform all of the services their citizens require, and consequently have frequently been the underlying cause of state and municipal pleas for Federal assistance.

"It is significant that the Constitution prepared by the Founding Fathers, with its broad grants of authority and avoidance of legislative detail, has withstood the test of time far better than the constitutions later adopted by the states. A due regard for the need for stability in government requires adherence to basic constitutional principles until strong and persistent public policy requires a change. A dynamic society requires a constant review of legislative detail to meet changing conditions and circumstances.

"The Commission finds a very real and pressing need for the states to improve their constitutions. A number of states recently have taken energetic action to rewrite outmoded charters. In these states this action has been regarded as a first step in the program to achieve the flexibility required to meet the modern needs of their citizens."

I feel certain that we all want the states—and particularly this Commonwealth—to remain strong and effective, for this is essential to the proper operation of the Federal System. But the strengthening of state government is for the states themselves—not for the National Government.

I urge you, therefore, to support the bill which accompanies this message, and hope you will share my belief that prompt action is called for in this vitally important area of Constitutional reform.

GEORGE M. LEADER.

The PRESIDENT. This communication will be printed in the Legislative Journal.

For the information of the Senators, copies of this communication are now being distributed to each Member's desk.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank R. Sudak, 1 Buchanan Street, Newville, Cumberland County, for appointment as Justice of the Peace in and for the Borough of Newville, Cumberland County, to serve until the first Monday of January 1958, vice Howard J. Mesick, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Margaret Smith, Large Heights, Large, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Jefferson, Allegheny County, to serve until the first Monday of January 1958, vice Theodore Smith, deceased.

GEORGE M. LEADER.

MEMBER OF THE DELAWARE COUNTY BOARD OF ASSISTANCE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Anna M. Dunn (Democrat), 621 East Twentieth Street, Chester, Delaware County, for appointment as a member of the Delaware County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE GREENE COUNTY BOARD OF ASSISTANCE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Hawkins (Republican), 1175 Eighth Street, Waynesburg, Greene County, for appointment as a member of the Greene County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Albert A. Sayers, Esq., Waynesburg, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. S. Zimmerman (Republican), 109 East Walnut Street, Lebanon, Lebanon County, for appointment as a member of the Lebanon County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Anne B. Bashore, Lebanon, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice J. Silverstein, 216 Oakview Street, Edgewood, Pittsburgh 15, Allegheny County, for appointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the 3rd Tuesday of January 1961, and until his successor is appointed and qualified, vice Robert C. Malcolm,Curtisville, deceased.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as memebrs of the Board of Trustees of Philadelphia State Hospital, for a term of four years, and until their successors are appointed and qualified:

Furey Ellis, 708 Widener Building, Philadelphia, Philadelphia County. (Reappointment).

Mrs. Esther F. Clark, 235 West Winona Avenue, Norwood, Delaware County, vice Welling G. Schrack, Jr., Southampton, whose term expired.

William V. Wiener, 5201 Woodbine Avenue, Philadelphia, Philadelphia County. (Reappointment).

Mrs. Blanche C. Jones, 1613 West Butler Street, Philadelphia, Philadelphia County, vice Hon. E. Washington Rhodes, Philadelphia, whose term expired.

(Rev.) Jerry E. Carpenter, 231 Hendrick Street, Ambler, Montgomery County, vice Meade L. Barr, Haverford, whose term expired.

GEORGE M. LEADER.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 34, entitled:

An Act relating to the distribution, sale or transportation of deficient or misbranded insecticides, fungicides, rodenticides and other pesticides regulating traffic there-

in; providing for registration and examination of such materials and imposing penalties.

Which was committed to the Committee on Agriculture.

House Bill No. 362, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing conveyance by school districts of the second class of unused and unnecessary lands and buildings to the city, borough, town or township coterminous with the district.

Which was committed to the Committee on Education.

House Bill No. 369, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing for the creation of capital reserve funds for capital expenditures.

Which was committed to the Committee on Local Government.

House Bill No. 370, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), providing for the creation of capital reserve funds for capital expenditures.

Which was committed to the Committee on Local Government.

House Bill No. 371, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), providing for the creation of capital reserve funds for capital expenditures.

Which was committed to the Committee on Local Government.

House Bill No. 409, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), authorizing cities to increase allowances paid out of the police pension fund after the termination of the services of the contributors.

Which was committed to the Committee on Local Government.

BILLS SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 24, entitled:

An Act providing for the rendition of certain reports by joint interstate bodies.

House Bill No. 29, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Senate Bill No. 123, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," permitting county commissioners to hold their organization meeting on the day after a holiday.

Senate Bill No. 161, entitled:

An Act amending the act of December 27, 1951 (P. L. 1742) entitled, as amended, "The Realty Transfer Tax Act," requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

House Bill No. 330, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation.' . . ." increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

GENERAL COMMUNICATION

REPORT OF THE COMMISSION ON GOVERNMENTAL REORGANIZATION, DEALING WITH PUBLIC WELFARE

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

25 March, 1957.

To The Honorable
The President of the Senate
and Speaker of the House of
Representatives:

Gentlemen:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Public Welfare.

Respectfully,

/s/ A. J. Drexel Biddle, Jr.
A, J. DREXEL BIDDLE, JR.
Major General
Chairman
Governmental Reorganization
Commission

Encl.

The PRESIDENT. This communication will be noted in the Legislative Journal, and the Report will be printed in the Appendix.

For the information of the Senators, copies of this communication and Report are on the Members' desks.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

JUDGE OF THE MUNICIPAL COURT OF THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA, COMPOSED OF THE CITY AND COUNTY OF PHILADELPHIA

March 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate

Edward A. Kallick, 5905 Warrington Avenue, Philadelphia, Philadelphia County, for appointment as Judge of the Municipal Court of the First Judicial District of Pennsylvania, composed of the City and County of Philadelphia, until the first Monday of January 1958, vice Hon. Leonard M. Propper, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Fred Brunner, Limeport, Lehigh County, for appointment as Justice of the Peace in and for the Township of Lower Milford, Lehigh County, to serve until the first Monday of January 1958, vice John D. Miller, resigned.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edith B. Krohn, 1330 Oak Street, Lebanon, Lebanon County, for appointment as a member of the Board of Trustees of Wernersville State Hospital, for the term of four years and until her successor is appointed and qualified, vice Mrs. Stella Livingood, Robesonia, resigned.

GEORGE M. LEADER.

MEMBER OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

March 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Howard M. Bollard (Democrat), Linesville, Crawford County, for appointment as a member of the Crawford County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBERS OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Lycoming County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Dr.) Joseph Nelson Dunston (Democrat), 624 Park Avenue, Williamsport, Lycoming County.

(Dr.) Kenneth D. Poust, Sr. (Democrat), Hughesville, Lycoming County.

GEORGE M. LEADER.

MEMBER OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

March 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Max Fenton Balcom, President, Emporium Trust Company, Emporium, Cameron County, for appointment as a member of the Pennsylvania Industrial Development Authority until August 20, 1959, and until his successor shall be duly appointed and qualified, vice Arthur L. Chapman, Warren, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BUSHY RUN BATTLEFIELD COMMISSION

March 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Bushy Run Battlefield Commission, until the third Tuesday of January 1959, and until their successors shall have been appointed and qualified:

Calvin E. Pollins, Esq., R. D. 5, Greensburg, Westmoreland County, vice James C. Tallant, Murrysville, whose term expired.

Milton R. Redlich, North Second Street Extension, Jeannette, Westmoreland County, vice Robert H. McClellan, Irwin, deceased.

(Rev.) E. M. Flanigan, 617 Main Street, Irwin, Westmoreland County, vice J. Graff Bomberger, Jeannette, whose term expired.

James H. Sleigh, Export, Westmoreland County, vice James F. Torrance, Export, whose term expired.

Martin Robert Marker, Trafford, Westmoreland County, vice W. Urban Gillespie, Jeannette, whose term expired.

Earl S. Keim, Youngwood, Westmoreland County, vice Mrs. Katharine G. Murdock, Greensburg, whose term expired.

GEORGE M. LEADER.

BILLS INTRODUCED AND REFERRED

Messrs. FLEMING and DENT read in place and presented to the Chair Senate Bill No. 409, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987), entitled as amended, "Sanitary Water Law," further regulating and defining rights and duties with respect to waters of the Commonwealth.

Which was committed to the Committee on State Government.

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 410, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "The Public School Code of 1949," providing for higher education in technical subjects in the public school system through the establishment and operation of community colleges by school districts or county boards; conferring the powers and imposing duties on school directors, county superintendents, county boards of school directors, the Superintendent of Public Instruction and the State Council of Education; and providing for advancements and reimbursements by the Commonwealth.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 411, entitled:

An Act amending the act of March 10, 1949 (P. L. 30),

entitled "Public School Code of 1949," defining rights and status of certain officers and extending services provided through the office of the county superintendent in cases of joint schools or union or merged districts.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 412, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," revising the powers and duties of county boards of school directors.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 413, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," authorizing county boards of directors of technical schools to contract with the Department of Public Instruction for the use of area technical schools altered, constructed or equipped by the State Public School Building Authority and authorizing the authority to acquire property and alter, erect and equip buildings thereon for use as area technical schools and to lease such lands and buildings to the Department of Public Instruction.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 414, entitled:

An Act amending the act of May 15, 1933 (Pamphlet Laws 624), entitled as amended "Banking Code," by further regulating the making of installment loans.

Which was committed to the Committee on Banking.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I have two bills to present to the Chair and I would like to make a brief statement on each of them.

Mr. President, the first bill that I propose to introduce, on behalf of myself and Senator Berger, would create a Pennsylvania Highways Commission and abolish the Department of Highways. In view of the many rumors that are a problem throughout the Commonwealth at the present time, I think legislation of this kind would be entirely in order.

Therefore, Mr. President, I am presenting this bill on behalf of myself and Senator Berger.

Concerning the second bill, Mr. President, the gentlemen of this Senate who were Members during the last Session would well remember that we passed legislation allocating the sum of twenty per cent of four and one-half-cents received from the sale of gasoline in the Commonwealth to the cities, boroughs, incorporated towns and townships. However, we wrote a floor under this legislation for the years 1955 and 1956 of $30,000,000. In other words, in that law we provided that not less than $30,000,000 from the Motor License Fund would be allocated to the towns, townships, cities, et cetera.

This bill which I am introducing, on behalf of Senator Stevenson, Senator Ehrgood, Senator Elliott, Senator Walker, Senator Kromer, Senator Flack, Senator Whalley and myself, would write a permanent floor for each year of $30,000,000.

BILLS INTRODUCED AND REFERRED

Messrs. WADE and BERGER read in place and presented to the Chair Senate Bill No. 415, entitled:

An Act creating the Pennsylvania Highways Commission; defining its powers and duties; abolishing the Department of Highways and office of Secretary of Highways, and making an appropriation.

Which was committed to the Committee on Highways.

Messrs. WADE, STEVENSON, EHRGOOD, ELLIOTT, WALKER, WHALLEY, KROMER and FLACK read in place and presented to the Chair Senate Bill No. 416, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; . . .," continuing a conditional appropriation beyond the calendar year 1957.

Which was committed to the Committee on Highways.

Messrs. KESSLER and PROPERT read in place and presented to the Chair Senate Bill No. 417, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," further regulating collections, settlements, resettlements, reassessments and refunds of State taxes and other accounts due the Commonwealth and changing provisions for appeals.

Which was committed to the Committee on Finance.

Messrs. KESSLER and KOPRIVER, JR. read in place and presented to the Chair Senate Bill No. 418, entitled:

An Act amending the act of March 19, 1909 (P. L. 46), entitled "Osteopathic Practice Law," changing provisions relating to qualifications and licensing of osteopathic physicians and surgeons; defining the phrase "osteopathy and surgery"; specifying the power of the State Board of Osteopathic Examiners to adopt rules and regulations with respect to interns and hospitals and making editorial changes.

Which was committed to the Committee on Education.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 419, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of Lee Hospital, Johnstown, Pennsylvania.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 420, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of Conemaugh Valley Memorial Hospital, Johnstown, Pennsylvania.

Which was committed to the Committee on Public Health and Welfare.

He also, on behalf of Messrs. WADE and WATKINS, read in place and presented to the Chair Senate Bill No. 421, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," changing the period for titling new two-axle commercial motor vehicles and truck tractors in certain classes.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, we have had much to-do about Morganza Training School and some of our other correctional institutions, and I am firmly convinced that Morganza and like schools should be transferred from the Department of Welfare to the Bureau of Correction in the Department of Justice. They are definitely corrective institutions and I believe that their supervisory functions should come from the Department of Juctice.

Yesterday, I read with a great deal of interest a statement where it costs almost eleven dollars a day to maintain a boy or girl at Morganza as against a figure of some two dollars in some of our other correctional institutions. For that eleven dollars, we could certainly send four or five boys or girls to our State Teachers' Colleges, thereby helping those who wish to improve on their education. I think the cost is exorbitent and I feel that Morganza, with the bad publicity it is receiving, will keep out of the press if it is put under the Department of Justice.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 422, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," transferring certain departmental administrative boards within the Department of Welfare to the Department of Justice, and conferring upon the Department of Justice supervisory powers over certain supervised institutions.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 423, entitled:

An Act amending the act of May 1, 1933 (P. L. 216) entitled "The Dental Law," regulating the use of dental technician services by dentists; imposing duties on dentists and dental technicians and prescribing penalties.

Which was committed to the Committee on Public Health and Welfare.

He also read in his place and presented to the Chair Senate Bill No. 424, entitled:

An Act amending the act of March 31, 1949 (P. L. 372) entitled "The General State Authority Act of 1949," increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor, and allocating the proceeds of the increased borrowing.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. SCHMIDT asked and obtained unanimous consent to address the Senate.

Mr. SCHMIDT. Mr. President, I merely wish to advise the Senator from Armstrong that he should be prepared to have some mighty strong arguments in favor of the transfer of the school at Morganza from the Department of Welfare to the Department of Justice.

BILLS INTRODUCED AND REFERRED

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 425, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law," providing for the waiver of notice in certain cases when two political subdivisions impose the same tax on the same person, subject, business, transaction or privilege .

Which was committed to the Committee on Local Government.

Mr. HARNEY read in his place and presented to the Chair Senate Bill No. 426, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "The Liquor Code," increasing the quota for the issuance of retail licenses.

Which was committed to the Committee on Law and Order.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, throughout the ages, theologians have been trying to figure out, based on the story of Genesis, when God created the angels. You will find that God created everything, but the angels have been omitted. In each creation, there is a certain law of symmetry and if that law is violated the body which is created is of no good.

In our own State Government, Mr. President, there are some departments which lack the finishing touches. By lacking the finishing touches, their impact is totally emasculated. That is the reason why, about two weeks ago, I introduced a bill about the Pardons Board to give it a Bureau of Investigation, an army that could cull information.

The bill which I am about to present now is of a similar nature. However, it deals with the Public Utility Commission. The Public Utility Commission of Pennsylvania has to depend, in making its caluculations and computations as to the rate of interest, upon the information offered and gathered by the public utilities. This bill proposes to give the Public Utility Commission the finishing touch to have its own force which could gather the necessary information.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 427, entitled:

An Act amending the act of March 31, 1937 (P. L. 160) entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission defining in part the powers and duties of such commission . . .," creating within the Public Utility Commission a bureau of investigation defining its powers and duties and requiring the commission to conduct field investigations through such bureau at the premises of public utilities in certain cases.

Which was committeed to the Committee on State Government.

Messrs. HAYS, DENT and SEYLER read in place and presented to the Chair Senate Bill No. 428, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," abolishing county teacher's meetings or institutes; and providing for in-service training programs.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 429, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," prescribing a new standard reimbursement fraction for reimbursement on account of certain activities.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 430, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing a basis for limitation of school district indebtedness; and imposing duties on the State Tax Equalization Board.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 431, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," defining cost of transportation to school districts using their own vehicles in pupil transportation.

Which was committed to the Committee on Education.

Messrs. KOPRIVER, JR. and DENT read in place and presented to the Chair Senate Bill No. 432, entitled:

An Act amending the act of June 25, 1931 (P. L. 1371) entitled "A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred and thirteen (P. L. 555) entitled 'An act providing for the regulation of dams, or other structures or obstructions, as defined herein . . .,' by discontinuing the necessity of securing permits for the erection of certain dams," authoriizng the erection of certain dams without securing permits.

Which was committed to the Committee on Forests and Waters, Game and Fish.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, one of the bills which I am introducing today is one which has had a great deal of discussion and one which I have noticed in every Session since I have been here. There have been bills and resolutions introduced covering some sort of an amendment or asking for some sort of a revision of our Constitution.

Mr. President, I am introducing a bill today, the purpose of which is to create a commission to study the Constitution of our Commonwealth and to determine whether any changes are either desirable or necessary. It also would require all the departments and different areas of our government to fully cooperate with this commission. The number of members of the commission would be twelve. These would be appointed by the Governor, with the consent of the Senate. These members would not be paid, but there would be a small appropriation to cover a staff who would do the actual groundwork and help prepare the report. I have made a suggestion here as to the amount of the appropriation.

The Members of the Senate who have co-sponsored this legislation all happen to be Members who sit on this side of the aisle. There is no pride of authorship nor is there any desire to keep any of the Members on the other side of the aisle, who might so be interested, from co-sponsoring this legislation. If any of them do want to add their names to this bill, I would be very happy and honored to have them.

BILLS INTRODUCED AND REFERRED

Messrs. WEINER, DENT, HAYS, SEYLER, YOSKO, KALMAN and MURRAY read in place and presented to the Chair Senate Bill No. 433, entitled:

An Act creating a temporary state commission to study the Constitution of the Commonwealth, to recommend possible amendment or revision; prescribing the powers and duties of the Commission; and making an appropriation.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. WEINER, HAYS, SEYLER, YOSKO and MURRAY read in place and presented to the Chair Senate Bill No. 434, entitled:

An Act defining air pollution; giving certain powers to county commissioners, to the county department of health and to the Department of Health of the Commonwealth of Pennsylvania, to regulate and control air pollution; providing that the said county commissioners may pass resolutions and ordinances pertaining to air pollution; providing that the Department of Health of the Commonwealth of Pennsylvania exercise certain rights and powers in respect to air pollution; providing for the adoption of rules and regulations; and providing for penalties for the violation of any rule, regulation or order of the Department of Health of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Local Government.

Mr. WEINER read in his place and presented to the Chair Senate Bill No. 435, entitled:

An Act creating a commission to examine the ward divisions in the City of Philadelphia and requiring it to make a report to the next regular session of the General Assembly and making an appropriation for their expenses.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 436, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," enlarging the jurisdiction of magistrates in cities of the first class for violation of summary provisions of the act.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. McMENAMIN asked and obtained unanimous consent to address the Senate.

Mr. McMENAMIN. Mr. President, one of these bills, which is introduced by myself and Senator Dent, would place under a tenure system registered nurses in the

State-owned hospitals. The bill, as drawn, is an identical replica of the Teachers Tenure Act.

I believe that this may be a start on the road toward taking certain jobs out of the football field of political patronage. I think all of us, regardless of Party, will agree that there are many jobs which should not become political footballs. I think this is particularly true of technical jobs, such as highly trained registered nurses. There are many people, both in and out of politics, who do not believe that civil service or a merit system is the answer to this problem. Yet, I think most every thinking citizen will agree that a line of demarcation must be drawn in the State hiring setup. I think most of us agree that the sooner this line is drawn, the better off all of us will be.

I think that a middle road is an approach, such as is embodied in these bills, to give certain technical and professional employees tenure, job security and seniority rights, with the right not to be fired until they have had a hearing and only to be fired for certain specified causes, none of which is political activity.

I think all of us will agree that, as a matter of practice, many jobs have never been touched by political parties. As I said, all of us agree that in order to have continuing responsible government in Pennsylvania, we must assure to people in at least some fields that they can have a career regardless of their political status.

Mr. President, I believe that this Nurses Tenure Act may be a start on the road to real political development in Pennsylvania. I, for one, today would amend it to include such other technical jobs in our hospitals as X-ray technicians, medical record librarians and others. I would also like to see it amended to embrace mental hospitals and the many institutions under the jurisdictions of the Department of Welfare for defective and retarded children, and persons afflicted with particular diseases and so on.

I think this is better than civil service or, particularly, temporary civil service, such as embodied in any Governor's edicts on the subject. I think it would make the situation in these hospitals better than they are now without any job security.

BILLS INTRODUCED AND REFERRED

Messrs. McMENAMIN and DENT read in place and presented to the Chair Senate Bill No. 437, entitled:

An Act creating a tenure system of employment for registered nurses in State hospitals.

Which was committed to the Committee on State Government.

Messrs. McMENAMIN, DENT and HAYS read in place and presented to the Chair Senate Bill No. 438, entitled:

An Act amending the act of July 18, 1917 (P. L. 1043), entitled "Public School Employes Retirement Law," extending the presumption of election of option to certain persons who died subsequent to January 1, 1953.

Which was committed to the Committee on Education.

Messrs. McMENAMIN and DENT read in place and presented to the Chair Senate Bill No. 439, entitled:

An Act relating to motion-picture films, reels, or stereopticon views or slides; providing a system of listing the first showing of each film reel or view and a system of registration of exhibitors, sellers, lessors and users of films, reels, or views; disapproval of films, reels or views which are obscene or incite to crime and of the banners, posters and other like advertising matter used in connection therewith; imposing powers and duties upon the Pennsylvania State Board of Censors, and providing penalties for the violation of this act.

Which was committed to the Committee on Law and Order.

Messrs. LANE and WAGNER read in place and presented to the Chair Senate Bill No. 440, entitled:

An Act amending the act of July 8, 1941 (P. L. 298), entitled "Fourth Class County Retirement Law," further regulating the reinstatement of county employes.

Which was committed to the Committee on Local Government.

Messrs. DERK, DENT, BERGER and MADIGAN read in place and presented to the Chair Senate Bill No. 441, entitled:

An Act amending the act of July 2, 1935 (P. L. 589), entitled "Milk Sanitation Law," conferring powers and imposing duties on the Secretary of Agriculture; including milk and milk products produced in and outside of the Commonwealth within the requirements of the act; and further regulating municipal and county requirements and regulations concerning milk and milk products.

Which was committed to the Committee on Agriculture.

Messrs. YOSKO and DENT read in place and presented to the Chair Senate Bill No. 442, entitled:

An Act to create and establish a State agency for surplus property; to prescribe its powers, duties and functions; and to authorize the appropriation of moneys therefor.

Which was committed to the Committee on State Government.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO FATHER DADAY, COACH EMIL CARAZO, THE STUDENT BODY OF ALLENTOWN CENTRAL CATHOLIC HIGH SCHOOL AND TO THE BASKETBALL TEAM UPON WINNING ITS SIXTH STATE P.C.I.A.A. CHAMPIONSHIP

Mr. VAN SANT offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 25, 1957.

On March 22, 1957 the basketball team of Allentown Central Catholic High School brought great honor on itself, its coaching staff, the school and the Commonwealth for it was on this day that Allentown Central Catholic won its sixth State P.C.I.A.A. championship. When they defeated Johnstown Catholic, 60 to 46, the school won its second straight State championship, a feat that no other school has been able to duplicate.

Our congratulations for this inspiring victory and record are certainly in order and we will extend them. To our best wishes for the victory we must add our heartiest congratulations to the student body of Allentown Central Catholic, Coach Emil Carazo, and school principal, Rev. Father Stephen Daday for their inspiring display of good sportsmanship and good citizenship that they have evidenced throughout the entire season.

Father Daday, Coach Carazo and their entire staffs

have worked hard to supply our State with good citizens a task they have fully achieved.

The Allentown Central Catholic team set an example of team play and sportsmanship which will always be remembered as one of the finest in scholastic athletic competition; therefore be it

Resolved, That the Senate extends its warmest congratulations to Father Daday, Coach Emil Carazo, the student body of Allentown Central Catholic High School, and to the basketball team for its stirring victory over a fine Johnstown Catholic team; and be it further

Resolved, That copies of this reslution be forwarded to Reverend Father Stephen Daday and to coach Emil Carazo.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, March 25, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, April 1, 1957 at three o'clock, p. m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, April 1, 1957 at three o'clock, p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

CONDOLENCE OF THE SENATE EXTENDED TO THE FAMILY OF WALTER E. GREENWOOD, FORMER SOLICITOR FOR THE CITY OF COATESVILLE

Messrs. HARNEY and STEVENSON offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 25, 1957.

Walter E. Greenwood, solicitor for the City of Coatesville for the past forty years died at his home at the age of seventy-nine on the night of March 15, 1957.

He was born in West Caln Township on July 15, 1877, the son of the late James and Caroline Rice Greenwood.

Mr. Greenwood was educated at the West Chester Normal School in 1896 and later attended and was graduated from the University of Pennsylvania School of law in 1899.

A leader in the movement to drop a borough form of government in favor of the commission type, Mr. Greenwood became solicitor for Coatesville in 1916 when a commission type government was formed. With the exception of one year in the early 1920's he served as solicitor continuously from January 1916.

Mr. Greenwood was a member of the Legislative Local Government Commission appointed by the Speaker of the House from November 1939 to June 1943 when he was elected by that Commission as an advisor on Local Government.

Regarded as an authority on Third Class City government and its administration, he was a past president of the Pennsylvania League of Third Class Citities and for many years served as its executive director. When the League was reorganized to admit larger cities, he became executive director emeritus of the Pennsylvania League of Cities.

He displayed considerable interest in the League of Third Class Cities and showed much pride in the issuance of a regular bulletin covering events of interest to the municipalities affiliated with the group. His knowledge of this service was invaluable and he was called upon time and again by the solicitors of other cities to give important decisions. He was looked upon over a long period of years as an important figure in legislative circles in Harrisburg in helping to draft bills which later were enacted into laws. He also was instrumental in discouraging passage of measures which he regarded as not in the best interest of member cities.

In addition to playing an important role in county and city politics and municipal government, Mr. Greenwood also was a past commander of the Centennial Commandery No. 55 and past high priest of the Coatesville Royal Arch Chapter, No. 267.

A member of the original Board of Managers of the Coatesville Hospital, he was honored in 1953 for more than fifty years of service to the hospital.

He also was a past president of the Chester County Bar Association and a past president of the Coatesville Lions Club.

A life member of the B.P.O.E., Mr. Greenwood served the local as a trustee for twenty-five years. He also was a member of the Washington Fire Company and served as trustee for a number of years.

Mr. Greenwood was a member of the Coatesville Presbyterian Church for more than fifty years and a member of the church's Iron Rose Bible Class.

He was also active in alumni affairs of West Chester State Teachers' College and the University of Pennsylvania.

In addition to his widow, Laura Swartz Greenwood, he is survived by a son, W. Edward Greenwood, and a daughter, Mrs. Caroline Greenwood Narvel. Also surviving him are two grandchildren and a great granddaughter and a sister Mrs. Mary G. Cadwallader, who now resides in the Midwest; therefore be it

Resolved, That copies of this resolution be sent to each of the above named members of the family of Walter E. Greenwood, as a token of sympathy extended to them in their hour of grief by this Senate of Pennsylvania.

SENATE CONCURRENT RESOLUTION

MEMORIALIZING CONGRESS TO MAKE AVAILABLE CERTAIN FUNDS SO THAT THE JUSTIFIED AND AUTHORIZED IMPROVEMENT OF THE DELAWARE RIVER CAN BE CONTINUED

Messrs. HARNEY, WATKINS and WATSON offered the following resolution, which was twice read as follows:

In the Senate, March 25, 1957.

Whereas, The Executive Department of the United States has recommended an appropriation of $9 million to be expended by the Corps of Engineers in the fiscal year 1958 for the purpose of continuing the authorized improvement of the Delaware River Channel, Philadelphia, Pa., to Trenton, N. J.; and

Whereas, The Executive Department of the United States has imposed a maximum depth of 35 feet for the authorized improvement; and

Whereas, the Congressionally-authorized improvement calls for a depth of 40 feet; and

Whereas, the Philadelphia District Engineer of the United States Army, Corps of Engineers, has stated that the sum of $16,500,000 can be economically utilized in Fiscal 1958 on deepening the Delaware River Channel, Philadelphia to, Trenton; now therefore be it

Resolved (the House of Representatives concurring), that the General Assembly of Pennsylvania petition the Executive and Legislative branches of the United States Government through this resolution to amend and approve legislation during the present session of the Congress of the United States that will make available in fiscal year 1958 the economic sum of $16,500,000 so that the justified and authorized improvement of the Delaware River can be continued at an effective rate in the interests of our national defense, industry, commerce, and the welfare of all of the people of the Delaware Valley; and be it further

Resolved, that the Senate and the House of Representatives of the General Assembly of Pennsylvania

petition the Executive and Legislative branches of the United States Government through this resolution to strike out any reference to a 35-foot restricting depth and be it further

Resolved, that the President pro-tempore of the Senate of the General Assembly of Pennsylvania reconstitute three members of the Senate who together with three members of the House of Representatives, upon the concurrence of the House of Representatives, to be appointed by the Speaker of the House, shall serve as a Joint Commitee to be known as the Delaware River Philadelphia-Trenton Deeper Channel Committee; and be it further

Resolved, that said committee shall cooperate with the Governor of the Commonwealth of Pennsylvania in such actions as may be desirable and necessary to achieve the required legislative action from the Congress of the United States to assure not only the construction of the Congressionally-authorized 40-foot channel but to assure also the earliest possible completion of this important project; and be it further

Resolved, that the Secretary of the Senate be directed upon the passage of the instant Resolution to forward copies thereof to His Excellency, the President of the United States, to the Vice President of the United States, in his capacity as Presiding Officer of the Senate of the United States to the Speaker of the House of Representatives of the Congress of the United States; to the two United States Senators from Pennsylvania, the Honorable Edward Martin and Joseph S. Clark, Jr.; to each one of the Members of the Pennsylvania Delegation to the House of Representatives of the Congress of the United States; to the Director of the Bureau of the Budget; and to the Chief of Engineers, United States Corps of Engineers.

RULE 39 SUSPENDED

Mr. HARNEY. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO THE PENNSYLVANIA INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS UPON THE SIXTIETH ANNIVERSARY OF ITS FOUNDING

Messrs. BARR, MAHANY, DENT, PROPERT and LANE offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 25, 1957.

For the past six decades, the status of members of the certified public accounting profession has grown together with the many valuable services rendered the Commonwealth of Pennsylvania, and its political subdivisions.

With the increasing industrialization of our economy and the intricacy of our commercial transactions, and laws of taxation, the economy has to a large degree become dependent upon the ability and skills of the certified public accountant.

In the month of March 1957 the Pennsylvania Institute of Certified Public Accountants will observe the 60th anniversary of its founding.

The integrity and independence of this association has served increasingly to inspire all certified public accountants to maintain the high standards that they do and to attain even higher levels of proficiency and service.

On Tuesday March 19, 1957, his Excellency the Governor proclaimed the day to be known as Certified Public Accountants Day in Pennsylvania and urged all his fellow citizens to join him in paying tribute to the achievements of their honored profession, therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania join his Excellency the Governor in lauding and congratulating this honored group of professional public servants, and be it further

Resolved, That a copy of this resolution be transmitted to the Pennsylvania Institute of Certified Public Accountants.

NOMINATION TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination of Robert S. Hamilton as a Member of the Registration Commission in and for the City of Philadelphia.

The Clerk read the nomination as follows:

MEMBER OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

January 7, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for the reappointment as a member of the Registration Commission in and for the City of Philadelphia, until January 6, 1961, or until his successor qualifies:

Robert S. Hamilton (Republican), 6321 Ridge Avenue, Roxborough, Philadelphia, Philadelphia County.

GEORGE M. LEADER.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session; for the purpose of acting upon certain nominations.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATION

Whereupon,

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to the nomination read by the Clerk.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,

Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

The Clerk read the nominations as follows:

JUDGE OF THE MUNICIPAL COURT OF THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA, COMPOSED OF THE CITY AND COUNTY OF PHILADELPHIA

March 12, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward A. Kallick, 5905 Warrington Avenue, Philadelphia, Philadelphia County, for appointment as Judge of the Municipal Court of the First Judicial District of Pennsylvania, composed of the City and County of Philadelphia, until the first Monday of January 1958, vice Hon. Leonard M. Propper, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Fred Brunner, Limeport, Lehigh County, for appointment as Justice of the Peace in and for the Township of Lower Milford, Lehigh County, to serve until the first Monday of January 1958, vice John D. Miller, resigned.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

February 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edith B. Krohn, 1330 Oak Street, Lebanon, Lebanon County, for appointment as a member of the Board of Trustees of Wernersville State Hospital, for the term of four years and until her successor is appointed and qualified, vice Mrs. Stella Livingood, Robesonia, resigned.

GEORGE M. LEADER.

MEMBER OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

March 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Howard M. Bollard (Democrat), Linesville, Crawford County, for appointment as a member of the Crawford County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBERS OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Lycoming County Board of Assistance, until December 31, 1959, and until their successors are duly appointed and qualified:

(Dr.) Joseph Nelson Dunston (Democrat), 624 Park Avenue, Williamsport, Lycoming County.

(Dr.) Kenneth D. Poust, Sr. (Democrat), Hughesville, Lycoming County.

GEORGE M. LEADER.

MEMBER OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

March 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Max Fenton Balcom, President, Emporium Trust Company, Emporium, Cameron County, for appointment as a member of the Pennsylvania Industrial Development Authority until August 20, 1959, and until his successor shall be duly appointed and qualified, vice Arthur L. Chapman, Warren, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BUSHY RUN BATTLEFIELD COMMISSION

March 19, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Bushy Run Battlefield Commission, until the third Tuesday of January 1959, and until their successors shall have been appointed and qualified:

Calvin E. Pollins, Esq., R. D. 5, Greensburg, Westmoreland County, vice James C. Tallant, Murrysville, whose term expired.

Milton R. Redlich, North Second Street Extension, Jeannette, Westmoreland County, vice Robert H. McClellan, Irwin, deceased.

(Rev.) E. M. Flanigan, 617 Main Street, Irwin, Westmoreland County, vice J. Graff Bomberger, Jeannette, whose term expired.

James H. Sleigh, Export, Westmoreland County, vice James F. Torrance, Export, whose term expired.

Martin Robert Marker, Trafford, Westmoreland County, vice W. Urban Gillespie, Jeannette, whose term expired.

Earl S. Keim, Youngwood, Westmoreland County, vice Mrs. Katharine G. Murdock, Greensburg, whose term expired.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. WATKINS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DENT, WEINER and MAHANY read in place and presented to the Chair Senate Bill No. 443, entitled:

An Act to encourage and permit the prospecting for and development of certain valuable minerals on State forest land and providing for the waiver of competitive bidding requirements therefor.

Which was committed to the Committee on Forests and Waters, Game and Fish.

They also read in place and presented to the Chair Senate Bill No. 444, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "The Administrative Code of 1929," by authoriizng the Department of Forests and Waters to enter into agreements for the removal of oil and gas beneath the waters of Lake Erie.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. DENT, YOSKO, MAHANY and WEINER read in place and presented to the Chair Senate Bill No. 445, entitled:

An Act amending the act of May one, one thousand nine hundred twenty-nine (P. L. 905) entitled "The Vehicle Code," exempting blind veterans from the payment of certain fees in connection with motor vehicles.

Which was committed to the Committee on Highways.

Messrs. DENT and TAYLOR read in place and presented to the Chair Senate Bill No. 446, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law," providing that no tax shall be levied, assessed or collected on admissions to motion picture theatres.

Which was committed to the Committee on Local Government.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 124, entitled:

An Act amending the act of July 13, 1953 (P. L. 431) entitled "An act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers" further providing a procedure for enforcement of the act

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 124

Mr. MAHANY. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 124.

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 32, entitled:

An Act amending the act of June 3 1937 (P. L. 1225) entitled "The Game Law," authorizing unnaturalized foreignborn residents to own or possess dogs.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,

Flack, McGinnis, Stevenson, Yosko,
Fleming,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 70, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," prohibiting payments for certain types of transportation from school district funds.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, I am not sure that the sponsors of this bill are quite aware of the potential effects of this kind of legislation in many of the school districts in the Commonwealth. It is my judgment that if this provision were passed, it would be very difficult for many of the schools, particularly in the smaller school districts of the Commonwealth, to maintain an adequate program in competitive athletics.

The particular part of the bill to which I am referring is the provision found on page 2 thereof. As I understand it, no tax money raised by the local districts or received as a State appropriation could be used to transport any students to extracurricular activities. I am thinking in particular of athletic contests. This would mean, as I see it, that the only funds available to school districts, in the event of the passage of this amendment, would be the funds, the so-called athletic funds of the school districts; said funds being those funds received from admissions to athletic contests.

It may well be, Mr. President, that in large communities and in communities where athletics are supported largely by the citizens of the community, where there are enough citizens to give this kind of support, such funds might conceivably be large enough to carry on an athletic program, including transportation, at least in the major sports for which there is a good gate. I do not know what would happen in such sports as track, tennis, golf and swimming which are all worth-while sports for our young people. However, unfortunately, there is not usually the community enthusiasm that you have for the so-called major sports which are usually football and in some cases basketball.

I believe that in some of the smaller districts there would not be adequate funds to take care of even the major sports. I believe that in many districts it would mean the sacrificing of these minor sports which I mentioned.

Mr. President, I would like to read a letter which I received in the mail only this morning. This is entirely unsolicited and I have not discussed the bill with this gentleman even though he does happen to be an employee of the school district for which I also labor. He writes about Senate Bill No. 70 as follows:

"I should like very much to add my small voice in opposition to House Bill 204 and Senate Bill 70." He is putting the two bills together.

"The intent of the above-mentioned bills is, in my opinion, in complete error for I think it impossible to disassociate extracurricular activities, such as athletics and school bands, from the regular part of the school curriculum. We have for years accepted the tenet that extracurricular activities add much to the total development of the school child."

To separate the two is implausible to me. Senate Bill 70 stipulates that school children may not be transported to and from extracurricular activities in a common carrier paid for by tax moneys. This works a definite hardship on those sports which are not self-supporting, such as swimming, tennis, track, baseball and in many schools football and basketball.

"I, therefore, respectfully request that you lend your opposition and influence to the defeat of House Bill 204 and Senate Bill 70."

Mr. President, I read that not because anyone will consider that one letter is an overwhelming vote against the bill, but because this does represent the opinion of a gentleman who is trained in the field about which he writes. Mr. William E. Graffius, who signed this letter, serves as the Supervisor of the Department of Health, Safety and Physical Education of the School District in the city of York. The point he makes, Mr. President, is an important one, and I wish to stand on the same point that if the athletic program for our young people in our schools is educationally worth-while, then it should be supported and we should not boggle or quibble about using the same funds for that educational activity as we use for any other educational activity. If, on the other hand, the gentlemen who sponsored this bill wish to maintain that the sports program of our schools is not a worth-while educational activity, then I would submit that we should not put in such a provision. We should simply drop it from our educational program.

A very famous General once said that the battle of Waterloo was won on the playing fields of Eaton. While that statement was applied to the youth and the schools of England, and was said, of course, by Wellington, the General who was victorious over Napeoleon, we could generalize it and say that that statement has a great deal of weight today. We need youth not only trained in the disciplines in the usual academic offerings, but youth who are strong in body, who are imbused with the sportsmanship that comes from competitive athletics.

Mr. President, I would like to rise in defense of athletics. I believe that the effect of this bill would be a crippling blow to the athletic programs of many of the high schools, particularly in the smaller districts of Pennsylvania where, perhaps, such programs are needed most because of the lack of recreational facilities in some of these smaller communities. I would not want to be a part to striking a blow at or crippling the operation of our athletic program in the Commonwealth's public schools. We have been recently made aware by the President of the United States, by his appointment of a commission, that if there is one area in which we, perhaps,

need to go in rethinking of our present offering, it is in this area of sports and athletics.

It is my opinion that we need to take a stand right here and say that we will not cripple the activities of the school districts of this Commonwealth in carrying out a good program of sports for our young people.

Mr. MAHANY. Mr. President, it was my intention, when I sponsored this bill, to provide that the transportation of spectators to the football games and the extracurricular activities should not be paid for out of tax moneys. Perhaps we should allow the football team itself to be transported. I am willing to take another look at this bill in the light of what Senator Seyler has said. I feel that we should examine it from that light, because it certainly was not my intention to limit the transportation of the football team or the basketball team.

However, Senator Whalley and I have other bills, which would allow school buses to be used for the transportation of spectators to the contests in which the school to which they belong have participants. If those bills are passed, we felt that that transportation should not be paid for out of tax moneys. I, therefore, instructed the Legislative Reference Bureau to prepare a bill which would not allow tax moneys to be used for that purpose.

So, with that in mind, Senator, I am willing to have the bill go over in order until tomorrow until we can take another look at it.

Mr. SEYLER. Mr. President, I prefaced my remarks by saying that I was not sure that the sponsors of this bill understood its implications. I am quite willing to pass it over. I would urge the gentleman, at the same time, to pass over the other members of the package to which he referred, so that we may look at it in its entirety. He is able to read as well as I am, and I think if he reads this carefully, he will find that what I said about it is true.

Therefore, I hope that he will hold over the whole package then, if he is going to hold this bill, so that we can look at the whole package.

Mr. MAHANY. Well, Senator, the other bills I do not believe have any relation to this particular one.

Mr. SEYLER. Mr. President, I understood the gentleman to say that this bill was drawn with the purpose of balancing another bill in the package. If he did not say that, then I did not understand him correctly. I thought he said that and I think he is correct. I think this bill is a counterbalance to another bill on the calendar which follows right after it. All I am asking is that if he is going to hold one, I would appreciate it if he would hold them both.

Mr. MAHANY. Senator, if you want the other bills held, and will so state when we arrive at those bills on the calendar, I will have no objection. However, I feel that those bills can stand on their own merits. It was only because I sponsored those particular bills that I also introduced this particular one. They do have some relationship. However, it is possible for those bills to pass and this one not to, and still accomplish some of my intentions.

Mr. SEYLER. Mr. President, I refer specifically to Senate Bill No. 71. I have no objection to Senate Bill No. 68 and Senate Bill No. 69 moving, which would put them on third reading, the same as this bill, but I would request that Senate Bill No. 71 go over.

The PRESIDENT. Is there objection to Senate Bill No. 70, Printer's No. 84, on final passage, going over in its order?

RECONSIDERATION OF SENATE BILL No. 70

Mr. MAHANY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 70, passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. MAHANY. Mr. President, I voted with the prevailing side.

Mr. DENT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I now ask unanimous consent that Senate Bill No. 70, Printer's No. 84, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 71, entiled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," excluding buses owned by, or under contract with, school districts, private or parochial schools for the transportation of school children to and from extra-curricular school activities from the definition of "common carrier by motor vehicle" and "contract carrier by motor vehicle."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I believe every Member of the Senate was handed today correspondence from the Pennsylvania Bus Association. I have had a chance to roughly review that particular piece of literature and, inasmuch as it is very much concerned with Senate Bill No. 71 and Senate Bill No. 68 and Senate Bill No. 69, I would like to make a suggestion to the Membership of the Senate at this time.

I would like to suggest that Senate Bill No. 71 be put on the postponed Calendar, and that we move Senate Bill No. 68 and Senate Bill No. 69 to third reading and also put them on the Postponed Calendar for the simple reason, Mr President, that eight States and one District, the District of Columbia, have already made a study and recommendations concerning the mass transportation problem. Also, the Governor of the Commonwealth has named a committee of twenty-seven leading citizens of the Commonwealth, dealing in this particular field of endeavor, to study the mass transportation system in the Commonwealth of Pennsylvania.

We are very much concerned, it seems, at times about

bringing in industry and bringing in business and doing all of these things, and protecting the revenue measures and revenue sources of this Commonwealth. I want to say to all of you right now that if there is a sick industry in this Commonwealth it is the industry known as the mass transportation industry. It is a very sick industry. I have not been in it for a number of years, but years ago I was fortunate enough, or rather I might say unfortunate enough, to be in the mass transportation industry, and I want to tell all of you right now that you should do something along the lines that have been recommended in each of the eight States and the District of Columbia to save the mass transportation industry of their States. We are dealing with States like Iowa, Michigan, Ohio—both large and small States in the Union—the District of Columbia, New York. Each one of those States follows the same pattern in their recommendation; not one of opening up the untaxed competition or the low taxed competition against the mass transportation system, but rather opening up the door of tax relief to that particular industry. I want to say that we are acting very hastily here in passing on Senate Bill No. 71 and Senate Bill No. 68 and Senate Bill No. 69 before the report comes in from this committee named by the Governor. I think that we ought to look at the picture as it deals with the Commonwealth, its peoples and its industries. I do not believe that we ought to act upon this legislation until such a report is before us.

I would further recommend that every Member of this Senate read this release that has been given you here today and also contact the Bus Association, so that you may get for your own information the complete recommendations made in the various States and the District of Columbia which I mentioned before.

Therefore, Mr. President, if the Majority Leader will go along with the suggestion, I would like to move that Senate Bill No. 71 be put on the Postponed Calendar; that we move up the other two bills when we come to them and then put them on the Postponed Calendar and let the committee have a good look at all of these transportation bills in the light of the findings of the committee named by the Governor. I think it is a very serious problem and one that deserves more than just passing attention.

However ,Mr. President, I do not want to make the motion unless the gentleman from Titusville feels that it is a proper motion.

Mr. MAHANY. Mr. President, I prefer to have all of these bills on third reading, at which time we can discuss them further in our Republican Caucus. The Democrats will also have an opportunity to discuss them there tomorrow. Then if we decide to put them on the Third Reading Postponed Calendar, we can do so tomorrow.

BILL OVER IN ORDER

Mr. MAHANY. Thefeore, Mr. President, I ask unanimous consent that Senate Bill No. 71, Printer's No. 85, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 143, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945," requiring "Authorities" to submit annual reports to municipalities creating the "authorities" and to the Department of Internal Affairs.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming.			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" authorizing courts to revoke or suspend operating privileges in certain cases.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. LANE. Mr. President, in view of the fact that Senator Schmidt is preparing amendments to this bill, I ask unanimous consent that it go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 159, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" prohibiting the use of electric shavers while operating a motor vehicle.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, is this the electric shaver bill?

The PRESIDENT. Yes.

Mr. DENT. Are we serious about this bill, Mr. President? I did not know any seriousness was attached to Senate Bill No. 159. I was going to ask that it be referred to the "Committee on Barber Shop Equipment" in order that we could have a sharper look at it.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. McGINNIS. Mr. Preesident, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman from Allegheny will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Barr,	Lane,	Sarraf,	Wade,
Camiel,	Madigan,	Schmidt,	Wagner,
Ehrgood,	Mallery,	Scott,	Walker,
Elliott,	McGinnis,	Silvert,	Watkins,
Flack,	McMenamin,	Stevenson,	Watson,
Fleming,	Mullin,	Stiefel,	Weiner,
Kalman,	Murray,	Taylor,	Whalley,
Kopriver, Jr.,	Propert.	Van Sant,	Wolfe,
Kromer.			

NAYS—14

Berger,	Derk,	Hays,	Pechan,
Blass,	Donolow,	Kessler,	Ruth,
Chapman,	Harney,	Mahany,	Seyler,
Dent,			Yosko,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

REASONS FOR VOTE

Mr. STIEFEL. Mr. President, I cast my vote in the affirmative, but I believe for my own self-respect I have to make an explanation.

You know, we handle here matters"from cabbages to kings." In my opinion, this subject matter is even below cabbages. However, I have great respect for Senator Fleming and that is the only reason that induced me to cast my vote in the affirmative.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 162, entitled:

An Act amending the act of March 31, 1949 (P. L. 372) entitled "The General State Authority Act of 1949" requiring that contractors' bonds cover equipment rentals.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 249 (Pink), on third reading, entitled:

An Act to authorize military leaves of absence for employees of the Commonwealth or its departments boards bureaus commissions agencies and offices and employees of counties municipalities townships authorities or other political subdivisions of the Commonwealth who are drafted into the military service of the United States at any time or who enlist therein in time of war or armed conflict and providing reemployment seniority and retirement rights.

be placed on the Third Reading Postponed Calendar.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 250, entitled:

An Act amending the act of May 2 1925 (P L 448) entitled "The Fish Law of 1925," excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsmen's show.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, because I understand this bill is opposed by the Fish Commission, and not being an expert at all on the subject, I desire to be recorded as voting "no."

Mr. DENT. Mr. President, I might say to the gentlemen that the Sportsmen's Show is on right now at the Farm Show Building and if this bill does not get passed fast enough, you will not have a Sportsmen's Show.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Fleming,	McMenamin,	Stiefel,
Berger,	Harney,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Silvert,	Whalley,
Elliott,	McCreesh,	Stevenson,	Wolfe,
Flack.			Yosko,

NAYS—3

Hays,	McGinnis,	Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 332, entitled:

An Act amending the act of June 14, 1935 (P. L. 341) entitled as amended "Cigarette Tax Act" extending the provisions imposing an additional tax for a further limited period of time.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. YOSKO. Mr. President, I am going to request unanimous consent to present amendments, but I want to make a brief statement before presenting them.

Mr. President, I do not believe that any one will ever forget the devastating floods of August 1955. I believe those floods were the worst in the history of the Commonwealth, at least along the Delaware River. I am not going to recount the damage and suffering that resulted from those floods, except to say that the property damage amounted to between $150,000,000 and $200,000,000 and more than 100 lives were lost.

What happened in August 1955 could happen again tomorrow, next week, next month or next year and we have got to prepare for it if and when it should come. After those floods, this Legislature took speedy and immediate action to help those who lost their property and those who were affected by the flood in other ways. The Legislature set up a special fund by increasing the gasoline tax by one cent and levying a one cent emergency cigarette tax. The Legislature also adopted a resolution appointing a legislative committee to study the water problem along the Delaware River, and I am glad to report to the Members of the Senate that the Members of that Committee from the Senate, Senator Scott, Senator Watkins and myself, although many of you took vacations during the summer, worked sincerely and conscientiously. We held hearings in Stroudsburg where the people wanted to know what this Legislature was going to do about the damage that was caused in the area. They wanted to know what this Legislature was going to do about flood control projects in the area, so that what happened in August 1955, could be prevented in the future

We held hearings in the city of Easton where we called in residents all along the Delaware River, both on the Pennsylvania and New Jersey side, and we got opinions from those who appeared at the hearings.

We called in people who might use the water from a flood control project which might be erected on the Delaware River, and among those who appeared was the United States Steel Corporation. I do not remember how many billions of gallons of water they said they need in a day, but it was enormous. They told us, too, that there was an expansion program to be effected in the Bucks County area that would require additional water.

We held hearings in Harrisburg with the Corps of United States Engineers in connection with the project. We held hearings in Philadelphia and in the Pocono Mountains, and INCODEL cooperated with us.

It was decided in the first instance that perhaps the most suitable place to build this flood control project would be at Walpack Bend. However, the United States Corps of Engineers told us that if the dam were built at Walpack Bend, there would not be any Federal funds available for the construction of the project because Walpack Bend did not have flood control aspects. They then explored another site near Walpack Bend, at Cox Island.

Just last month, or the month before last, the Corps of Engineers decided that the Cox Island site would be feasible and would serve for both flood control and water supply purposes. They are now in the process of making plans for a final study. This project will cost about $100,000,000. Under legislation we have already passed, New Jersey would assume thirty per cent of the financing responsibility as well as get thirty per cent of the benefit. Just how much the Federal Government would contribute to the project is not known at this time. However, Mr. President, at least Senator Watkins, and I joined with him, and some of the other Committee Members felt that if this project were to be financed, we were opposed to the authority method of doing the financing. Since that is true, and I hope that it is, because I called a brokerage house in New York and I was told that on a $100,000,000 bond issue for a thirty year period, the interest charges alone would be about $48,000,000. I do not believe this Legislature wants to borrow money and pay that kind of interest to finance the project. The only other thing that we could do, and I think the economical thing to do, would be to set up a specially earmarked fund. I am proposing now, since this one cent cigarette tax was originally set up for flood control purposes, that it be continued for that purpose and my amendment proposes to do just that.

I call your attention to the fact that this Legislature has already appropriated $500,000 to the Department of Property and Supplies for the purchase of land in the area, and I understand the purchase of that land is now underway.

This money that would be set up and earmarked for flood control and water supply projects, Mr. President and Members of the Senate, would not be used solely for projects along the Delaware River. I consulted with Doctor Goddard, of the Department of Forests and Waters, and they have planned projects now for flood control

purposes in various parts of the State that will cost about $43,000,000. One of them, in particular, is along the Juniata River and it calls for the construction of nine dams that would cost $33,000,000. They are at Shaver Creek, Spruce Creek, Standing Stone Creek, Honey Creek, Trough Creek, Raystown Branch, Aughwick Creek and Blacklog Creek.

There is also a series of projects that he gave me that need immediate attention and will require considerable money. These projects and the amounts required are as follows:

Coraopolis, $42,000; Palmerton, $150,000; Philipsburg, $500,000; Milesburg, $40,000; Meadville, $1,000,000; Wyoming, $176,000; Wilkes-Barre, $125,000; Whitemarsh, $30,000; Norristown, $200,000; Danville, $1,200,000; Myersdale, $1,000,000; Garrett, $1,000,000; Rockwood, $210,000; Blagh, $150,000; Tioga, $100,000; Scottdale, $500,000; Ligonier, $350,000; Monacqua, $100,000; Lewisburg, $250,000; New Kensington, $100,000; Roulette, in Allegheny, $100,000; and Bull Run, at Jeanette, $600,000. This money will be used for all of these projects along all of the portions of the State.

I, therefore, trust that the Members of the Senate will go along with this amendment to set up and earmark this fund so that when the projects are ready for construction, the money will be available and it will not be necessary for us to go to the Wall Street bankers to borrow the money.

Accordingly, Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by inserting after "time": "for the construction of flood control and water supply projects; and creating a special Flood Control and Water Supply Fund"; Amend Sec. 1 (Sec. 4) page 3, lines 7 and 8 by striking out "fifty-nine" and inserting in lieu thereof: "sixty-three"; Amend Sec. 2, page 4, line 9 by striking out "the General Fund" and inserting in lieu thereof: "a Special Flood Control and Water Supply Fund hereby created, the moneys in which may be appropriated from time to time for the construction of flood control and water supply projects. Until so appropriated, all moneys in the fund shall be invested by the State Treasurer in income producing securities lawful for the investment of State funds. All income from investments shall be paid into the Special Flood Control and Water Supply Fund and shall be available for the same purposes as other moneys in the fund."

On the question, Will the Senate agree to the amendments?

MOTION TO ADOPT AMENDMENTS

Mr. YOSKO. Mr. President, I move that the Senate adopt the amendments just read by the Clerk.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, I noticed that when Senator Yosko was speaking on his amendments, he mentioned the Meadville Dam, on French Creek, as being one of the dams in which he was interested. I want to assure the gentleman that I am also interested in that particular dam. I have done some work to get a dam on French Creek in the vicinity of Meadville. That dam would act as a flood control dam and would help hold back flood waters in times of spring floods in order that Pittsburgh might not be jeopardized again as it was back in 1936.

However, Mr. President, I am opposed to earmarking funds from the cigarette tax for this particular purpose. I feel, perhaps, it is wrong to earmark funds from particular taxes for special purposes such as this. I also feel, Mr. President, that if these dams are to be built, they should be built by the Federal Government. I think the Federal Government certainly has a stake in this particular problem and we in Pennsylvania and other northern States certainly contribute to the Federal Government a great deal of the cost of erecting and constructing these dams in the southern States. I think it is wrong for us to have to bear a share of that cost for dams in the southern States and also have to build our own dams in Pennsylvania out of our own moneys. If it is going to be a Federal project, I think it should be a Federal project, not only in the southern States but also in Pennsylvania. I would suggest to the Federal Government, through the corps of engineers which they have and who have made surveys of these various waters, that they construct these dams which Senator Yosko has referred to. If they are worthy of being constructed and the problem is there and needs to be alleviated, then the Federal Government should take care of that particular problem.

Mr. President, we do need all of the money to be derived from this cigarette tax, which I understand brings in $11,000,000, to take care of the needs of the General Fund. We have figured out that the General Fund needs at least $1,500,000 to take care of the many things which the Governor wants. No doubt we will have to cut down considerably the amount of the Governor's budget in order to arrive at $1,500,000,000. Therefore, all these taxes are necessary in order to make up that $1,500,000,000. If we take out this $11,000,000 for some other purpose, then we will either have to raise new taxes by taxing some other subjects or else we will have to cut down another $11,000,000 from the budget so as to make it $1,489,000,000. That is going to be pretty difficult to do, as you no doubt will find when we bring in the general appropriation bill, and you fellows over there on that side of the aisle will immediately put amendments in to raise every appropriation which we have cut down.

Therefore, I oppose the amendments and ask my colleagues to vote "no."

Mr. YOSKO. Mr. President, if it was the policy of the Federal Government to finance these projects, the suggestion I made in the introduction of the amendments, of course, would not be necessary. However, it just so happens that it is not the policy of the Federal Government to finance these projects. Until such time as the Federal Government changes its policy, we must cope with the situation. If we are to take the position that we are going to wait until the Federal Government does change its policy, we are in effect saying, "The public be damned." The public is entitled to the protection which these dams will give to them.

In so far as the General Fund is concerned, Mr. President, there are a number of corporation tax bills that have not as yet been introduced. I would like to go back

to the sales tax, in which the corporations were given a break. Let us raise some funds for the General Fund with the bills that have not been introduced and by amending the sales tax to have the corporations foot a part of the load.

I say to you, Mr. President and Members of the Senate, that when a flood comes, it has no favorites. It affects industry and everybody the same. The flood along the Delaware River wiped out everything in its path, whether it was an industry or whatever it was. However, by erecting these dams, we are going to encourage industry to come into the State, especially along the Delaware River because they will act for two purposes; one, as flood control and, secondly, for water supply which industry needs. I continue to contend that until such time as the Federal Government changes its policy, we should take steps to set up a fund to finance these projects now.

Mr. LANE. Mr. President, in view of what the Majority Leader stated in regard to his reluctance to take $11,000,000 out of our General Fund, I am wondering whether he would consider, when the general appropriation bill comes over, increasing the budget of the Department of Forests and Waters in order to do a portion of this job. In that way, we might be able to build a dam up in his territory to help out.

Mr. MAHANY. Mr. President, I did not give the full details relative to the French Creek Dam. However, I want to tell the Senator that the government engineers did make a survey of French Creek and that particular area, and refused to approve this particular dam. I think they should certainly be given the first opportunity of going over these rivers and these dams, and these sites and so forth. If they approve them, then let them set up some type of legislation to which we may contribute.

I do not think it is possible for us to build these dams throughout the Commonwealth of Pennsylvania at the present time. I hope that the Federal Government will take some cognizance of our problem and will help us out. If you want, I will be happy to co-sponsor a resolution to Congress, memorializing them to do something with Federal legislation to aid us in the construction of these dams.

Mr. LANE. Mr. President, I will be glad to co-sponsor a resolution with Senator Mahany, memorializing Congress to do something about these dams. However, I might say to Senator Mahany—and I am speaking from experience—that about the only way you can get the Federal Government to come in and do a job on flood control, or building dams, is to show your sincerity by starting to spend some of the States' money or the county's money. Then, generally speaking, the Federal Government will come in and do a fairly decent job. That has been my experience.

And the question recurring,

Will the Senate agree to the motion?

Mr. YOSKO. I ask for a roll call, Mr. President.

Mr. LANE. I ask for a roll call, Mr. President.

(During the calling of the roll, the following occurred:)

Mr. CAMIEL. Mr. President, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

The yeas and nays were required by Mr. YOSKO and Mr. LANE, and were as follows, viz:

YEAS—21

Barr,	Kalman,	Mullin,	Seyler,
Camiel,	Lane,	Murray,	Silvert,
Dent,	McCreesh,	Ruth,	Stiefel,
Derk,	McGinnis,	Sarraf,	Weiner,
Donolow,	McMenamin,	Schmidt,	Yosko,
Hays,			

NAYS—27

Berger,	Harney,	Pechan,	Wagner,
Blass,	Kessler,	Propert,	Walker,
Chapman,	Kopriver, Jr.,	Scott,	Watkins,
Ehrgood,	Kromer,	Stevenson,	Watson,
Elliott,	Madigan,	Taylor,	Whalley,
Flack,	Mahany,	Van Sant,	Wolfe,
Fleming,	Mallery,	Wade,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has pasesd the same without amendments.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 333, entitled:

An Act reenacting and amending the act of August 24, 1951 (P. L. 1417) entitled as amended "Corporation Income Tax Law" imposing the tax permanently and amending the definition of net income.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,

Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 334, entitled:

An Act reenacting and amending the act of May 16, 1935 (P. L. 208) entitled as amended "Corporate Net Income Tax Act" imposing the tax permanently clarifying the provisions relating to tangible property fraction and reports of change and amending the definition of net income

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL ON THIRD READING AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 335, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" extending the provisions of one additional tax for a limited time

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President—I yield to Senator Wade.

Mr. WADE. Mr. President, it is my understanding that there are amendments to be offered from the other side of the Senate and, if so, my discussion would pertain to those amendments as well as other provisions of the bill. However, if there are no amendments to be offered—

Mr. BARR. Mr. President, I have amendments. I have read Senator Wade's speech and I want him to make it.

Mr. WADE. Mr. President, if there are no amendments to be offered to this bill, I presume that the Members on the Democratic side of the Senate are agreeing to the bill as it is now drawn and before us. If there are amendments, however, I will gladly wait until those amendments are offered.

Mr. BARR. Mr. President, I ask unanimous consent to offer amendments to House Bill No. 335 and, at the same time, I am going to offer amendments to House Bill No. 336, because these two bills are companion bills and must be debated together.

Mr. President, I have read the remarks which the Members of the Senate are going to hear in a few moments. In fact, I read them twice. I read them personally in the newspaper last week and today I read them from a printed copy. I think, perhaps, the first thing I should do is to give the Republicans a little lesson on what is going on in the Republican Party in New York State in regard to the gasoline tax. I would appreciate it very much if this were taken over to Senator Wade so that he can read it.

This is an editorial which appeared in the Republican gospel newspaper, namely, the New York Herald Tribune, on Wednesday, March 13, 1957. The heading of the article is:

"No Use Stalling on Gasoline Tax!"

"About the matter of increasing New York State's tax on gasoline and diesel fuel the only question is when. Of course any tax boost is politically unpalatable, but everybody in Albany knows very well that the thing is inevitable." We in Harrisburg know the same thing. "The Republican leaders in the Legislature, Speaker Heck and Senator Mahoney, both of whom are ambitious for the Governorship next year, would prefer to leave the subject for 1959." This is the same as the hopeful over there. Senator Wade is the hopeful one for the Governorship. "But here the party's state chairman, L. Judson Morhouse,"—and he is the Republican Party's State Chairman—"has upset the applecart by insisting that 'the time to face this issue is now.'

"Mr. Morhouse's argument is that there is no use stalling. He says that proper planning and scheduling of the Federal-state $4.5-billion highway program, with maximum result obtained from every dollar, calls for complete financial assurance beforehand. This is what the Diefendorf Highway Financing Planning Commission has already said in advocating pay-as-you-go at once and holding off as much as possible on the $500 million bond issue voted last year. The whole point is one of genuine economy—"and if you defeat these amendments today, I hope that you will remember this in 1959, even if you are not a candidate for Governor—"to get started at once on the vitally needed roads and not have to operate in a costly vacuum until such time as the Legislature finally sees the light.

"Certainly the Messrs. Heck and Mahoney are aware of the situation. A first-class highway system must be built and they and the voters might as well face up to the fact that increased taxes—about $5 a year for the

average motorist—are essential to get the quickest and most economical results. Governor Harriman understands the problem equally well; he is ready to sign on the dotted line if the Republicans legislate. There is no validity in arguing that the state ought to borrow first and then tax. The taxes cannot be escaped; the sound policy is to accept the unavoidable at once and get more for our money. Mr. Morhouse has spoken forthrightly. We hope he can persuade the Republican Legislature."

I understand that, since that time, the State Chairman ruled and they are going to give the additional cent the same as we are going to request here this afternoon. We are not asking for an additional cent. We are just asking to keep the tax as it is and, therefore, as also contained in my amendments, to return more money, $20,000,000 to be more exact, in the next biennium to the local communities, which takes in cities, boroughs and townships of all classes.

Mr. President, I offer the following amendments and call attention to a new section I am adding, Section 4.1, which is as follows:

"In addition to the permanent allocation or appropriation provided by the act of June 1, 1956, Pamphlet Laws 1944, there is hereby appropriated to municipalities the sum of $20,000,000 from the Motor License Fund for the calendar years of 1958 and 1959 at the rate of $10,000,000 per year. This additional allocation or appropriation shall be made in accordance with the formula, the qualifying provisions and the other provisions set forth in the act of June 1, 1956."

Now, Mr. President, I heard a bill being introduced today, sponsored by quite a number of Members on the other side. If they were sincere in the bill that they put their names on, they certainly are going to have to vote for this bill or should have to answer to their constituents.

I would like to head this up by titling this little dissertation the "Need for Continuation of 1c Diane Liquid Fuel Tax," because as this Legislative Sessoin progresses, it becomes more obvious each day that the Administration's sincere efforts to meet the Commonwealth's obligations to our people will continue to run the gauntlet of partisan opposition.

The most recent example of this policy is the reaction of certain Republican spokesmen to the Administration's reasonable and constructive effort to improve and modernize the State's highway system.

Before the Administration has had an opportunity to discuss calmly and intelligently the need for the continuation of the present tax rate on liquid fuels to finance the expanded highway program, the public has witnessed a vicious attack on a program which will be of distinct benefit to every person in the Commonwealth.

Governor Leader's highway budget message spelled out the need for continuing the present gasoline tax rate. The Governor's message was sincere, honorable and forthright! In it was reflected the hopes and aspirations of the motoring public, who are the people who pay the bills, that Pennsylvania needs better highways and is willing to pay for them.

Admitting that the one-cent additional gasoline tax, which the Governor now wants extended was an emergency tax, adopted by the Legislature at the request of the Governor, to bring order out of the chaos left in the wake of Hurricane Diane, there was no question then that the additional one-cent was needed. The emergency was recognized.

The additional cent was accepted by the motorists as a necessity, because the need was dramatized. They gladly paid and have continued to pay without grumbling.

But now we have another emergency, perhaps not as tragic as that caused by the hurricane, but nonetheless an emergency.

Bluntly, the action on the Governor's request for an extension of the one-cent may spell the difference between adequate highways for Pennsylvania within the next decade by complete participation in the Federal program, or have Pennsylvania stand still while other States enjoy the benefits provided by the legislation.

Since the Governor's presentation of the highway budget, certain spokesmen, aided and abetted by special interest groups—the rumor groups that you spoke about today—have protested loud and long against extension of the one-cent tax.

Warming to the attack, their voices become more strident, their statistics more confused. As I read Senator Wade's speech, his statistics are completely confused, and I want the right to refute him after he speaks.

It would appear then that the time is opportune for a calm discussion of just where we stand on the matter of highway funds.

In the Motor License Fund as of March 1, 1957, the balance available on March 1 was $98,545,000.

The State has flood disaster obligations of $14,900,000.

Township Funds in this balance under Act 340, $1,600,000; under Act 655, $15,000,000; total obligations to townships, $16,600.000.

Balance of allocation due the Pennsylvania State Police, $3,045,000; total funds reserved, $34,545,000.

Balance to meet construction contract payments and other department obligations, $64,000,000.

It is to be especially noted that a balance of $64,000,000 is indicated as available to the Highways Department on March 1, 1957 for construction contract payments and other department obligations. However, against this $64,000,000 there already are, as will be shown later, the following debits:

Costs already levied by the Public Utilities, $7,700,000; Commission to be paid by the Highways Department right-of-way claims, some as many as five years old, $50,000,000; total, $57,700,000.

These are legitimate claims against the Highways Department, and if the Highways Department had had to pay all of them before March 1, 1957, the balance in the Motor License Fund at that time would have been not $64,000,000, but less than $7,000,000.

Now the total Motor License Fund as of June 1, 1957. As nearly as can be determined at this time, the condition of the Motor License Fund on June 1, 1957 will be as follows:

The estimated balance available June 1, 1957 will be $116,100,000.

The State will have flood disaster obligations of $13,750,000.

Then Township Funds in this balance under Act 340, $100,000; under Act 655, $2,000,000; total obligations to townships, $2,100,000.

Then total funds reserved are $15,850,000.

Balance to meet construction contract payments and other department obligations, $100,250,000.

The balance on hand as of June 1, 1957 as revised, $100,250,000.

Motor License Fund State Money Receipts:

Liquid Fuel Tax, five and one-half cents, which refers to page 2 of your Highways Budget, $312,000,000; Motor License Fees, shown on page 3, $171,300,000; political subdivision contributions, $12,000,000; miscellaneous revenue, $6,500,000; Fuel Use Tax, $4,700,000; and all others, $800,000; giving a total balance of $607,550,000.

With the State Highway and Bridge Authority borrowing Authorization, which is $40,000,000, the total State money available is $647,550,000, if we have our five and one-half cents. Of course, it is a six cent tax, as we all know, but one-half cent has to go back to the counties.

Now here is a synopsis of the requirements of the Motor License Fund for the 1957-1959 biennium.

Required to pay costs of the Public Utility Commission action:

Levied prior to June 1, 1957, $7,800,000; levied June 1, 1957-May 31, 1959, $7,500,000.

Required to pay right-of-way damages, with some as old as five years, $55,000,000.

Contract obligations expected to be paid prior to June 1, 1957 but which will be paid subsequent thereto:

Execution of work retarded, $31,000,000; plans delayed, $10,800,000; total, $41,800,000.

Required by the Highways Department as planned for 1957-59 in Budget:

Maintenance, administration and design, which you will find on pages 5, 6 and 7 of the Budget, $196,400,000; construction, matching and 100% State, $199,800,000.

Required June 1, 1959 to enter 1959-1961 biennium, $58,600,000.

Payments to the departments:

Appropriations, $6,700,000; executive authorizations, $43,700,000; cities, boroughs and townships, $63,300,000; or total State money required in the amount of $680,600,000.

Now these page references are all to the Special Funds Budget, copies of which you all received when the Governor delivered his Message in March. I know this is pretty dry but it is very necessary.

From the above, it is noted that even with the five and one-half cent Liquid Fuels Tax and the State Highway and Bridge Authority $40,000,000, the Highways Department still lacks $33,000,000 to pursue the program presented in the Budget, and take care of listed legitimate obligations. It is not the maximum program, because above and beyond the $205,000,000 Federal-Aid Construction Funds which the Department has included in its Budget, there still remain available more that $100,000,000 Federal-Aid Construction Funds, a goodly portion of which the State Highways Department could secure if it had the State matching funds. It would seem that the Legislature will be derelict in its duty and responsibility to the motoring public and the people of Pennsylvania, if it does not take full advantage of the Federal-Aid Funds available.

It is desired also at this time to point out that under Act 655, June 1, 1956, local road maintenance and construction payments to cities, boroughs, towns and townships is "20% of 4½¢ of all taxes, permanent and additional, collected on each gallon of liquid fuel." Without the additional one-cent flood emergency tax levied under P. L. 560, the cities, boroughs, towns and townships would get $52,000,000. Continuation of the one-cent emergency tax, however, would raise this to $63,300,000 which the municipalities need and deserve in the next biennium. The additional $11,300,000 to the political subdivisions of the State will aid them immeasurably in meeting their road maintenance and construction obligations.

As you will note in the amendments that I have offered, we are taking $10,000,000 of this one cent each year which will then guarantee to the local political subdivisions throughout the State the return of $72,000,000 in each biennium.

Now I would be remiss in a full explanation of the facts if attention were not called to the $41,800,000 obligation anticipated being paid prior to June 1, 1957, but not expected to be paid by that time. This has been due to taking longer than anticipated to develop plans, time required to solve technical problems and delays in construction.

I think we are all aware that, for instance, concerning Route 11, which is one of the ones that will be in the Federal Program, and which runs from the Maryland line I think up to some place around Lackawanna Couty, even though the State has O.K.'d it, we have as yet, not unless they have heard something today, to get the final O.K. from the Federal Government.

However, Federal-aid funds have been set aside to prosecute the work; and the work will be done, but not as quickly as previously anticipated. Funds for the payment of these projects are in addition to those budgeted for in the 1957-1959 biennium.

Like any other sound business, the Department of Highways must meet its bills. Revenues are accumulated and expended as bills come due and the contractors and vendors present their bills. The picture reflects the careful handling of public moneys.

Briefly, I have given here the true financial picture of the Department, not in an effort to increase partisan strife but simply to set the record straight.

Pennsylvania has too long been content to sit back and permit its highway plans to deteriorate. Lack of adequate planning prevalent in past years can no longer be permitted to hamper and cripple this entire important program.

The current attack on the highway budget is unfair largely partisan and unreasonable.

The highway program, as presented by the Governor, has been prejudged and condemned before it has had its day in court.

Responsible officials of the Department of Highways are prepared to appear before this body to present in minute detail every item which the Governor so ably outlined here on March 5.

I might add they have not had that opportunity as yet. The highway program has not been before the Highways Committee, I think, any time this year.

We believe the motorists are entitled to the facts which will unmistakably and undeniably justify each and every item which appeared in the Governors' Message.

I repeat that I believe the man who pays the bill is willing to continue to pay the one-cent emergency tax to get better roads.

Pennsylvania's gas tax is less than eleven of the major States and the tax proposed in the current budget is on a

par or less than 33 other States in the Union. One-half cent of ours, as you know, goes directly to the counties. That is the law. Every penny of the remaining five and one-half cents goes into the Motor License Fund. While other States are being pressed to raise additional taxes so they can avail themselves of the Federal highway funds, some here in Pennsylvania debate about one cent which is essential if the State is to share fully in Federal benefits.

I contend that this program transcends party considerations. I believe the public is of the same opinion. I believe also that the people who pay the taxes and who want better highways share my opinion. As members of the Legislature we have an oligation to these people and we should meet our oligation.

I might say if you people turn down this $20,000,000 I have in this amendment today, which will increase the amount returned to the local communities it will mean $36,000,000 a year or $72,000,000 a biennium. You are the ones who will have to answer to your township supervisors, your borough councilmen, burgesses and so on.

I do think that the bill we passed here in the past Session, which we fought so strongly for to get more money back to the local municipalities, has paid off as you can see if you drive through these boroughs and townships throughout Pennsylvania. This is the thing that they want, the township supervisors and all these men, the representatives of the boroughs and the League of Cities and so forth.

Now I am anxiously awaiting that big address of the Republican candidate for Governor, the Honorable George Wade, and I will take it up and answer him then.

The PRESIDENT. Is there objection to the offering of amendments to House Bill No. 335? The Chair hears none.

The Chair would suggest that after the amendments to House Bill No. 335 have been either adopted or rejected, the Senator may offer amendments to House Bill No. 336.

The Clerk read the amendments as follows:

Amend the title, page 2, lines 5 and 6 of the title, by striking out "the provisions of one ad-" in line 5 and all of line 6 and inserting: "the additional taxes on liquid fuels consolidating such additional taxes with the permanent tax thereon and making an appropriation"; Amend Section 1 (Section 4), page 2, lines 4 and 5, by inserting a bracket before "perma-" in line 4 and after "nent' 'in line 5; Amend Section 1 (Section 4), page 2, line 5, by inserting brackets before and after "three" and inserting: "six"; Amend Section 1 (Section4), page 3, line 4, by inserting a bracket before "in"; Amend Section 1 (Section 4), page 3, line 16, by inserting brackets before and after "permanent"; Amend the bill, page 4, by inserting between lines 13 and 14: "Section 2. Said act is amended by adding after section 4 a new section to read: "Section 4.1 In addition to the permanent allocation or appropriation provided by the act of June 1, 1956 (P .L. 1944), there is hereby appropriated to municipalities the sum of twenty million dollars ($20,000,000) from the Motor License Fund for the calendar years 1958 and 1959 at the rate of ten million dollars ($10,000,000) per year. This additional allocation or appropriation shall be made in accordance with the formula the qualifying provisions and the other provisions set forth in the act of June 1, 1956 (P. L. 1944). "Section 3. The first paragraph of subsection (a) of section 10 and subsection (d) of section 10 of the act, amended May 28, 1956 (P. L. 1776), are amended to read: "Section 10. Disposition and Use of Tax (a) One-half cent per gallon of the [permanent] tax of [three] six cents a gallon collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth "(d) The remaining [two] five and one-half cents per gallon of the [permanent] tax of [three] six cents a gallon [all additional taxes collected under the provisions of this act] the [permanent] tax of one and one-half cents a gallon imposed and assessed on liquid fuels used or sold and delivered for use as a fuel in propeller-driven aircraft or aircraft engines and one and one-half cents a gallon on liquid fuels used or sold and delivered for use as a fuel in jet or turbo-jet propelled aircraft or aircraft engines in lieu of other taxes all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law"; Amend Section 2, page 4, line 14, by striking out "2" and inserting: "4."

On the question,

Will the Senate agree to the amendments?

MOTION TO ADOPT AMENDMENTS

Mr. BARR. Mr. President, I move that the Senate adopt the amendments just read by the Clerk.

Mr. McMENAMIN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McMENAMIN. Mr. President, if I may, for just a moment, say a word in support of these amendments, I would like to read just one telegram. I think all of us have had many. However, I think one speaks for all of them, for the little boroughs and the townships and the cities around Pennsylvania. This is addressed to me and reads as follows:

"The Archbald Borough Council requests that the State gas tax be kept at its present figure. Reduction of this tax would mean a substantial loss of revenue to the borough."

This telegram is signed by "John E. McHale, President."

Mr. President, I believe that the burgesses and the mayors in all of our cities, and our borough and our township commissioners are very fearful that they will lose the added revenue they received last Session by reason of the change in the law at that time. I think every single municipality in Pennsylvania needs the revenue that they can derive from the gas tax.

In my opinion, in the city of Scranton and in every borough in our county, unless this tax is maintained at its present level and the State grants to the towns are maintained at their present level there will have to be an increase in the real estate tax locally. I am sure all of us know that the property owners are burdened now. The way to keep the burden on the real estate owners in Pennsylvania from becoming greater than it is, is to vote for these amendments.

Mr. WADE. Mr. President, on the amendments offered by the gentleman from Allegheny, Senator Barr, he stated that I had sent over to he and to Senator Dent a copy of the statement I propose to make. That is correct. I

wanted to do that as a courtesy to them so they would have an opporunity to study the figures. He further stated that his statement was somewhat dry and I assure him that mine will be equally dry, because we are dealing with a lot of figures.

The Senator stated that a reflection had been made on the Department of Highways. I agree with him there and I hesitate very much to say anything about that today because I am afraid if the allegations that have been made are true, then every Member of this Senate, both Republican and Democrat, would hesitate to vote for House Bill No. 335 and House Bill No. 336, giving any more money to the Department of Highways. Certainly if those allegations and accusations are correct, there is not a Member of this Senate who would vote for this additional tax, even though it has been on the books for quite some time. Until they are proven I think we should go ahead with this additional tax on gasoline. I am sure, too, that there is no member of this Senate who wants to retard in any way whatever the great road building program which was initiated by the Eisenhower Administration in Washington. It promises to alleviate many of the congested conditions that exist throughout eastern United States, if not the entire United States.

Then, too, Mr. President, Senator McMenamin mentioned the allocation to the local subdivisions. In the last Session, as you will well remember, a permanent allocation was made of twenty per cent of four and one-half cents, and that will stand on our books until it is repealed. There was a floor, of course, written for the years 1955 and 1956, and the bill, which was introduced by a number of Senators today, proposes to continue that floor.

Again I say, if the allegations that have been made against the Department of Highways are correct, certainly they prove one thing, and that is that the money is in much better hands in the local subdivisions than it is in the Department of Highways. In making those statements, I do not want to prejudge the Department of Highways.Certainly, the statements are bold enough and direct enough that they justify the action taken by the House of Representatives, which action, if approved there, will come here and a thorough and full investigation will be made.

The gentleman then also used an editorial from the New York Herald Tribune, and I appreciate his sending me a copy. It discusses the highway situation in New York State. I would like to advise the gentleman that their current gasoline tax is only four cents; ours is five cents. They are talking about bringing their tax up even with our tax if we pass House Bill No. 335 and House Bill No. 336, without the additional cent that we talked about which was originally put on for "Diane." New York State diverts about $75,000,000 from those funds for other purposes, because they have no constitutional provision against using all of the funds received from taxes and levies against the automobile users for road purposes. They do not have that privilege. They do not have that restriction which is contained in our Constitution and very well contained in our Constitution.

Now to return to House Bill No. 335 and House Bill No. 336 and the amendments offered, in this legislation we are dealing with a Special Fund Budget, totaled, in accordance with the Governor's proposed budget, at $720,000,000 plus for the next biennium. During my first Session in the Pennsylvania Legislature, the total budget for the General Fund, Motor License, and all other funds was a mere $428,000,000, or about sixty per cent of our Motor License Fund budget alone. This amounts to less than twenty per cent of our total submitted budgets.

Examination of Governor Leader's highway budget indicates that he cannot honestly justify the continuance of the one cent tax enacted for emergency flood relief by offering only a mere demand of spending X millions of dollars for road construction, and stating that it is absolutely essential so that Pennsylvania can take full advantage of the highway program. Good reasons for opposing the continuance of this one cent tax can be found in the State's present use of its highway funds and the following observations gleaned from his budget.

The constant large balances registered in the Motor License Fund during the present fiscal year, as evidenced in the table entitled "Balances in Motor License Fund Since May 31, 1956"—and I will read just a few of those balances.

On May 31, 1956, there was in cash, according to the record, $24,988,579; in investments, there was $92,427,288; or a total on May 31, 1956 of $117,415,867.

I have here the balances for June 30, July 31, August 31, September 30, October 31, November 30 and December 31 of each month. I shall not burden you by reading them except to say that the largest is $122,624,769.

During 1957 only two are available. On January 31, there was a total of $92,760,739. I believe that these figures will coincide with the figures given us by Senator Barr. On February 28, there was a total of $98,544,927.

Let me just mention here that the Governor, in his Seventeenth Biennial Budget, estimated that the cash balances for June 1, 1955 would be $31,227,156. However, the actual balance was $63,071,382. He merely underestimated the budget by 100%. This tabulation discredits the Governor's statement about cash balances or cash reserves when he mentioned in his Message that these are—and I quote from the Governor's Message, page 8 of the multigraphed copy—"a seasonal accumulation of funds, piled up in the early months before construction gets into full swing, and noted because of our fiscal year date of May 31st. It rapidly vanishes and becomes a thin margin of working capital in October and November."

Cash balances of over $100,000,000 during those specified months, as well as most of the year, could not be acclaimed "a thin margin of working capital." As a matter of fact, it could be debated that this Administration lost sight of the fact that highway user taxes were intended to build roads and not to lie dormant in the Pennsylvania State Treasury.

It is also felt that the Governor underestimated the cash balance for May 31, 1957. It will be noted that the Governor underestimated this same item by 100% in his last budget, and a more realistic estimate this time would be between $90,000,000 and $100,000,00 instead of the $65.9 million figured by the Governor. General Richards, I am told, stated in Atlantic City at the Convention of Associated Contractors over last week end that a revised

estimated balance as of May 31, 1957 would be nearer $100,000,000.

It may be habitual to underestimate anticipated revenues for budgetary reasons, and this budget is truly no exception. Projecting the several sources of revenues for the remaining months of the 1955-1957 biennium, it is fair to estimate that motor fuel taxes, and motor licenses and fees alone will produce at least $10,000,000 to $15,000,000 more than the Governor estimated in his budget. Recently, Secretary of Revenue, Honorable Gerald A. Gleeson, announced that 200,000 additional applications have been mailed to passenger car and motorcycle owners this year. Moneys received from this increase, as well as any pending increase for commercial vehicle registrations, will be deposited in the Motor License Fund this biennium.

Motor fuel taxes also have not remained static over the years, as shown in a tabulation entitled "State Motor Fuels Consumption." With this, Mr. President, I offer the following figures:

In 1950 on gasoline alone, the total consumption was 2,210,464,969 gallons. That advanced constantly at these rates of per cent of increase each year: 8.20, 6.73, 4.57, 4.74, 2.56 and 6.95. In 1956, over 1955, the rate was 4.87, or approximately five per cent.

In diesel fuel, in 1950 the gallonage was 11,578,381; in 1951 there was an increase of 37.28 per cent. In 1952, there was an increase of 34.02; in 1953, there was an increase of 20.17. Last year, the consumption was 49,986,-617 or an increase, if you will, over the previous year of 39.65, practically a forty per cent increase in 1956 over 1955. I am offering this table for the record. It is not too optimistic to presume that the upward trend will continue and, in turn, produce additional revenues from this source.

It is obvious that the Governor's Budget, in listing the 1957-1959 Federal Highway program, deliberately overlooked reporting the proportionate Federal and State costs toward the $327.4 million total. This appears misleading and it seems more proper to report how much such a program would cost the State. A breakdown of the proportionate costs has been applied to the $327.4 million program where Federal funds are involved and is shown in a table which indicates that in the total program, the State would have for primary roads $30.6 million; secondary, $18.7 million; urban, $35.7 million; or a total of $84.9 million: Interstate, because it is on a small percentage from the State basis, would require $15.8 million, a total of 100 per cent. Here it can be seen that the State's obligation toward the 1957-1959 Federal program is only $100.7 million or a little over $50,00,000 a year. This is only several million dollars more than Pennsylvania's share last biennium.

The Governor's Budget also estimated income from Federal aid at $205.8 million, appearing an page 3 of his budget. If the Governor insists that he is going to utilize or expend $327.4 million available to Pennsylvania, then he should have increased the Federal aid payments to $226.7 million as shown in the table.

Federal aid payments during 1955-1957 were reported to be $75,000,000. In that period, Pennsylvania had available and allocated from this source $141.7 million. However, as the budget shows, a little more than half was collected. The Highways Department's own programing was responsible for this differential. On the basis that the department cannot fully utilize the full amount of Federal aid during the 1957-1959 biennium, it would be more appropriate for the Governor to rescind the emergency flood relief tax instead of taking advantage of the motorists just for the sake of having a lot of their money lying around in the State Treasury.

In addition to the immediate huge cash balance mentioned earlier, the Governor also has available an untouched fiscal resource of $40,000,000 granted to the Highways Department by the last Session of the Legislature. This authorization of State Highway and Bridge Authority funds has been waiting to be used by the Highways Department since May 31, 1956, for the specific purpose of matching Federal grants. The potential of the $40,000,000 is tremendous. If this money were to be applied solely for the costliest road projects which are part of the interstate system, Pennsylvania would receive nine dollars in Federal contributions for every dollar supplied by the State. This means that the $40,000,000 would blossom into a $400,000,00 road program since the Federal Government would furnish $360,000,000.

The Governor should also be queried about several points in his highway program that a true performance budget should contain; the number of miles of highway that will be constructed by the $327.4 million budgeted for the Federal highway program. It is understood that only twenty miles of roads were actually built with the $81,000,000 spent in 1955-1957 for the construction and reconstruction of Federal-aid urban extensions. The question should also be raised whether or not the amount budgeted for the construction and reconstruction of of Federal primary roads will be affected by a recent announcement of Secretary Lawler that he has decided to defer action on the $29,000,000 improvement program for U. S. Route 6 until the Keystone Shortway has been accepted by the Bureau of Public Roads as part of the Interstate System.

These questions and many others should be answered before the people of Pennsylvania, through their elected representatives, are asked to hand over, without further consideration, such huge sums of mony to an administrative department without knowing in detail just where and how the money is to be spent. The Highways Department has submitted no details to the public on its total program for the next two years and evidently does not plan to inform them.

It is sincerely believed that whatever highway program the Administration completes during the 1957-1959 biennium can be adequately finances by the five-cent gasoline tax and the present registration fees. The facts herein speak for themselves.

Before I conclude, Mr. President, I might just add a word and, if I may, make reference, although I know it is dangerous to make reference to the current newspaper stories that have been afloat in the Commonwealth, but I fear if each and every Member of the Senate were to read them, they would hesitate very much in voting for even what we commonly know as our current gasoline tax program.

I am going to read from the Sun-Telegraph only because Senator Barr was kind enough to bring that up. This issue is dated March 17, on good old St Patrick's Day, Senator Barr. The headline reads as follows:

"Chaos Rides the Road! System Smashed, Blame Politicians."

The article further states as follows:

"The Pennsylvania Department of Highways has collapsed and the entire state roadbuilding program is in jeopardy.

"Only radical and immediate reformation from top to bottom will save the state from highway chaos.

"The Pittsburgh Sun-Telegraph has made a lengthy and intensive study of the department's operations. The following statements were found to be true:

"Trained highway engineers were fired because of political patronage.

"Non-qualified persons were hired to fill their places because of politics rather than highway know-how."

Mr. BARR. Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Barr.

POINT OF ORDER

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman will state it.

Mr. BARR. Mr. President, I am noticing what time it is and it appears what he is getting into, I want to get into with both of my feet. I would suggest that maybe the gentleman would stop reading that until tomorrow and then, brother, we will really have a good Donegal.

Mr. WADE. Mr. President, I appreciate the courtesy of Senator Barr. I would like, however, to finish this because I certainly do not want to leave it hanging in mid-air.

POINT OF ORDER

Mr. LANE. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman will state it.

Mr. LANE. Mr. President, the gentleman is not speaking directly on the bill or the amendments, and if he insists on going on with his allegations over there, I insist that we stay in Session because I, too, want to answer him.

Mr. DENT. Mr. President—

The PRESIDENT. Will the Senators just yield for a moment? A point of order has been raised by the Senator from Washington, Mr. Lane.

Mr. McMENAMIN. Mr. President—

The PRESIDENT. For what purpose does the gentleman rise? There is a point of order pending before the Senate.

Mr. McMENAMIN. Mr. President, I yield at this time.

The PRESIDENT. The subject matter before the Senate is the amendments offered by the Senator from Allegheny, Mr. Barr.

The Chair feels that the gentleman from Cumberland has strayed from the question before the Senate a little bit and would ask him to confine his remarks entirely to the amendments at the present time. Further discussion of the bill will be permitted as we proceed.

Mr. WADE. Thank you very much, Mr. President. I certainly would not take issue with any ruling of the Chair.

PARLIAMENTARY INQUIRY

Mr. McMENAMIN. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman will state it.

Mr. McMENAMIN. Mr. President, the Senator from Cumberland having injected this extraneous material, whether or not he finishes it today or whether or not he is out of order, I would like to know whether or not I may have five minutes to answer him today.

I do not mind agreeing to these gentlemen's agreements that we will not go past a certain time, but I do think that no one should be shut off if a valid subject of debate is opened up.

The PRESIDENT. The Senator will be given an opportunity to ask the consent of the Senate to reply.

And the question recurring,

Will the Senate agree to the motion?

Mr. WADE. Mr. President, I would like to correct the gentleman from Lackawanna, Senator McMenamin, and say to him that I did not inject this matter into the debate today. It was brought in by the gentleman from Allegheny, Senator Barr, who first mentioned that certain allegations and accusations had been made against the Department and I was merely carrying out the invitation that he had made.

Mr. BARR. Mr. President, my wife has some things she uses on our children's ears. I think we will get some for him. As I said, when he introduced that bill today he called these things rumors. Now I never mentioned it other than speaking of the bill when he calls them rumors. Now you are up making allegations that tomorrow you are going to have to get up over there and answer.

Mr. MAHANY. Mr. President, last Monday, Senator Dent had the opportunity of closing shop here and he spoke until ten after six on the sales tax bill and we did not have an opportunity to answer him if we were to close at the hour that we had previously agreed upon. So, perhaps, one Monday it works one way and the next Monday it works another. I do feel that we should try to close at this particular hour as we previously agreed upon.

For that reason, I suggest to the gentlemen on the other side that they hold their fire until tomorrow and we will try to meet at 2:00 o'clock and then everybody can get into the act.

Mr. DENT. Mr. President, I have no objection to that, but I might say to the gentleman from Cumberland that the next time he sends me a copy of his remarks, he put all the remarks in the copy.

Mr. McMENAMIN. Mr. President, I repeat my request for a limited time and I will reduce it to three minutes. However, I do not want to see the sun go down tonight without geting a chance to say something about those irresponsible charges made in a certain newspaper in Pittsburgh against Joe Lawler.

Mr. WADE. Mr. President, may I briefly say to my distinguished colleague, Senator Dent, that these statements were not in the statement that I sent to him. Certainly I apologize for that, but I thought that he was a subscriber to this paper and that he read the paper regularly.

Mr. DENT. Mr. President, I am a subscriber to that paper and I want him to know I am a subscriber to it. Perhaps if he would be a subscriber to some of the other papers in the county, he would find that the two other large metropolitan papers have never heard of the scandal he is talking about.

Mr. MAHANY. Mr. President, ordinarily I would like

to go along with Senator McMENAMIN on any request that he has, but I hope that he will defer his remarks until tomorrow. I am sure that he will be able to present a good case for his fellow countian, the Secretary of Highways, Mr. Lawler. After he does that, then there might be some others on this side who would want to have some rebuttal to that.

Now we are not going to accomplish anything tonight by going back and forth here. Even though he might only take three minutes, somebody else might want to take five and we are going to be here for another half-hour or so. As Senator Holland said one time when he was a Member of this Senate, "This could very well result in ulcers, heart attacks and everything else to the poor old Senators," and, for that reason, I hope that we may abide by our agreement to adjourn at this particular hour, although we are a half an hour late now.

Mr. McMENAMIN. Mr. President, my good friend, the Majority Leader, having taken up my three minutes, I now reduce my request to one minute.

And the question recurring,

Will the Senate agree to the motion?

PERMISSION TO ADDRESS SENATE

Mr. McMENAMIN asked and obtained unanimous consent to address the Senate.

Mr. McMENAMIN. Mr. President, I am surprised at my distinguished colleague and friend, the Senator from Cumberland, Senator Wade, who in the middle of his speech makes a complete mental flip flop. He criticizes Joe Lawler and the Highways Department generally in connection with this tax bill for not having told the people and allowed them to ask questions first why the tax should be retained at its present level. Yet, without asking questions first, he reads into the record charges which have not yet been substantiated.

Now we have heard a great deal about investigations of the Highways Department in the past week or so. I, for one, and I believe the Secretary of Highways would agree with me, believe that the people should have all the facts and the people should be told the truth. Nevertheless, I do believe before the Members of this Senate, particularly the Republican Members, spend $100,000 of the taxpayers money on what could be nothing more than a political adventure, they should at least have a hearing from the people who have made whatever charges have been made.

I have just received a copy of this Pittsburgh paper. I think that the Senate Highways Committee or some other body of this Senate should first make them prove their charges before we spend this money on an investigation.

My minute is up.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I would suggest bringing the fellow down who wrote the article, because I do not think he would know an engineer if he saw one.

PERMISSION TO ADDRESS SENATE

Mr. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, not at this time but I would like, under the FCC laws, equal time to answer.

If there is an investigation, I would like to call in the former Chief Engineer for the Department of Highways, Mr. Wiesenberger, from my county of Lehigh.

The PRESIDENT. The gentleman from Cumberland, Senator Wade, in connection with his prior remarks, requested that a table be printed in the Journal. Without objection, it is so ordered.

STATE MOTOR FUELS CONSUMPTION

1950-1956

(In Gallons)

GASOLINE

Calendar Year	Total	Percentage Increase Over Previous Year
1950	2,210,464,969	8.20
1951	2,359,137,086	6.73
1952	2,466,887,621	4.57
1953	2,583,722,311	4.74
1954	2,649,753,944	2.56
1955	2,834,019,181	6.95
1956	2,972,160,340	4.87

DIESEL FUEL

1950	11,578,381	27.00
1951	15,895,283	37.28
1952	21,303,192	34.02
1953	25,600,725	20.17
1954	26,799,657	4.68
1955	35,793,592	33.56
1956	49,986,617	39.65

And the question recurring.

Will the Senate agree to the motion?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, so that we may adjourn, I ask unanimous consent that House Bill No. 335, Printer's No. 66, on third reading, go over in its order.

The PRESIDENT. The amendments to this bill, offered by the Senator from Allegheny, Mr. Barr, are pending before the Senate. They have not been acted upon finally and, accordingly, will lie upon the table.

Without objection, House Bill No. 335 will go over in its order.

REMAINING BILLS ON CALENDAR OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the remaining bills on the Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 337

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 337, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts changing and

clarifying certain definitions making further exemptions changing the procedure for the collection of the tax and the administration of the act and providing appeals.

BILL SIGNED

The President (Lieutenat-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 337, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts changing and clarifying certain definitions making further exemptions changing the procedure for the collection of the tax and the administration of the act and providing appeals.

Whereupon,

The President (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEE

Mr. VAN SANT. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VAN SANT, from the Committee on Corporations, reported as committed, House Bill No. 204, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law," excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children to and from school sponsored extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle.

He also, from the Committee on Corporations, reported as committed, House Bill No. 205, entitled:

An Act repealing section 502.1 act of May 1 1929 (P .L. 905) entitled "The Vehicle Code," removing limitations upon the operation of commercial motor vehicles for carriage of passengers.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 204, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law," excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children to and from school sponsored extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 205, entitled:

An Act repealing section 502.1 act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," removing limitations upon the operation of commercial motor vehicles for carriage of passengers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, March 26, 1957, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. DERK. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:40 o'clock, p. m., Eastern Standard Time, until Tuesday, March 26, 1957, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, March 25, 1957.

The House met at 3:00 p.m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend John F. Moore, Pastor of the Furnace Run Union Chapel, Kittanning, Armstrong County, guest Chaplain and guest of the gentleman from Armstrong, Mr. Guthrie, offered the following prayer:

Oh Lord, our God, Thou has been our dwelling place in all generations. Before the mountains were brought forth, or ever Thou hadst formed the earth, and the world, even from everlasting to everlasting Thou art God. Thou Jehovah changeth not.

We praise Thee for the land of our birth where we are a people with privileges above other lands. Our opportunities, our liberties, our blesisngs are without number. A land where we can worship God according to the dictates of our own conscience, and none dare molest or make us afraid.

We can say with the Psalmist: "Our lines have fallen in pleasant places." We have a goodly heritage.

In the material and Spiritual things of life of which Thou hast made us stewards, may we be mindful of those less fortunate than ourselves. From our lives here in the great state of Pennsylvania may there be an expression of giving and sharing that folks of this land and other lands will know that the God of our country is the Lord, and we shall hear from Heaven "Inasmuch as ye have done unto one of the least of these my brethren ye have done it unto Me."

We pray that wisdom may be given these men and women here assembled today. These who have been chosen by the citizens of this Commonwealth of Pennsylvania to make our laws. In particular bless and guide the presiding officer and all those in places of responsibility here and in other legislative sessions in this capital city of Pennsylvania. We pray for not only those who create the laws, but those administer them as well, that altogether we may be a happier people. In that name that is above every name, may the love of God, the Father, Son and Holy Spirit abide with us now and evermore. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any correction to the Journal of Tuesday, March 12 and Wednesday, March 13, 1957? If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, March 20, 1957, will be postponed until printed.

The Chair hears none.

QUESTION OF PERSONAL PRIVILEGE

Mr. OGLIVIE. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. OGILVIE. Mr. Speaker, on page 685 of the Legislative Journal of March 12, 1957, I am shown as not voting on House Bill No. 97, Printer's No. 132. I voted "aye" on this bill and wish to be recorded as voting "aye."

BILLS INTRODUCED AND REFERRED

By Messrs. STIMMEL and MILLS.

HOUSE BILL No. 905.

An Act amending the act approved May 24, 1945 (P. L. 991), entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth;" etc., by requiring certain redevelopers to reimburse public utilities for the costs of removing, altering, constructing, reconstructing, locating, relocating, or otherwise changing their facilities in certain areas.

Referred to the Committee on Public Utilities.

By Messrs. ROVANSEK and WILLIAMS.

HOUSE BILL No. 906.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Mines and Mineral Industries to examine records of coal mine operators.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. STUART, VAUGHAN, KAMYK and LUTTY. HOUSE BILL No. 907.

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, * * *," increasing the amount of pensions in certain cases.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. DONALDSON. HOUSE BILL No. 908.

An Act prohibiting the sale to the general public of convict made wares.

Referred to the Committee on Welfare.

By Messrs. HEFFNER, GIBSON and WYATT. HOUSE BILL No. 909.

An Act amending "the corporation amendment act, of one thousand eight hundred and eighty-three" approved June 13, 1883 (P. L. 122) providing for the amendment of corporate charters to extend the territory in which the corporation may operate.

Referred to the Committee on Judiciary.

By Messrs. HEFFNER, GIBSON and AUSTIN M. LEE. HOUSE BILL No. 910.

An Act authorizing corporations subject to the Corporation Amendment Act of one thousand eight hundred and eighty-three to restate their articles of incorporation in their entirety.

Referred to the Committee on Judiciary.

By Messrs. SNIDER and HORST.

HOUSE BILL No. 911.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) giving benefits, rights and privileges to school employes for service with the American Red Cross and other similar service organizations.

Referred to the Committee on Education.

By Messrs. SNIDER and HORST.

HOUSE BILL No. 912.

An Act amending the act of January 14, 1952 (P. L. 2015) entitled "A supplement to the act of July 18, 1917 (P. L. 1043) known as the "Public School Employes Retirement Law" extending the provisions of the act to employes reemployed by any school district or vocational school district after service with the American Red Cross and other service organizations.

Referred to the Committee on Education.

By Messrs. GOLDSTEIN and AGNEW.

HOUSE BILL No. 913.

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110), further prescribing the form and provisions of contracts, and changing interest rates.

Referred to the Committee on Judiciary.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 81.

An Act concerning gifts of securities to minors providing for custodians of such gifts and their powers and duties defining the effect of the gifts on guardians of minors or their estates conferring jurisdiction on orphans' courts and absolving agents dealing with securities from certain responsibilities.

Referred to the Committee on Judiciary.

SENATE BILL No. 222.

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

SENATE BILL No. 227.

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to Reference and Arbitration" making awards upon approval by the court judgments of the court and giving them the dignity of judicial proceedings.

Referred to the Committee on Judiciary.

SENATE RESOLUTION SERIAL No. 107.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. BROWN, ASHTON and UJOBAI.

RESOLUTION No. 66.

In the House of Representatives, March 20, 1957.

Walter E. Greenwood, solicitor for the City of Coatesville for the past forty years died at his home at the age of seventy-nine on the night of March 15, 1957.

He was born in West Caln Township on July 15, 1877, the son of the late James and Caroline Rice Greenwood.

Mr. Greenwood was educated at the West Chester Normal School in 1896 and later attended and was graduated from the University of Pennsylvania School of Law in 1899.

A leader in the movement to drop a borough form of government in favor of the commission type, Mr. Greenwood became solicitor for Coatesville in 1916 when a commission type government was formed. With the exception of one year in the early 1920's he served as solicitor continuously from January 1916.

Mr. Greenwood was a member of the Legislative Local Government Commission appointed by the Speaker of the House from November 1939 to June 1943 when he was elected by that Commission as an advisor on Local Government.

Regarded as an authority on Third Class City government and its administration, he was a past president of the Pennsylvania League of Third Class Cities and for many years served as its executive director. When the League was reorganized to admit larger cities, he became executive director emeritus of the Pennsylvania League of Cities.

He displayed considerable interest in the League of Third Class Cities and showed much pride in the issuance of a regular bulletin covering events of interest to the municipalities affiliated with the group. His knowledge of this service was invaluable and he was called upon time and again by the solicitors of other cities to give important decisions. He was looked upon over a long period of years as an important figure in legislative circles in Harrisburg in helping to draft bills which later were enacted into laws. He also was instrumental in discouraging passage of measures which he regarded as not in the best interest of member cities.

In addition to playing an important role in county and city politics and municipal government, Mr. Greenwood also was a past commander of the Centennial Commandery No. 55, and past high priest of the Coatesville Royal Arch Chapter, No. 267.

A member of the original Board of Managers of the Coatesville Hospital, he was honored in 1953 for more than fifty years of service to the hospital.

He also was a past president of the Chester County Bar Association and a past president of the Coatesville Lions Club.

A life member of the B. P. O. E., Mr. Greenwood served the local as a trustee for twenty-five years. He also was a member of the Washington Fire Company and served as trustee for a number of years.

Mr. Greenwood was a member of the Coatesville Presbyterian Church for more than fifty years and a member of the church's Iron Rose Bible Class.

He was also active in alumni affairs of West Chester State Teachers' College and the University of Pennsylvania.

In addition to his widow, Laura Swartz Greenwood, he is survived by a son, W. Edward Greenwood, and a daughter, Mrs. Caroline Greenwood Marvel. Also surviving him are two grandchildren and a great granddaughter, and a sister Mrs. Mary C. Cadwallader, who now resides in the Mid-west; therefore be it

Resolved, That copies of this resolution be sent to each of the above named members of the family of Walter E. Greenwood, as a token of sympathy extended to them in their hour of grief by the House of Representatives.

Referred to the Committees on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

CONSTITUTIONAL REVISION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg. March 25, 1957.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

Thomas Jefferson wrote that "some men look at constitutions with sanctimonious reverence and deem them like the ark of the covenant, too sacred to be touched . . ."

But, Jefferson warned, "the laws and institutions must go hand in hand with the progress of the human mind . . ."

In my view, these words of a great American admonished future generations to take care that their constitutions did not become political strait jackets to constrain and hamper government in its adjustment to change.

We are now faced with the imperative need to revise our Constitution. For this fundamental law of the Commonwealth, within whose framework we mnst meet all of our responsibilities as a sovereign State, has been in effect since January 1, 1874.

No one doubts that it should be brought into keeping with our times; no one argues that many of its provisions have become obsolete as a result of the Commonwealth's continuing growth.

Yet, so far, we have done nothing about it.

In this neglect we are alone among our neighboring states. The New York Constitution was revised in 1938; and a fifteen-man constitution study commission is now doing preliminary work in advance of a referendum on the question of a constitutional convention. And New Jersey effected a forward-looking revision of her Constitution in 1947.

We in Pennsylvania have reached the point where we can no longer disregard the inadequacy of our organic law, written better then fourscore years ago, to cover mid-Twentieth Century needs.

It is time we did something about it.

Accordingly, I lay before you the draft of a bill which would create a temporary State commission for the specific purpose of studying the Commonwealth's Constitution "in the light of contemporary conditions and the anticipated problems and needs of the people of the Commonwealth."

This Commission on Constitutional Revision would consist of fifteen Pennsylvanians, appointed by me with the advice and consent of the Senate.

It would have the duty of determining whether or not changes in our Constitution are advisable; and, if so, how best we might effect them. If the Commission concludes that we should proceed by amendment, it is empowered to recommend such a course, and to include, in its report, drafts of the proposed amendment or amendments.

On the other hand, the Commission may conclude that our Constitution needs general revision. In this case, it would collect, compile, and analyze "such information as it may deem useful to the delegates at a constitutional convention, and shall make any recommendation as to the substance of the revision it may consider appropriate."

The Commission's final report to the Governor and the General Assembly would be submitted not later than one week after the convening of the General Assembly in regular session in 1959.

Members of the Commission will be reimbursed for their expenses, but not otherwise compensated, and $175,000 is appropriated for their use.

In urging your support of this measure, it is pertinent, I think, to tell you that Governor William C. Sproul, in his Inaugural Address in January 1919, expressed serious concern over the need for prompt Constitutional revision. Accordingly, he recommended the creation of a commission on constitutional amendment and revision.

The General Assembly embraced this proposal by the Act of June 4, 1919, and the Commission so established reported to the General Assembly on December 15, 1920.

The able men and women who constituted the Commission came to the conclusion that a considerable number of changes of substance were necessary to update the Constitution, and therefore recommended that it be revised —not simply burdned with a large number of additional amendments.

As part of their report they submitted a proposed revised Constitution, and recommended that the calling of a constitutional convention be put to the voters.

In due course this was done, by the Act of April 27, 1921.

Unfortunately, the proposition was rejected at the polls.

Nearly four decades have passed since Governor Sproul saw the need for "prompt" Constitutional revision.

Those decades have seen unprecedented economic development and social change. They have constituted a priod which has placed enormous demands upon us for effective self-government, for ordered liberty in a highly interdependent community structure.

But all this while we have gone on amending our Consituation piecemeal—thus aggravating, rather than relieving, the need for thorough revision.

Were our Constitution a relatively simple charter of government like the Constitution of the United States, there would be no need to talk of revision.

The Constitution of Pennsylvania is not, however, a simple instrument confined to the essentials of governmental organization and powers, and of the guaranties of individual liberty.

It is freighted with provisions which treat the legislative branch of the State Government with distrust; with provisions dealing specifically and inflexibility with various matters of public policy; with provisions hampering imaginative and broad-scaled attacks upon the pressing problems of urban and metropolitan living.

All of you are familiar with our Constitution and know, as I do, that the Commonwealth has been forced to evade, by various makeshifts, a number of its strictures.

The Constitution says that a bill must be read three times before it is brought to a vote in either house of the General Assembly. We know, of course, that this is impractical—if not impossible.

And we know that the State's debt limit for capital purposes is fixed by the Constitution at $1 million, thus forcing the Authority device of borrowing money as an expedient and necessary means of evasion.

So we incur huge debts, in the semipublic, semiprivate operations of the Authorities—an expensive and inefficient makeshift at best.

These examples which I have cited are chosen at random to illustrate obsolescences in our Constitution. Many others come to my mind, just as they will to yours.

Together, they comprise a powerful argument in favor of Constitutional study by an expert, nonpartisan group, such as the Commission on Constitutional Revision whose creation this bill would allow.

There is a particularly apt statement on this subject in the report submitted June 20, 1955, to President Eisenhower by the Commission on Intergovernmental Relations. Let me quote part of it to you:

"Early in its study the Commission was confronted with the fact that many state constitutions restrict the scope, the effectiveness, and adaptability of State and local action. These self-imposed constitutional limitations make it difficult for many states to perform all of the services their citizens require, and consequently have frequently

been the underlying cause of state and municipal pleas for Federal assistance.

"It is significant that the Constitution prepared by the Founding Fathers, with its broad grants of authority and avoidance of legislative detail, has withstood the trust of time far better than the constitutions later adopted by the states. A due regard for the need for stability in government requires adherence to basic constitutional principals until strong and persistent public policy requires a change. A dynamic society requires a constant review of legislative detail to meet changing conditions and circumstances.

"The Commission finds a very real and pressing need for the states to improve their constitutions. A number of states recently have taken energetic action to rewrite outmoded charters. In these states this action has been regarded as a first step in the program to achieve the flexibility required to meet the modern needs of their citizens."

I feel certain that we all want the states—and particularly this Commonwealth—to remain strong and effective, for this is essential to the proper operation of the Federal System. But the strengthening of state government is for the states themselves—not for the National Government.

I urge you, therefore, to support the bill which accompanies this message, and hope you will share my belief that that prompt action is called for in this vitally important area of Constitutional reform.

GEORGE M. LEADER.

REPORT OF COMMISSION ON GOVERNMENTAL REORGANIZATION

The SPEAKER laid before the House a communication and report from the Commission on Governmental Reorganization.

The communication was read as follows:

25 March 1957.

To the Honorable
The President of the Senate
and Speaker of the House of
Representatives:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Public Welfare.

Respectfully,

A. J. DREXEL BIDDLE, JR.
Major General
Chairman
Governmental Reorganization
Commission

encl.

The SPEAKER. Copies of the report are available for the Members.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Harold G. Miller for Mr. ERB because of illness.

Mr. Royer for Mr. WOOD for the week because of illness.

REPORT FROM COMMITTEE

Mr. GOLDSTEIN from the committee on Education, reported as amended, House Bill No. 121, entitled:

A Joint Resolution proposing an amendment to Art. VIII, Sec. 12 of the Constitution of the Commonwealth of Pennsylvania, changing provisions relating to the election of county superintendents of public schools.

SPECIAL ORDER ON HOUSE BILL NO. 337

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 337, Printer's No. 160, on Page 6 of today's Calendar be made a Special Order of Business on concurrence in the amendments of the Senate immediately upon the adop tion of this motion.

The motion was agreed to.

SPECIAL ORDER

The SPEAKER. The Chair lays before the House special order on House Bill No. 337 on page 6 of today's calendar.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 337.

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "An act to provide revenue for Commonwealth purposes by imposing a tax on the sale use storage rental or consumption of certain tangible personal property and utility services herein defined as tangible personal property providing for licenses reports and payment of tax interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers corporations partnerships associations and individuals and making an appropriation" eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts changing and clarifying certain definitions making further exemptions changing the procedure for the collection of the tax and the administration of the act and providing appeals.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 4, by inserting after the word "receipts" the following:

Changing and clarifying certain definitions making further exemptions changing the procedure for the collection of the tax and the administration of the act and providing appeals.

Amend Section 1, page 2, line 1, by striking out after the figure "1" the words "Subsection (a) of section 201" and inserting in lieu thereof the following:

Clause (c) paragraph (4) of clause (f) clause (j) and paragraphs (11) and (17) of clause (l) of section 2 act of March 6 Section 1, page 2, line 5, by striking out after ("(P. L. 1717)" the word "is" and inserting in lieu thereof the word "are"; section 2, line 6, by striking out all of the following:

Section 201 Imposition of tax (a) there is hereby imposed upon each separate sale at retail of tangible personal property within this Commonwealth a tax of three

per cent of the purchase price which tax shall be collected by the vender from the purchaser and shall be paid over to the Commonwealth as herein provided there shall be no use of prepaid tax receipts to evidence payment of the tax and inserting in lieu thereof the following:

* * *

Section 2 Definitions the following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

* * *

(c) "Manufacture" The performance of manufacturing fabricating compounding processing or other operations engaged in as a business which place any personal property in a form composition or character different from that in which it is acquired whether for sale or use by the manufacturer and shall include but not be limited to.

(1) Every operation commencing with the first production stage and ending with the completion of personal property having the physical qualities (including packaging if any passing to the ultimate consumer) which it has when transferred by the manufacturer to another.

(2) Publishing of books newspapers magazines or other periodicals and printing.

[(2)] (3) Refining exploring mining and quarrying for or otherwise extracting from the earth or from waste or stock piles or from pits or banks any natural resources minerals and mineral aggregates including blast furnace slag.

[(3)] (4) Building rebuilding repairing and making additions to or replacements in or upon vessels designed for commercial use or registered tonnage of fifty tons or more when produced upon special order of the purchaser or when rebuilt repaired or enlarged or when replacements are made upon order of or for the account of the owner.

[(4)] (5) Research having as its objective the production of a new or an improved (a) product or utility service or (b) method of producing a product or utility service but in either case not including market research or research having as its objective the improvement of administrative efficiency.

The term "manufacture" as defined in this subsection (c) shall not include constructing altering servicing repairing or improving real estate or repairing servicing or or installing personal property.

* * *

(f) "Purchase price."

* * *

(4) Where there is a transfer or retention of possession or custody whether it be termed a rental lease service or otherwise of tangible personal property including but not limited to linens aprons motor vehicles trailers tires industrial office and construction equipment and business machines [and printers type] the full consideration paid or delivered to the vendor or lessor shall be considered the purchase price even though such consideration be separately stated and be designated as payment for processing laundering service maintenance insurance repairs depreciation or otherwise where the vendor or lessor supplies or provides an employe to operate such tangible personal property the value of the labor thus supplied may be excluded and shall not be considered as part of the purchase price if separately stated there shall also be included as part of the purchase price the value of anything paid or delivered or promised to be paid or delivered by a lessee whether it be money or otherwise to any person other than the vendor or lessor by reason of the maintenance insurance or repair of the tangible personal property which a lessee has the possession or custody of under a rental contract or lease arrangement.

* * *

(j) "Sale at retail" Any transfer for a consideration of the ownership custody or possession of tangible personal property including the transfer of a license to use or consume [when such transfer is made for the purpose of consumption or use] whether such transfer be absolute or conditional and by whatsoever means the same shall have been effected the term "sale at retail" shall include the printing or imprinting of tangible personal property for a consideration for persons who furnish either directly or indirectly the materials used in the printing or imprinting the term "sale at retail" shall not include any such transfer for the purpose of resale or the transfer of tangible personal property including but not limited to machinery and equipment and parts and foundations therefor and supplies to be used or consumed directly in any of the operations of.

(1) The manufacture of personal property [provided however that this subsection (j) (1) shall not exclude from the definition of sale at retail the transfer of any motor vehicle trailer semi-trailer or tractor required to be registered with the department under the provisions of the act of May 1 1929 (P. L. 905) the Vehicle Code or the provisions of the act of May 1 1929 (P L 1005) the Tractor Code]

(2) Farming dairying agriculture horticulture or floriculture when engaged in as a business enterprise [provided however that this subsection (j) (2) shall not exclude from the definition of sale at retail the transfer of any motor vehicle trailer or semi-trailer other than those exempt from registration under the provisions of section 401 (d) of the act of May 1 1929 (P. L. 905) the Vehicle Code] (3) The producing delivering or rendering of a public utility service or in constructing reconstructing remodeling repairing or maintaining the facilities used in such service whether or not such facilities constitute real estate provided however "real estate" shall not include buildings.

[For the purpose of this subsection (j) the words "to be used or consumed directly" shall refer only to raw materials machinery equipment and parts therefor and supplies necessary to the production process of the particular operation or necessary to the production delivery or rendition of a public utility service and shall not include any personal property to be used or consumed in connection with maintenance facilities (other than those of a public utility) or administrative facilities of the particular operation provided however that the exclusion from the definition of sale at retail provided for in this subsection shall not apply with respect to tangible personal property (other than machinery equipment and parts therefor and supplies) to be used or consumed in the construction reconstruction remodeling repair and maintenance of real estate (other than machinery and equipment)]

The exclusion provided in paragraphs (1) and (2) shall not apply to any vehicle required to be registered under the Vehicle Code or the Tractor Code or to maintenance facilities or to materials or supplies to be used or consumed in any construction reconstruction remodeling repair or maintenance of real estate other than machinery equipment or parts or foundations therefor that may be affixed to such real estate the exclusions provided in paragraphs (1) (2) and (3) shall not apply to tangible personal property to be used or consumed in managerial sales or other nonoperational activities.

Where tangible personal property is utilized for purposes constituting a "sale at retail" as herein defined and for purposes excluded from the definition of "sale at retail" the predominant purpose shall determine whether such purposes constitute a "sale at retail" as herein defined.

For the purpose of this subsection (j) a retention after March 7 1956 of possession custody or a license to use or consume pursuant to a rental contract or other lease arrangement (other than as security) shall be considered a transfer of such possession custody or license to use or consume .

* * *

(l) "Tangible personal property."

* * *

(11) Toys games hobby supplies photographic and projection equipment and supplies sporting goods and athletic equipment and supplies therefor designed for a particular sport and which normally are not used or worn when not engaged in that sport bicycles and parts accessories and supplies therefor pleasure boats and equipment parts accessories and supplies used in connection

therewith regardless of the use made of such property.

* * *

(17) Food and beverages (except when purchased at or from a school church or hospital in the ordinary course of activities of such organization) when the purchase price of the total transaction is more than fifty cents (50¢) when purchased [for consumption on the premises and when the purchase price of the total transaction is more than fifty cents (50¢) from] (i) from persons engaged in the business of catering or (ii) from persons engaged in the business of operating restaurants cafes lunch counters private and social clubs taverns dining cars hotels and other eating places [except when purchased from a school church or hospital in the ordinary course of the activities of such organization or (ii) persons engaged in the business of catering] when in the latter case the purchase is for consumption on the premises of the vendor or when furnished prepared or served for consumption at tables chairs or counters or from trays glasses dishes or other tableware provided by the vendor for the purposes of this [section] clause (17) beverages shall not include malt and brewed beverages and spirituous and vinous liquors.

Section 2 Clause (L) of section 2 of the act is amended by adding at the end a new paragraph to read

Section 2 Definitions the following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

* * *

(l) "Tangible personal property"

* * *

(18) Periodical and other publications but not including publications which are published at regular intervals not exceeding three months circulated among the general public and containing matters of general interest and reports of current events which are sold on a subscription or single copy basis

* * *

Section 3 Clause (n) of section 2 and clause (c) of section 203 of the act added May 24 1956 (P. L. 1707) are amended to read

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

* * *

(n) "Use" The exercise of any right or power incidental to the ownership custody or possession of tangible personal property and shall include but not be limited to transportation storage or consumption except that the term "use" shall not include the following

(1) The demonstration of tangible personal property in the regular course of business and

(2) The interim [storage or transportation of] keeping retaining or exercising any right or power over tangible personal property [purchased] for the sole purpose of subsequently transporting it outside this Commonwealth for use outside this Commonwealth or for the purpose of being processed fabricated or manufactured into attached to or incorporated into other personal property to be transported outside the Commonwealth for use solely outside this Commonwealth

(3) The use or consumption of tangible personal property including but not limited to machinery and equipment and parts and foundations therefor and supplies directly in any of the perations of

(I) The manufacture of personal property [provided however that this paragraph (3) (i) shall not exclude from the definition of use the use of any motor vehicle trailer semi-trailer or tractor required to be registered with the department under the provisions of the act of May 1 1929 (P. L. 905) the vehicle code or the provisions of the act of May 1 1929 (P. L. 1005) the tractor code]

(II) Farming dairying agriculture horticulture or floriculture when engaged in as a business enterprise [provided however that this paragraph (3) (II) shall not exclude from the definition of use the use of any motor vehicle trailer or semi-trailer other than those exempt from registration under the provisions of section 401 (d) of the act of May 1 1929 (P. L. 905) the vehicle code]

(III) The producing delivery or rendering of a public utility service or in constructing reconstructing remodeling repairing or maintaining the facilities used in such service whether or not such facilities constitute real estate provided however "Real estate" shall not include buildings

[For the purposes of this paragraph (3) the words "use or consumption of tangible personal property . . . directly in" shall refer only to raw materials machinery equipment and parts therefor and supplies necessary to the production process of the particular operation or necessary to the production delivery or rendition of a public utility service and shall not include any personal property used in connection with maintenance facilities (other than those of the public utility) or administrative facilities of the particular operation provided however that the exclusion from the definition of use provided for in this paragraph shall not apply with respect to tangible personal property (other than machinery equipment and parts therefore and supplies) used in the construction reconstruction remodeling repair and maintenance of real estate (other than machinery and equipment)]

The exclusion provided in subparagraphs (i) and (ii) shall not apply to any vehicle required to be registered under the vehicle code or the tractor code or maintenance facilities or to materials or supplies to be used or consumed in any construction reconstruction remodeling repair or maintenance of real estate other than machinery equipment or parts or foundations therefor that may be affixed to such real estate the exclusion provided in paragraphs (1) (2) and (3) shall not apply to tangible personal property to be used or consumed in managerial sales or other non-operation activities

Where tangible personal property is utilized for purposes constituting a "use" as herein defined and for purposes excluded from the definition of "use" the predominant purpose shall determine whether such purposes constitute a "use" as herein defined

* * *

Section 203 Exclusions from tax the tax imposed by Section 201 shall not be imposed upon

* * *

(c) The sale at retail or use of supplies materials to be used in the fulfillment of contracts for the construction reconstruction remodeling repairing maintenance or sale of real estate when such contract was entered into

(1) Prior to March 7 1956 and is at a fixed price not subject to change or modification by reason of the tax imposed by this act or

(2) Pursuant to the obligation of a bid or bids submitted prior to March 7 1956 which bid or bids could not be altered or withdrawn on or after that date and which bid or bids and contract entered into pursuant thereto are at a fixed price not subject to change or modification by reason of the tax imposed by this act

Provided However that notice of such contract or bid by reason of which an exclusion is claimed under this subsection (c) must be given by the taxpayer to the department on or before June 15 1956

* * *

Section 4 Section 203 of the act added May 24 1956 (P. L. 1707) is amended by adding after clause (i) three new clauses to read

Section 203 Exclusions from tax the tax imposed by section 201 shall not be imposed upon

* * *

(j) (1) Sale at retail or use of vessels designed for commercial use of registered tonnage of fifty tons or more when produced by the builders thereof upon special order of the purchaser

(2) Sale at retail of tangible personal property used or consumed in building rebuilding repairing and making additions to or replacements in an upon vessels designed for commercial use of registered tonnage of fifty tons or more upon special order of the purchaser or when rebuilt repaired or enlarged or when replacements are made upon order of or for the account of the owner

(k) The sale at retail or use of tangible personal prop-

erty to be used or consumed as fuel supplies ships equipment ships' stores or sea stores or vessels to be operated principally outside the limits of the Commonwealth

(l) The sale at retail or use of medicine on prescription crutches and wheelchairs for the use of cripples and invalids artificial limbs artificial eyes and artificial hearing devices when designed to be worn on the person of the purchaser or user false teeth and materials used by a dentist in dental treatment eyeglasses when

Amend bill, page 23, line 6, by striking out after the word "Section" the figure "2"; line 8, by striking out after the word "Section" the following: "3 Sections 531 534 and 604 renumbered 605" and inserting in lieu thereof the words: "6 Sections 520 531 534 541 and subsection (c) of section 546 of the Act."

Amend Section 6, line 11, by inserting the following:

Section 520 Time for filing returns (a) [monthly] quarterly returns [a] for the period ending December 31 1956 A return shall be filed monthly with respect to the preceding month by every licensee such return shall be filed on or before the last day of the month succeeding the month with respect to which the return is made [for] except as provided for by regulations promulgated by the department pursuant to subsection (e) of this section for the period beginning January 1 1957 and thereafter a return shall be filed by every licensee on or before the last day of April July October and January [and] for the [periods] three months ending the last day of March June September and December

(b) Annual returns in addition to the return required by subsection (a) a return shall be filed annually with respect to the preceding calendar year by every licensee such return shall be filed [by] on or before the [last day of February] fifteenth day of April in the year succeeding the year with respect to which the return is made licensees maintaining their books and records on the basis of an annual fiscal period other than the calendar year may on application be authorized by the department to file returns with respect to such fiscal period on or before the fifteenth day of the fourth month following the end of such fiscal period the department by regulation may provide for the filing of short term returns by taxpayers who shall change reporting periods

(c) Other returns any person other than a licensee liable to pay to the department any tax under this act shall file a return on or before the last day of the month succeeding the month in which such person becomes liable for the tax

(d) Transmittal returns except as provided for by regulations promulgated by the department pursuant to the provisions of subsection (e) of this section every licensee shall on or before the fifteenth day of every month other than April July October and January file a transmittal return with respect to the total tax collected or incurred during the preceding calendar month such transmittal return shall set forth only the identity of the licensee and the tax collected or incurred during such period

(e) Small taxpayers the department by regulation may waive the requirement for the filing of quarterly returns in the case of any group of licensees whose individual tax collections do not exceed twenty-five dollars ($25) per month and monthly transmittal returns in the case of any group of taxpayers whose individual tax collections do not exceed one hundred dollars ($100) per month or in the alternative may provide for reporting on a less frequent basis in such cases provided that every licensee must file the annual return provided for by subsection (b) of this section

Section 6, page 26, line 13, by inserting after the word "monthly" the words "and quarterly"; line 17, by inserting after the word "shall' the words "the day the return is required to be filed under the provisions of section 520 and such payment must"; amend bill by inserting at the end of page 27, the following:

Section 541 Mode and time of assessment (a) underpayment of tax within a reasonable time after any return is filed the department shall examine it and if the return shows a greater tax due or collected than the amount of tax remitted with the return the department shall forthwith assess the difference the difference shall be paid to the department within ten days after a notice of the assessment has been mailed to the taxpayer

(b) Understatement of tax if the department determines that any return or returns of any taxpayer understates the amount of tax due it shall assess the proper amount of tax due it shall assess the proper amount and shall determine the difference between the amount of tax shown in the return and the amount assessed such difference being hereafter sometimes referred to as the "deficiency" the deficiency shall be paid to the department within thirty days after a notice of the assessment thereof has been mailed to the taxpayer.

(c) Failure to file return in the event that any taxpayer fails to file a return required by this act the department may make an estimated assessment (based on the best information available) of the proper amount of tax owing by the taxpayer and the tax shall be paid within thirty days after a notice of such estimated assessment has been mailed to the taxpayer.

(d) [Authority to establish effective rates by business classification the department is authorized to make the studies necessary to compute effective rates by business classification based upon the ratio between the tax required to be collected and taxable sales and to use such rates in arriving at the tax liability of a taxpayer.

Any assessment based upon such rates shall be binding upon the taxpayer unless such assessment is appealed in accordance with the provi-

need not be furnished where the identity of the purchaser or user is such that all transactions with such person are never subject to tax such purchaser or user may furnish the vendor with a single exemption certificate [for each calendar year in such form as the department by regulation shall prescribe] an exemption certificate if taken in good faith shall relieve the vendor from any liability for the tax.

* * *

Section 7 Section 551 of the act is amended to read.

Section 551 [Restriction on refunds no refund shall be made under section 550 without the approval of the Board of Finance and Revenue] procedure for refund Any overpayment of the tax imposed by this act shall be refunded to the person making such overpayment the person making such overpayment shall petition the Board of Finance and Revenue for refund within two years of the payment of which a refund is requested or within three years after the date when the return required by subsection (b) or (c) of section 510 is filed whichever is later.

Every petition for refund shall state specifically the reasons for such refund and shall be supported by an affidavit that the facts set forth therein are true and correct.

The Board of Finance and Revenue shall act finally in disposition of such petition within six months after they have been received and in the event of the failure of the Board of Finance and Revenue to dispose of such petition within six months the petition shall be deemed to have been denied.

Any person or the Commonwealth aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon a petition for refund may within sixty days from the date of mailing of the board's decision or the end of the six month's period when the board fails to act appeal to the Court of Common Pleas of Dauphin County in the manner now or hereafter provided by law for appeals in the case of tax settlements.

Section 8 Section 564 of the act amended May 24 1956 (P. L. 1707) is repealed.

Section 9 Subsections (a) and (b) of section 571 sections 572 and 581 subsection (a) of section 585 section 603 renumbered 604 and section 604 renumbered 605 of the act amended May 24, 1956 (P. L. 1707) are amended to read

Section 571 Additions to tax (a) failure to file return in the case of failure to file any return required by section 501 on the date prescribed therefor (determined with

regard to any extension of time for filing) there shall be added to the amount required to be shown as tax on such return five percent of the amount of such tax if the failure is for not more than one month with an additional five percent for each additional month or fraction thereof during which such failure continues not exceeding twenty-five percent in the aggregate [in no case shall the amount added be less than ten dollars ($10)] in all cases the amount added shall be a minimum of two dollars ($2).

(b) Failure to pay tax through negligence or fraud

(1) If any part of any deficiency is due to negligence or intentional disregard of rules and regulations (but without intent to defraud) there shall be added to the tax an amount equal to five percent of the underpayment the mere existence of a deficiency shall not constitute such negligence or intentional disregard of rules and regulations.

(2) If any part of any deficiency is due to fraud there shall be added to the tax an amount equal to fifty percent of the deficiency this amount shall be in lieu of any amount determined under paragraph (1) of this subsection.

Section 572 [Penalties (a)] Penalty assessed as tax the penalties and liabilities provided by this act shall be paid upon notice and demand by the department and shall be assessed and collected in the same manner as taxes except as otherwise provided any reference in this act to "tax" imposed by this act shall be deemed also to refer to the penalties and liabilities provided by this part.

[(b) Attempt to evade or defeat tax any person who wilfully attempts in any manner to evade or defeat the tax imposed by this act or the payment thereof or to assist any other person to evade or defeat the tax imposed by this act or the payment thereof or to receive a refund improperly shall in addition to other penalties provided by law be liable for a penalty equal to the total amount of the tax evaded no penalty shall be imposed under subsection (b) of section 571 for any offense to which this subsection is applicable]

Section 581 Keeping of records (a) general provision every person liable for any tax imposed by this act for the collection thereof shall keep the records render such statements make the returns and comply with such rules and regulations as the department may from time to time prescribe in so far as the information which may be required is within the knowledge of the person required to make such return whenever in the judgment of the department it is necessary it may require any person by notice served upon such person or by regulations to make such returns render such statements or keep such records as the department deems sufficient to show whether or not such person is liable to pay or collect tax under this act.

(b) Persons collecting tax from others any person liable to collect tax from another person under the provisions of this act shall file reports keep records make payments and be subject to interest and penalties as provided for under this act in the same manner as if he were directly subject to the tax.

(c) Records of non-residents a non-resident who does business in this Commonwealth as a retail dealer shall keep adequate records of such business or businesses and of the tax due with respect thereto which records shall at all times be retained within this Commonwealth unless retention outside the Commonwealth is authoriezd by the department no taxes collected from purchasers shall be sent outside the Commonwealth without the written consent of and in accordance with conditions prescribed by the department.

(d) Keeping of separate records any person doing business as a retail dealer who at the same time is engaged in another business or businesses which do not involve the making of sales taxable under this act shall keep separate books and records of his businesses so as to show the sales taxable under this act separately from his sales not taxable hereunder if any such person fails to keep such separate books and records he shall be liable for tax at the rate designated in section two hundred one of this act upon the entire purchase price of sales from both or all of his businesses.

(e) Other methods in those instances where a vendor gives no sales memoranda or uses registers showing only total sales the vendor must adopt some method of segregating tax from sales receipts or keep records showing such segregation for example.

(1) Maintaining a separate container near each cash register or cash box in which the tax collected is deposited a record of the amount of tax removed from such container must be preserved along with the record of sales proceeds from such register or cash box.

(2) Maintaining a tabulator or tax record sheet in conjunction with the register or cash box to show the amount of tax collected and deposited in the register or cash box.

A vendor may apply to the department for permission to use a collection and recording procedure which will show such information as the law requires with reasonable accuracy and simplicity such application must contain a detailed description of the procedure to be adopted permission to use the proposed procedure is not to be construed as relieving the vendor from remitting the full amount of tax collected when the tax has been segregated by the vendor the department may revoke such permission upon thirty days' notice to the vendor.

Section 585 Bonds (a) Taxpayer to file bond whenever the department in its discretion deems it necessary to protect the revenues to be obtained under the provisions of this act it may require any nonresident natural person or any foreign corporation either not authorized to do business within this commonwealth or not having an established place of business therein and subject to the tax imposed by section 201 of this act to file a bond issued by a surety company authorized to do business in this commonwealth and approved by the insurance commissioner as to solvency and responsibility in such amounts as it may fix to secure the payment of any tax or penalties due or which may become due from such natural person or corporation [the department may also require such a bond of any person petitioning the department for reassessment] in the event that the department determines that a taxpayer is to file such a bond it shall give notice to such taxpayer to that effect specifying the amount of the bond required the taxpayer shall file such bond within five days after the giving of such notice by the department unless within such five days the taxpayer shall request in writing a hearing before the Secretary of Revenue or his representative at which hearing the necessity propriety and amount of the bond shall be determined by the secretary or such representative such determination shall be final and shall be complied with within fifteen days after the taxpayer is given notice thereof.

* * *

Section 604 Appropriation so much of the proceeds of the tax imposed by this act as shall be necessary for the payment of refunds [or the redemption of prepaid tax receipts provided for hereunder] is hereby appropriated for the payment of such refunds [and redemption]

Amend bill page 43, line 4, by striking out after "Section" the figure "2" and inserting in lieu thereof the figure "10"; line 4, by striking out after the word "act" the words "shall become effective immediately" and inserting in lieu thereof the following:

In so far as they apply to sections 520 and 531 of the act of March 6, 1956 (P. L. 1228) shall become effective July 1, 1957 all the other provisions of this amending act shall become effective immediately

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House concur in the amendments made by the Senate.

Mr. JOHNSON. Mr. Speaker, we have before us today for concurrence, amendments inserted by the Senate in House Bill 337, Printer's No. 160. As we all know, it is the

Selective Sales and Use Tax Act which was passed at the last session of the Legislature.

In order for me to explain to you the amendments which have been inserted in the bill, I am first going to give you a sort of bird's-eye view or a general summary of the Sales Tax Act as it is presently on our books and as I understand it.

I will then go into another phase and explain to you how the Sales Tax Act has been administered by the Department and the Department of Justice from what we have been able to gather.

Then I will point out the amendments which have been made to the bill to clarify the administrative rulings and to do away with what we think are unfair administrative rulings.

In the fourth phase of what I am going to say I will point out to you various minor changes in the bill having to do with some of the categories and with administration of the Sales Tax Act.

Under the heading of telling you about the bill, our present Sales Tax Law as we all know, is unusual in this state. It is a sales tax which taxes categories rather than a general sales tax with specific exemptions.

After we have defined these categories and have set out what is taxable, we have set out three major exemptions in three major groups which under certain circumstances would not have to pay the sales tax.

The first group we have exempted, of course, is a vast group and refers to items purchased for manufacturing.

The next group that has been exempted are the farmers, horticulture, and so forth, referring to items purchased for farming.

The next group we have exempted are those engaged in the producing, delivering or rendering of a public utility service.

In exempting these three groups, we have defined each group. We have defined manufacturing. We have said that manufacturing covers, first, those engaged purely in manufacturing.

Secondly, we have said that the publishing industry, although it is not strictly manufacturing, we would for purposes of this bill consider as a manufacturing enterprise.

Next, we have said that extracting and refining natural resources and minerals is manufacturing.

While the business of building ships is not strictly manufacturing within the definition of "manufacturing," we have in the bill said that those who are engaged in building ships in which the tonnage is over 50 tons, or engaged in repairing, adding to or making replacements in or on ships of that tonnage, are engaged in manufacturing.

In the next category we have said, you are engaged in manufacturing if you are engaged in research to find a new product, not if you are engaged in research to to make your administration facilities better. New product research is considered manufacturing.

In the bill after we have defined manufacturing, we have then given a definition of pure manufacturing in which we say in the present law that manufacturing is manufacturing, fabricating, compounding, processing, or other operatings, all of which place personal property in a form, composition or character different from that in which it was acquired. I am giving you this definition because one of the amendments changes that definition, as I will explain later.

In giving this broad exemption to manufacturing we have said that not everything a manufacturer buys is tax exempt. For instance we have said, if you, Mr. Manufacturer, built a new plant, the cost of constructing that new plant is taxable, that is not manufacturing. We have said, If you repair that building, that is taxable, that is not manufacturing. Or, If you maintain that building, that is also taxable.

We have given an exemption to public utilities because of their large maintenance problem.

Maintenance is not taxed as far as public utilities are concerned. Maintenance of the manufacturing establishment is taxed under our present law, as well as the ad-administration facilities of a manufacturing plant.

You say, You are setting out what is taxable to the manufacturer. What is tax exempt as far as the manufacturer is concerned? It is in very simple language. We have said that it is the raw material, machinery, equipment, parts and supplies used and consumed directly in and necessary to the production process and the rendering of a public utility service. Those are the items which are exempt as far as the manufacturer is concerned.

Then under another section of our Sales Tax Act we have a series of specific exclusions which are really not important, but we exempt isolated sales pre-March 1956 contracts, and so forth. We specifically exempt the wrapping of a finished product but we say that wrapping, if it is charged for separately, is subject to the sales tax.

In our Sales Tax Act as to ships, we have dealt with that subject separately. I will explain to you just how that exemption applies to ships under the present law. Ships and boat construction are taxed, as I said, as non-manufacturing unless they are in excess of 50 tons. All supplies sold as ships's stores at the present time are subject to the sales tax. Pleasure boats are taxed when they are sold under our specific categories.

Commercial vessels under 50 tons are taxed to the person building them as the ultimate consumer and are tax free when sold. They are not in any of the enumerated categories of taxation.

I think that is enough for our purposes to tell you about the present Sales Tax Law. I have said that it covers numerous categories, but we have the main exemptions to manufacturing, to farming and to public utility service. I have told you we have added to the category of manufacturers those in pure manufacturing such as the publishing business, those making ships over 50 tons, and so forth.

As I told you, raw materials, machinery, equipment, parts and supplies are tax exempt if they go directly into manufacturing. That is the theory of the bill.

Now I will tell you how the Act has been administered, as we get it.

As to the manufacturing process, how has that been taxed? I was on the Conference Committee on House Bill 2101 last session, which is the real sales tax bill which we have today. In that Conference Committee we understood the manufacturing process was that process which started with the first operation and continued until the final product was finished. As I understand, the regulation which has been issued as to what is the manufacturing process, it cut the manufacturing process in two in

many instances. For instance, Regulation No. 225 limits the manufacturing process to the phase of production immediately and continuously carried on in the same production area. I am thinking now of a plant which covers several miles or more. Let us take the steel industry. They do a particular job at one portion of their plant, but in order to do the second phase of the operation they load it on a car and haul it to a plant five miles away, where the additional manufacturing process begins. Under Regulation 225 the fact that this operation is not in the immediate and continuous production area, the second phase of the manufacturing process would be taxed.

Let us take as an example toothpaste. The Department says when toothpaste, the paste itself, is being manufactured, that would be the manufacturing process. Placing it in the container, however, would not be manufacturing. So the machine to hold the container for the purpose of filling the tube would be subject to tax.

As I told you, machinery, parts and equipment going directly into manufacturing are tax exempt when they buy it, but any machine which is non-manufacturing is subject to the sales tax when purchased. As I say, the container under rulings of this Department would be subject to tax.

Now let us take the printing industry. Under the definition of what is manufacturing we say those engaged in pure manufacturing, of course, are in manufacturing, but then we have set out various categories which are semi-manufacturing and which we have said are manufacturing. One of them is the publishing of books, newspapers, magazines and other periodicals. Under the first set of Regulations of the Department they said the printing industry is included in that exemption as a manufacturer and therefore will not be taxed. We intended publishers to include printing under the 1956 Act, but administrative rulings placed printers outside of the exemption granted to manufacturers, which was never intended. That is a new ruling of the Department on August 11, 1956, which completely changes a previous ruling which said that publishing was printing and the machinery going into the printing establishment would be exempt the same as other manufacturers.

As to ships, we said building a ship over 50 tons is manufacturing. We also said building, repairing, making additions to and replacements in or on would be manufacturing of a ship, but we did not use the magic word "rebuilding" of a ship. Under the present rulings of the Department, as I understand them, the rebuilding of a ship would not be manufacturing and, therefore, would be subject to tax, the facilities going into rebuilding a ship, the parts, etc., would be taxable.

In giving you the exclusions from the tax on manufacturers I said raw materials were not taxed, machinery, equipment, parts and supplies were not subject to the tax. We never intended that the foundation on which a large machine would be placed would be subject to the tax. We intended that the foundation, plus the machine, would be tax free. The Department has made a ruling that foundations under machinery shall be taxed. That was never intended. We do intend that in manufacturing the plant, the building, for this foundation shall be taxed, but any special foundation built to hold a special type of machine would be considered part of the machine itself and not part of the building. In granting manufacturers the exemption of raw materials, machinery, equipment, parts and supplies we said in the law they had to be used directly in manufacturing. As you know, in the Conference Committee reports last session we were stalled for two or three days over whether the word "directly" should be included or whether it should be omitted. We finally agreed that "directly" would go into the bill and that raw materials and exempted items had to be used directly in manufacturing to be exempt.

We were told that a reasonable set of regulations would be promulgated patterned more or less after the Ohio law, Ohio administrative rulings and court decisions, which would give industry a break with respect as to what was or was not directly used in manufacturing. In the administration of the tax the Department of Justice has come up with a theory which we will call the "contamination theory." They have issued a ruling that any item used in manufacturing in this category would be exempt, unless it was used for a non-manufacturing purpose, you could use it in a small non-repetitive way and it would not be subject to the tax. The Department has issued a ruling which now states that a non-taxed item can be used in manufacturing to the point where it would almost always be subject to the tax. In other words, they have the "contamination theory" that if any item is used in a non-manufacturing way it becomes contaminated with that non-manufacturing use and therefore would be subject to the tax and would not get the benefit of the exemption as manufacturing machinery.

With respect to public utility property, they are classed as manufacturers. Their buildings would be taxed, their administration facilities would be taxed, but not the physical plant which went to their transmission lines. Then railroads, ties, ballast, etc., would not be taxed. However, under rulings of the Department, public utility property which becomes real estate under local law is subject to the sales tax and is not classed as manufacturing, which was never intended under the Sales Tax Act.

I have finished the second phase of my narration wherein I have told you instances in which the Sales Tax Act has not been administered in accordance with the desires of the Conference Committee or the framers of the Sales Tax Act, nor in conformance with agreements made when the bill was passed.

I will now tell you what these amendments do to remedy the various matters to which I have referred you in the second part of my explanation of these sales tax amendments.

As to the manufacturing process, I told you that by regulation the decision of the Department is that if the manufacturing process comes to a halt and the property is transferred to another location and the manufacturing process continues, because the process was not continued in the immediate area the item is taxed in the new location. We have redefined manufacturing to say, "Every operation commencing with the first production stage and ending with the completion of personal property having the physical qualities . . . which it has when transferred by the manufacturer to another." That is the amendment on page 3, line 18, of the bill. This will permit the manufacturing process to continnue in another location other than in the immediate and continuous manufacturing area, as presently set out in the sales tax regulations.

As to the process of packaging a product after it has

been manufactured, in order to get away from the ruling that packaging is not manufacturing, we have inserted on page 4, line 1, that the manufacturing operation shall include "packaging if any passing to the ultimate consumer," meaning that putting it into the package with the package going to the ultimate consumer would still be part of the manufacturing process.

I might say that the wrapping of the product for sale is presently exempt under exclusions unless a separate charge is made for wrapping or packaging, then it would be subject to the sales tax.

What have we done with respect to printing to clarify the confusion in the printing industry? On page 4, line 5, of the bill we have specifically included printing as a manufacturing operation. We have added after periodicals in that section the word "printing." So despite three confusing rulings on the matter, printing definitely will be, as intended, a manufacturing operation.

I might say parenthetically that the product produced as a result of the printing when sold to the ultimate consumer is, of course, subject to the sales tax.

How have we corrected the question of whether rebuilding a ship is tax free, as well as building, repairing, making additions to or replacements in or upon? On page 4, line 11, we have added specifically the word "rebuilding" after "building."

How have we corrected an interpretation of the Act that the foundation for machinery is presently taxed? How have we taken care of that? We have specifically exempted the foundation under the machinery on page 8, line 2, of the bill, which is putting into effect the original intention of the Act.

As to that word "directly" which we had so much trouble with last session, probably it never should have been in the bill. As I told you the "contamination theory" is something that is used directly in manufacturing, which if it has a small extemporaneous non-manufacturing use is contaminated with that use and the whole thing becomes taxable.

We have said on page 11, line 9, the predominant purpose shall determine whether such purpose constitutes a sale at retail. In other words, if that item is purchased for the predominant use in manufacturing, it shall be tax free.

I understand we have a problem as far as the mine cars going up and down in the mines. Because the workers ride on the cars in the morning and back again at night, that is a non-manufacturing use and that contamination of that exempt article would subject the whole article to tax. Under the quarrying and mining amendment the fact that the predominant use of those cars is for the purpose of mining coal, those cars would not be taxed uder this amendment.

As to the public utility amendment, to get away from the intrepretation of the Department that anything a public utility installs is taxable which is classed as real estate under local law, we have corrected that and spelled it out in the amendment on page 9, line 4, which says definitely that it is not to be classed as real estate, but that the building will still be classed as real estate the same as any other manufacturer within the meaning of the Sales Tax Act.

That closes an explanation of the major amendments to this sales tax bill. They all have to do with clarifying the Sales Tax Act, rectifying abuses in the administration of the Act and making the language clearer so that those who are intrepreting the Act will be able to give those who are paying the tax a square deal.

There are other changes in the law, some of which exclude certain items from the tax, some of which make certain small items taxable.

Probably the major item, which is not as large an item, I understand, as presumed, is the exemption applying to ships stores.

We have a situation in this state where up and down the Delaware River we have numerous stores which sell supplies to incoming ships, which then go on their way to other points.

These ships right now are purchasing only a bare minimum of supplies in our ships' stores along the Delaware River. Why? Because they can go across the river to a ships store in New Jersey, or go down the river into Maryland, where ships' stores are exempt and make their purchases. So these ships stores outfits will not be forced out of business because of the unreasonable competition just across the river and down the river a few miles to Maryland, we are giving ships' stores the exemption, which applies, to purchases by ships which leave the state of Pennsylvania. It is a fair and reasonable amendment to save these stores from being forced out of business by tax free compeition just across the river.

I might say something about our ship building industry in Pennsylvania. Maybe some of you three weeks ago read about this wealthy oil man from New York—I think he runs the Arabian Oil Company—and his philosophy on the purchase of ships. He would not buy a ship in the United States. He at the present time is having seven or eight ships constructed in ports in Japan, France, and elsewhere throughout the world. In order for us in this nation of ours to build up and protect our ship building industry from world-wide competition, we must foster this industry. We have about 3,500 people working in shipyards in and around the Philadelphia area. That original exemption of ship over 50 tons, classing them as manufacturing, was absolutely necessary in order to carry on a ship building industry within the confines of the state of Pennsylvania.

We must preserve that industry. It is what you call an ambulatory industry. It is very easy to just go across the river to a neighboring state which will give you a glad and helping hand. So we have had to give them that exemption which applies also to the question of ships' stores.

We have also granted exemptions on false teeth, crutches and so forth. I am sorry I do not have the exact language of that amendment. It was erroneously left out of the sales tax bill last time and it should have been in it.

We have also exempted, in effect, tennis shoes or Keds. We have a situation in the state where sporting goods are taxed. We have places where there is a sporting goods store and a shoe store alongside of each other. You can go into the shoe store and buy Keds or tennis shoes tax free. When you walk into the sporting goods store, these tennis shoes are taxed. The language of the amendment is to free that particular type of item from the tax on sporting goods because it is essentially a street-wear item rather than a sporting goods item.

In order to clarify food sold in churches, schools or hospitals, we have spelled out that that is tax free if sold in the ordinary course of their business activities.

There have been some minor additions to the taxable categories, in order to straighten out one or two of the categories to make them more practical and more operable. We eliminated for some reason food sold in dining cars. There was some question whether food sold by drive-ins and barbecue stands would be subject to the tax. We have indicated that any food which is served by a vending restaurant and taken out in containers furnished by the restaurant will be subject to the tax.

In order to clarify confusion as to what is or is not a periodical, we have defined it as one which appears at least once every three months, which would be in the nature of an exemption.

There are various administrative changes in the bill. One of the changes is that we have provided for the filing of quarterly returns as now, but specify that payment shall be made monthly. The Department would like that amendment in order to stop the fly-by-night firm from being able to hold on to money for three months before they pay the tax and maybe leave the Commonwealth and stick us for the tax.

We have also done away with the power of the Department to impose an effective rate upon a retailer or an industry. The effect of the amendments in the bill would be that effective rates are legal and permissible, but they would be arrived at as a result of negotiation between the industry and the Department.

The question of exemption certificates has caused a great deal of confusion in the Commonwealth. The Department has said the exemption certificates must be on a form furnished by the Department, and they must be renewed yearly.

The effect of the amendments is that exemption certificates can be in a reasonable form other than that furnished by the Department, and no yearly renewal is required.

Another change is in the petition to refund section. If you desire a refund you go through the reassessment board. The amendment, as I understand it, permits a petition for refund to be filed directly with the Board of Finance and Revenue.

Another minor change in the bill, at the present time we have a minimum fine of $10. There have been instances where a small amount of tax was due, say $1 or $2, and the taxpayer did not bother to send it in because of the small amount and he would be fined $10. We have reduced that fine to a minimum of $2 to make it more realistic.

Then there are other changes in what is and is not a wilful attempt to evade the law, and those are reasonable administrative amendments.

I realize, Mr. Speaker, in explaining to you what the amendments do to this, you might say it is a complicated sales tax bill. What I have said is probably confusing and maybe I have not put my point across. I want to say I am no expert on this sales tax bill. I have read it and re-read it, like many of you have, and I have given you my honest interpretation of the bill and of the amendments as I know them and as I have read them. Suffice it is to say this. Last week there were four men sent from the Department of Commerce into one of our local banks in Smethport. They are going around, as you know, helping industrial re-development corporations to get in new industry. Part of their pitch is the great things that we are doing, the Leader administration, is doing for industry here in Pennsylvania.

I say let us be realistic about it. Let us give industry a square deal in Pennsylvania. That is all these amendments are asking for.

I say to you people here unless we put through these amendments and give some stability, fairness and equity to our sales tax law, the exodus of business away from Pennsylvania and the reluctance of new business to come into Pennsylvania will continue. We must go through with these amendments here today and give a fairness and a soundness to our tax structure.

I realize that there are many, many other instances of unfairness in the sales tax law that we perhaps should write into the law. What we have done here is just pick out the major abuses and tried to correct them. It was never the intention to tax as is being done under the sales tax bill. I know you are going to say that it is going to take $5 million or $10 million or $20 million out of the Sales Tax Act. I say it will not take any money out of the Sales Tax Act. It is bringing in over $20 million a month right now without these rulings having been put into effect.

I understand those who have been affected by these rulings have been holding off and have not been going along with them as being unreasonable regulations and not in the contemplation of the Legislature when the law was passed. There is a principle in taxation that if, after a tax is passed, there is an intervening time between the passing of the law and a new session of the General Assembly; and during that interim, unless that next session of the General Assembly does something to correct them, and you go before the courts and say the regulations are unreasonable and arbitrary the courts turn you down. The courts will say you have just had a session of the General Assembly and they did not do anything about it. We are attempting to write fairness into this sales tax bill, and I ask each and every Member in this House to vote "aye" on the amendments.

Mr. ANDREWS. I have been very much interested in the Majority Leader's dissertation telling us how it came about that a six-page bill passed in the House becomes a forty-page bill when we consider it today.

Many years ago it was my blessed good fortune to be sitting where the newspaper men are now sitting, and at that time I remember a statesman from Philadelphia, I believe, spoke at some length concerning a technical matter. It was concluded with the words, I hope I have sufficiently confused you so that you have no intelligent questions to ask."

I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. In his opinion, how much money in the biennium would House Bill 337 have raised as it left the House?

Mr. JOHNSON. Mr. Speaker, I would say it would raise the same amount it will raise now. I estimate it at $480 million, $20 million a month for 24 months.

Mr. ANDREWS. $480 million?

Mr. JOHNSON. $20 million a month for 24 months.

Mr. ANDREWS. I believe it was once the gentleman's opinion—and this is in the form of a question—that the mal-administration on the part of the Department of Revenue has reduced the revenues collected to the tune of $100 million. Is that right? Has not that opinion been expressed on that side of the House?

Mr. JOHNSON. The figure of $100 million is from the administration itself. It has been said, not only on the part of this House but in the McKinsey report, that mal-administration is the cause of the drop in revenue.

Mr. ANDREWS. That would make the possibilities of the present Act $580 million?

Mr. JOHNSON. I said the present Act, according to our estimates, would be 24 months at $20 million a month, or $480 million during the biennium.

Mr. ANDREWS. If we add a $100 million that will be received by efficient collection, it would make it $580 million?

Mr. JOHNSON. That is right. If the administration reaches back and makes assessments and audits and gets in that money, if what the gentleman says is true from his own figures, it would be $100 million.

I understand when Mr. Gleeson was before the Appropriation Committee he stated if you give him $2.5 million for auditors, he will bring in $37.5 million in tax deficiencies.

Mr. ANDREWS. What amount will House Bill 337, as amended, bring in during the biennium?

Mr. JOHNSON. Mr. Speaker, I say this present bill will bring in $480 million. That is the same amount I estimated when it was before the House. I say the amendments will not reduce the take.

Mr. ANDREWS. Mr. Speaker, I will ask the Majority Leader who says $480 million other than himself? To continue the question: Can the gentleman cite any technical authority or any analysis made by any group competent to render a decision that this House should entertain and reach a finding in accordance with the figures the gentleman has presented?

Mr. JOHNSON. Mr. Speaker, the figure of $480 million is a composite figure arrived at by taking the opinion of numerous people who are supposed to know something about it. We started with the Governor's own budget of $473 million. We have taken the figures furnished by Mr. Gleeson. We have taken the figures furnished by the former administration, by the Economy League and figures based on appraisals by Senator Dent of the Senate, which I think he says will be $25 million a month. We then have arrived at a composite figure of $480 million.

Mr. ANDREWS. Mr. Speaker, might I inquire who "we" is?

Mr. JOHNSON. I would say it is the great Republican majority we have on this side of the House.

Mr. ANDREWS. Mr. Speaker, might I inquire how many of the magnificent majority the gentleman commands have studied the figures as to categories and are in a position to reach a considered and scientific opinion as to the returns?

If there were time, Mr. Speaker, I would like to have each member of this magnificent and intelligent and tax-wise majority rise in his place and certify that he has read the amended bill. Would the gentleman say his Members have read this bill?

Mr. JOHNSON. I would say a good many of them have read the bill and are at this point quite conversant with it, yes.

Mr. ANDREWS. And by the way, able to advise the Majority Leader, perhaps?

Mr. JOHNSON. I would say there are quite a number on this side of House that could give me some very able advice on the bill.

Mr. ANDREWS. Mr. Speaker, is it understood the gentleman has given serious consideration to the figures compiled by the Revenue Department, the figures given currently by the Governor's Office and the figures given currently by Senator Dent, and that the gentleman has used them in his synthesis to arrive at this figure?

Mr. JOHNSON. I would say in arriving at the composite figure of $480 million we have taken into consideration all this information from the various groups.

Mr. ANDREWS. That is all for the present. I will have some other inquiries in a minute or two.

Mr. ANDREWS. Mr. Speaker, the point I wanted to make was, there should have been written into the records of this House for the purpose of the record, a detailed statement by categories as to what the bill would raise. That statement should not only have been written in the records of this House but should have been supported by the authority, or an authority cited.

I do not consider the gentleman has named a single tax authority. There have been guessers like the Majority Leader who say we estimated and we took all of the guesses, and yet they come before this House to say they should take an educated guess.

I wish to further interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. The title of the bill, Mr. Majority Leader, speaks of further exemptions. Can there be an exemption without a reduction in the total return?

Mr. JOHNSON. What further exemptions, Mr. Speaker?

Mr. ANDREWS. As spoken of in the title and referred to by the Majority Leader, the title of this bill considers what as further exemptions?

Mr. JOHNSON. As I understand the exemptions in this bill, the only real, outright exemption is ships' stores. At the present time we are not collecting that tax and we are getting small, if any, revenue from it.

I understand the department has by letter written to the Philadelphia Port Authority and has advised them down there not to collect the tax and that on examination of their returns, and so forth, exemptions would be given. As I understand the present situation with respect to ships' stores, there is no money, if any, being collected from that source at the present time. What we are doing is spelling out the ships' stores and giving them that exemption. We are putting into effect a practice that is in vogue right now.

Mr. ANDREWS. Mr. Speaker, will the gentleman for the record, state whether the exemptions written into this bill by the other chamber have not materially reduced the tax take?

Mr. JOHNSON. That is correct, Mr. Speaker. The exemptions which have been written into the bill merely clarify and carry out the intent of the Act, and the tax, as I understand it, is not being paid at the present time.

They are collecting around, I believe, $20 million a month from the taxes.

Mr. ANDREWS. Mr. Speaker, one further question: Will the gentleman give us an educated guess as to what the present tax bill on a two percent basis would raise if efficiently administered?

Mr. JOHNSON. Well Mr. Speaker, of course, the question of what a two percent bill would raise is not before us at the present time. We are dealing with a three percent tax, and we are contemplating a three percent tax. I do not know the area in which the gentleman wants the question answered.

Mr. ANDREWS. This is the reason, Mr. Speaker. We have a tax bill in full force and effect. If House Bill 337 does not pass, we will still have a tax bill in full force and effect. It has not been proven, and it has not even been claimed, that the bill now contemplated will raise very much more money than the bill we will have if House Bill 337 does not pass. Mr. Speaker, I thank the gentleman.

Mr. JOHNSON. May I answer your question?

Mr. ANDREWS. I would like to have the answer.

Mr. JOHNSON. We all know that our sales tax at the present time is a permanent taxing Act. On June 1 it drops to two percent. According to our calculations, a three percent will bring in $480 million. If it drops to two percent and it is properly administered, it will bring in $320 million. It is as simple as that.

Mr. ANDREWS. Mr. Speaker, it is not as simple as that because the bill as written and the Act we have are not the same Acts. The reason I have risen to present to the House this question is that we should have an authoritative answer, an answer that can only be worked out in a conference committee. There is nothing on the record, not a single statement by any tax authority, that would justify this House in reaching the conclusion that House Bill 337 as amended, will raise very much more money than the bill we already have if it goes into full force and effect without the exemptions. Neither this House nor the Senate has had any authoritative research to determine the effect of these exemptions.

I am wondering, Mr. Speaker, since I have been inquiring what this House proposed to do for business, whether by the back door through a subterfuge of amending a sales tax bill they are giving a tribute to business, giving business its reduction, instead of doing it in clear-cut fashion. That is the reason Mr. Speaker, this bill should be referred to a conference committee.

There is admittedly a difference of opinion as to the amount raised and that will be raised. There is admittedly a difference of opinion as to the effect of the exemptions. Those matters cannot be determined by guess and not by synthesizing the opinions of persons who simply have opinions. A conference committee which would call before it tax authorities could settle this matter. That is where this matter should be settled.

I want to call the attention of the House to the fact that we should not accept this bill unless the majority is prepared to prove, not assert, but to prove it will raise more money, a considerable amount more money, than the Act we have. That is one of the things that should be done.

This administration is not naked as far as income from a sales tax bill is concerned. It will have a bill, and you say the reason we should have House Bill 337 is that it will raise more money. It will raise more money than this amended bill that is before us now, but that fact has not been proven. It should be proven, and the only way it can be proven is to send it to a conference committee.

Mr. Speaker, like the gentleman from McKean, I am not a technical tax expert. I have no doubt that some of the subsequent speakers will be competent to deal in greater detail with the technical features of this bill. I simply wanted to present the point of view that this House is not playing fair with itself if it does not write into the record the figures and the authorities that justify its action in framing a bill and then having that bill amended with nothing in the record, not a single tax authority in the record, justifying the figures.

Mr. McCORMACK. Mr. Speaker, May I interrogate the Majority Leader?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogted?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, the Majority Leader mentioned in his brief explanation that these amendments in part were designed to overcome the oppressive and the capricious regulations issued by the Department of Revenue. Specifically what were these capricious and oppressive regulations of the Department in the administering of the present tax act?

Mr. JOHNSON. Mr. Speaker, I believe I pointed out a good share of them in my talk. I think if the gentleman were listening, he would have heard me refer to them.

Mr. McCORMACK. Mr. Speaker, the gentleman did not say which were the capricious and arbitrary ones. Are you saying they all were?

Mr. JOHNSON. I would say they all are.

Mr. McCORMACK. Mr. Speaker, the amendment with respect to the tennis shoes, that certainly is going to affect the take under this bill, is it not?

Mr. JOHNSON. No, it will not, for the simple reason that we have a report from the industry that people are not buying their tennis shoes from the sporting goods stores. They are being unreasonably discriminated against. They are buying them from their regular shoe store.

Mr. McCORMACK. Do you have a report, Mr. Speaker, from the industry that the tax is not being paid?

Mr. JOHNSON. No, I said the people are not buying tennis shoes from the sporting goods stores. They are buying them from the regular shoe stores where they are tax free.

Mr. McCORMACK. I see. I want to ask a couple other questions, if I may, Mr. Speaker.

The present bill on the calendar exempts periodicals, and magazines, is that correct?

Mr. JOHNSON. That is right. They must be published at least once every three months.

Mr. McCORMACK. I see. Under these proposed amendments is there anything that would exempt the purchase of drugs, patent medicines, not on prescription?

Mr. JOHNSON. I would have to read that particular amendment. I believe I stated in my remarks you would have to refer to the amendment exempting those particular items. I do not believe medicine on prescription is taxed at the present time.

Mr. McCORMACK. It is not taxable at the present time?

Mr. JOHNSON. No, I do not believe it is in any of the categories.

Mr. McCORMACK. It was my understanding that it was taxable. I see.

Mr. JOHNSON. Prescription durgs, I understand are not taxed.

Mr. McCORMACK. How about drugs not on prescription?

Mr. JOHNSON. They are taxed.

Mr. McCORMACK. They are taxed as patent madicine, yes.

Mr. Speaker, I would also like to ask the gentleman whether or not under the present law gas heat used in home comsumption is taxable?

Mr. JOHNSON. Yes, it is. I come from a gas area and I know we pay the sales tax on it.

Mr. McCORMACK. Is coal used for heating purposes taxed?

Mr. JOHNSON. No. Coal is tax free.

Mr. McCORMACK. How about oil heat?

Mr. JOHNSON. Oil heat is taxable.

Mr. McCORMACK. One further question, Mr. Speaker. Is there any thing in the present amendments that would exempt the purchase of supplies by religious or charitable organizations other than food?

Mr. JOHNSON. I understand religious articles are exempt. They are not in any of the categories.

Mr. McCORMACK. Under what section is that, Mr. Speaker?

Mr. JOHNSON. Under the original Act. There has been no change in that regard.

Mr. McCORMACK. The reason I asked that, is because there was another bill—

Mr. JOHNSON. May I answer your question? Under category 9, of our present Sales Tax Law, it ends by saying that jewelry, and so forth, are taxed but not including religious articles.

Mr. McCORMACK. I am specifically referring to a situation. Let me quote a case where a religious or charitable organiaztion intends to build an edifice. Is the purchase of equipment and are the materials to be used in that building taxable?

Mr. JOHNSON. Yes, they are taxable to the contractor doing the installing. He is the ultimate consumer under this bill.

Mr. McCORMACK. Thank you, Mr. Speaker.

I just wanted to point out the many inconsistencies and the many unjust provisions of both the present tax bill and the proposed amendments. I think they are unfair, and they certainly work a hardship on a lot of the people.

It might be true that these amendments are designed to protect certain branches and phases of industry, but they are certainly not designated to protect the individual consumer. Certainly one of the most outstanding defiiciencies is the taxation of oil and the failure to tax coal for heating purposes. I think that is certainly something that should be corrected.

I have a situation in my own neighborhood where one neighbor uses coal heat and the purchase of coal is not taxed, and the other neighbor uses oil heat and it is taxable. I think if we are going to do something for the people, we ought to do it right here.

Mr. LOVETT. Mr. Speaker, may I interrogate the the Majority Leader?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, when House Bill 337, was before us I interrogated the gentleman and he told me if there were any amendments made in the Senate they would be very minor amendments, is that correct?

Mr. JOHNSON. I believe the overall gist of the interrogation was that there were going to be interpretive amendments made in the Senate, but I believe the question was, will the Senate add clothing or drinks over the bar, or trade-ins or anything like that as recommended by the Governor's tax study report. I believe I said there was nothing major in mind. That is correct.

Mr. LOVETT. Mr. Speaker, may I ask if it took the difference between six pages and 44 pages in a bill to make those minor amendments?

Mr. JOHNSON. Mr. Speaker, the answer is that the minor amendments to the tax law which might affect the revenue one way or another are minor amendments, that is true. The other amendments as I have said are amendments which correct unfair rulings of the Department and do not affect the tax in any way.

Mr. LOVETT. Mr. Speaker, may I ask if the unfair rulings of the Department were taxing people they should not have been taxing?

Mr. JOHNSON. As I understand it, these rulings have been made by regulation, but the various industries involved have not been paying the tax. They feel that the amendments were arbitrary and unreasonable and would be stricken down by the courts. Had there been a session of the General Assembly in process, a fair-minded General Assembly, they would make the correction without forcing them to resort to law.

Mr. LOVETT. Mr. Speaker, would the gentleman say the same thing might not apply under the amendments if they saw fit to rule that it was unreasonable and unjust and they refused to pay the tax?

Mr. JOHNSON. There is a difference between an Act of Assembly and regulations issued by a Department. In any taxing bill it always ends by saying and the Department of Revenue shall make reasonable rules and regulations to carry out the intention of this law, with emphasis on the word "reasonable." What industry would have to do would be to go to court and show that the regulations were unreasonable regulations and not contemplated by the General Assembly when they passed the bill.

Mr. LOVETT. May I ask the gentleman if this particular bill will not have the same clause at the end of it, that rules and regulations shall be made by the Department?

Mr. JOHNSON. Yes. When this bill passes there will be new rules and regulations issued, but there will be a statutory area in which a fair-minded department will be able to lay down reasonable rules and regulations.

Mr. LOVETT. If you had an unfair-minded department, could they not make unfair rules and regulations?

Mr. JOHNSON. That is correct. In a democracy we are always at the mercy of the sovereign and it takes a General Assembly to bring it into existence.

Mr. LOVETT. I thank the gentleman.

Mr. Speaker, I suppose it was about a week ago that we passed House Bill 337 and sent it to the Senate of Pennsylvania. At that time I was ruled out of order many times for referring to the Senate of Pennsylvania. I ask the Speaker today, is it permissible to refer to the Senate of Pennsylvania which has amended this bill?

The SPEAKER. The Chair would like to read for the information of the gentleman and the Members of the House a ruling which was made by a very eminent Speaker of this House as late as May, 1939, the Honorable Ellwood J. Turner, as follows:

> It is a breach of order in debate to notice what has been said on the same subject in the other House, the particular votes or majorities on it there; because the opinion of each House should be left to its own independencey, not to be influenced by the proceedings of the other; and the quoting of them might beget reflections leading to a misunderstanding between the two Houses.

That is the parliamentary law.

Mr. LOVETT. Mr. Speaker, may I ask if at any time during my debate two weeks ago I referred to any vote taken by the Senate of Pennsylvania? I do not think I did.

The SPEAKER. Perhaps the gentleman did not refer to a particular vote, but the Chair is sure the gentleman referred to action taken by the Senate. For that reason the Chair ruled the gentleman was out of order.

Mr. LOVETT. Mr. Speaker, am I in order today to debate action taken by the Senate of Pennsylvania on these amendments?

The SPEAKER. The gentleman is permitted to refer to action which might have been taken by the Senate, but not to the votes or the conversation that took place concerning the bill.

Mr. LOVETT. Mr. Speaker, I might say that at no time did I refer to the conversation.

The SPEAKER. The gentleman will proceed.

Mr. LOVETT. Mr. Speaker, the Senate amended this bill which we sent over, as you gentlemen well know, and they made a lot of amendments. Now this great, honorable body of Senators, who are a fine group of men, very learned, very fine men, many times correct some of the mistakes we make in the House. Nevertheless, that same group of men is subject to error the same as we are. They make mistakes the same as we do. I refer to the action taken in this House two years ago in trying to solve a tax problem in Pennsylvania whereby we would not put the burden of taxes upon one particular group of people, whereby this House itself sat down and agreed to split the tax program and put one-half of it on one group and one-half on the other. This great honorable body in the Senate, who are fine men, what did they do? They sent us back a sales tax, the sales tax which we have today. We sent them a bill and they amended the life out of it and sent it back to us.

There is something fishy in Denmark somewhere. If the Department was not collecting the tax it should have collected under the sales tax, then these amendments we have today should have forced the Departmnt to collect the tax. Now, we either do one thing or the other. We either excuse certain people from this tax and we make other people pay a tax that they were not paying, or else the revenue is not going to be the same derived from this tax program.

You can talk about all your short, businesslike sessions you want to, but I say honestly that you men over there and we men over here do not know what is in this tax bill which we have before us today.

Our Whip over here has pointed out that there has been no expert who has told you what revenue is going to be raised. Nobody has told us. I tried to read this tax bill. After I read it so long I got disgusted, and you would get disgusted too.

You say utilities are exempt because they give public service. Does a dry cleaner give public service? Is that his duty as a dry cleaner, to give public service? If he buys a machine to press your clothes to give you public service, does he pay a tax on it? I do not know whether he does or not, but I do know if he pays a tax on it then the manufacturer who buys a machine to do the same thing should pay the tax.

We talk about a base the machine sits on. You tax the individual in his home for everything that he buys, it is not tax free. Suppose I bought a washing machine and I set it down in the cellar and I wanted to put it on a wooden platform. I would have to pay the tax on it, would I not? But you can set a machine in industry and they do not pay any tax on it.

It just does not make sense to me. I think you gentlemen ought to hesitate a little bit, not get so excited about this short, businesslike session. We are all being paid for doing a job, so let us stay and do it right.

Mr. O'BRIEN. This is not a short speech, Mr. Speaker, this is just the House bills and the Journals.

Mr. Speaker, in relation to this particular bill, Article III, Section 1, "No bill shall be amended to change its original purpose." Now it may be constitutionally debated by the members of the bar of this Legislature that the original purpose of this bill has not been changed. But it seems to me, as a naive layman, when you go from six pages to 44 pages, certainly the original purpose of this bill has been materially changed.

I want to quote House Rule No. 76:

> When a House bill has been amended by the Senate and returned for concurrence, it shall not be considered until placed on the calendar and copies thereof are on the desks of the Members to study.

This particular bill was passed by the Senate last Tuesday. We received the copies of the bill today to study.

I am gratified that the destiny of this Commonwealth is placed in the hands of a majority of the Republican Members who were able to study this bill, beginning today at two o'clock, or three o'clock or one o'clock, and being able to ascertain that this is, after deep consideration and study, a good bill for the Commonwealth of Pennsylvania.

Let me say further, when this bill was up for final passage in the House and was only a six-page bill, the gentleman from Cambria, Mr. Lopresti, attempted to amend this bill on third reading with the idea of helping some poor minks from his section of the Commonwealth, and the eminent floor leader on the Republican side objected to these amendements with these words:

> Mr. Speaker, I just want to add to this. If this is a tremendously important amendment, it seems that it should be made the subject of a bill amending the common Sales Tax Act and referred to the Ways and Means Committee. Then an estimate

> could be prepared and given to the Ways and Means Committee as to the loss of revenue in the bill so that—and I underline this—an intelligent study could be made of this far-reaching amendment.

Is that what the gentleman says it is? I leave that thought with you, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. LOPRESTI. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LOPRESTI. Mr. Speaker, I desire to know whether there is any way under the Rules of this House that we can vote singly on the question of concurring in the various amendments to this bill?

The SPEAKER. It is the opinion of the Chair that there is no way, under the Rules of this House, that we can vote on these amendments singly. Rule No. 76 reads:

> When acting on bills or joint resolutions amended by the Senate, the amendments shall be read and the question put on the concurrence in the amendments.

Mr. LOPRESTI. I thank you, Mr. Speaker.

I knew what the ruling of the Chair would be, and I believe it is correct, but I meremly wanted to have it read so that I could make my argument on an authoritative basis.

On February 26, 1957, when the tax bill was before the House, I made the following statement:

> I am quite certain that the sales tax as it appears on our desk today is in need of amendment and I am confident that the leadership on both sides of the aisle will agree that there are questions which should be brought before this House and voted upon.

Then I went on, Mr. Speaker, to point out that when we adopted the procedure, such as we were in at that time, this House was losing its right to vote on particular amendments on particular subjects. I find today we are in exactly the same position I indicated at that time, that we would be passing on the question of concurring and never passing on whether or not we agreed with a particular change.

I am therefore opposing today the motion to concur on the ground that the only way left for individual Members of this House to express their opinions either for or against a particular amendment would be through the means of a conference committee. We have but one avenue left. If a conference committee is appointed, then we as Members can approach the various members of the conference committee and let our wishes be known.

I want to point out, too, another thing. In that debate that day the majority floor leader made this remark.

> I have especially requested during this Session that if there is anything to be added to any tax bills that it be started in the House where we by the Constitution are required to initiate revenue-raising bills, refer them to the Ways and Means Committee and have them out on the floor of the House first before we send them over to the Senate.

I believe in his opening statement today the Majority Leader has admitted that changes have been made to this bill and certain new items have been included in the tax. Either his request was ignored or he did not have the proper understanding of the leaders of the Senate.

Mr. Speaker, I want to object again. I want to object to this House by this procedure allowing itself to be put in a position where we have no vote on things added or deleted from a tax measure. I think it is a disgraceful exhibition of politics, and the sooner they get back to considering tax measures on their merits on an individual basis, I think the better off they are going to be, and the better off the people of this Commonwealth will be.

Mr. FILO. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall Mr. Speaker.

Mr. FILO. Mr. Speaker, does the gentleman intend to proceed with the passage of this bill on concurrence in the Senate amendments today?

Mr. JOHNSON. Mr. Speaker, there is a motion before the House that we concur in amendments inserted by the Senate.

Mr. FILO. I thank the gentleman.

I would like to remind the gentleman of the words of his predecessor, the then Minority Leader, Mr. Smith, who on the floor of the House during the last session had gotten up to his microphone and stated these words, "What is your hurry? What are you up to? What are you hiding? What are you doing with this bill? The people haven't had a chance to study it." That is true, those were the words of your then Minority Leader, Mr. Smith.

The Majority Leader made the statement that under this piece of legislation the manufacturers will be exempt, farmers will be exempt, public utilities producing or rendering services, publishers, natural resources developers, people building ships, repairing ships, adding to or I guess subtracting from ships, will all come under this new piece of legislation and will be exempt under this bill. I ask the gentleman who will be left to be taxed in the state of Pennsylvania?

Mr. Speaker, today I was slightly alarmed when I came into the House and learned that many of the Members were forced from the House of Representatives. It had been stated there had been a bomb planted in the House of Representatives and a thorough search was made of this House but they were unable to find this bomb. Well, I want to bring to the attention of the House that this bomb has been found. If every Member will look on his desk and turn to page 6 of the calendar, House Bill 337, Printer's No. 160, is a bomb that is going to be tossed into the laps of the Pennsylvania voters, and you will be sorry.

Mr. READINGER. Mr. Speaker, I have no desire to prolong this debate, but certain things must be stated in connection with the question before us, whether we should concur in these Senate amendments.

There is so much to be said about it that I hardly know where to begin, but I would like to start with the period in 1956 when the sales tax bill was in a Conference Committee of the House and Senate.

At that time there had been such a long delay in coming to a decision as to whether there would be a

sales tax—and that was the only tax that we are going to get—that when that Conference Committee finally met the Commonwealth was getting almost desperate for a source of revenue.

The conferees met frequently—like Mr. Johnson I was one of them. We were hurried, we could not take our time to sit down and intelligently write a tax bill which meant what everybody in that Conference Committee thought it would mean.

Mr. Johnson has stated there was a clear intention, or at least an intention, that all manufacturing processes would be tax exempt. I take exception to that statement, if I am correct in my recollection of what he said. There was a general understanding that manufacturing processes would be exempt, also that farmers would be exempt in certain instances, and so forth, but what was intended, as I understood it, was that we would exempt those items of personal property which were purchased and used directly in the manufacturing process.

Today we have a bill before us which is attempting to write into the law of Pennsylvania the philosophy that no tangible personal property used in the process of manufacturing in any way, remote or direct, should be taxable.

I say there was reason for haste in drawing the original bill, and probably there were words in there which were misleading, not too clear, and which had to be made the subject of regulations by the Sales Tax Bureau.

Mr. Johnson has complained thoroughly today about what he consideres improper, arbitrary or capricious rulings of the Sales Tax Bureau or the Department of Justice on the Sales Tax Act. I say when a statute is written it must be interpreted as it is written, and I think the Sales Tax Bureau has attempted to do that. Whether that was mainly our fault in the last session, or the desire to obtain more money, more yield, more revenue, from the sales tax I do not know. I rather think it was because we did not write it as clearly as we should have.

So, we come to today. The sales tax bill was passed by this House not very long ago substantially as it was on the books, except for keeping the rate of three percent and eliminating the stamp plan, the idea being that the Senate would insert other amendments, which are now before us.

This bill came over to the House last Wednesday morning, as I recall it. It was the intention of the majority leadership in this House to bring the bill before us last Wednesday for a vote. We protested and threatened to filibuster if that were done, and it was then decided to defer action until today.

I have had a copy of this bill since last Wednesday, but I doubt whether many other Members of this House have had a copy of even saw a copy until today. So I raise the question, why all this haste? What is the need for it? We have a law on the books now and it is three percent. If any person assessed with the tax thinks he is being improperly imposed upon, he has a right under the law to refuse to pay it and to take the matter into court. There is nobody who will be hurt by deferring action on this until we have had a chance to really understand it.

If I wanted to take the time today, I think I could interrogate 30 people, or more, in this House who would not be able to answer one question which I would ask. And I would not blame them. I would not blame them because this bill is so garbled up and so difficult to read in its present state with these amendments that I doubt whether many lawyers, even tax lawyers, fully understand what some of the sections mean.

Let me point out one example. On page 1 of the bill under the section defining tangible personal property—"Sale at Retail," I guess is the heading—we have these words, "Food and Beverages," and these words are added to the law.

"Except when purchased at or from a school church or hospital in the ordinary course of activities of such organizations when the purchase price of the total transaction is more than fifty cents (50c) when purchased (I) from persons engaged in the business of catering or (II) from persons engaged in the business of operating restaurants," and so forth. The present law exempts food sold at these church suppers, hospital affairs, and so forth. That was intended to be done. But sales by caterers over 50 cents were clearly made taxable.

So what do we have in these amendments? With the insertion of the word "at," which is not in the present law, "except when purchased at or from a school church or hospital," connected with sales by caterers, if this thing is interpreted as the ordinary words would indicate, a caterer could arrange to furnish the food at a church supper.

We will say that the church normally has suppers five times a year and the good ladies of the auxiliary have done the cooking, and so forth. That is the kind of sale we intended to exempt. But now, instead of doing that, we bring in a caterer and the caterer says the meals will be a dollar apiece. So the meals are charged to the people at the church supper at a dollar apiece, but there will not be any tax involved. That same caterer can go across the street to a private club or to any other organization and furnish his food and there will be a sales tax.

If I listened to Mr. Johnson's explanation correctly, that was not intended at all. I do not say that is a very important amendment in this bill, but I pointed out a defect in what was intended by the Senate and what is being intended by this House to correct and amend this law.

There are other sections in this bill which I think are certainly entitled to much more serious consideration than they are being given. On page 7, an amendment has been inserted from line 11 to line 17 and it deals with the definition of "Sale at Retail." Over in the Senate these words were inserted: "The term 'Sale at Retail' shall include the producing fabricating processing printing or imprinting of tangible personal property for a consideration for persons who furnish either directly or indirectly the materials used in the producing fabricating processing printing or imprinting." Before it left the Senate the words "producing fabricating and processing" were stricken out and the rest of the words were left in.

I have a comment which I have obtained from the Attorney General's office on this particular section which reads as follows:

> The amendment on page 7, lines 11 to 17, were recommended by the administration to handle the situation where a manufacturer buys material 'for the account of' a consumer and finishes them for the consumer. The transferral of any product is not taxed under the present law. This tax

avoidance device has been eliminated in Ohio, New York City, California and elsewhere by adoption of the recommended language.

The striking out of these words, "producing, fabricating, processing" on the Senate floor however, emasculates this loophole-plugging language and will cause untold loss of revenue.

I do not intend to go into every section of this amended bill. It would take much too long and it would not add to the point I am trying to make in insisting that these amendments not be agreed to in order that this bill may be put into a conference committee so that careful study is given to it. However, I would like to point out that one of the other amendments removes what I consider to be a very, very important part of our Sales Tax Act, and that is the power of the department to use the effective rate. As Mr. Johnson mentioned earlier, that has been so amended that it will now become a matter of negotiation between the department—the Commonwealth, in other words—and the various businesses involved.

I do not know how many other sales tax states have the effective rate provision in their laws but I dare say most of them do. It is a very effective way of establishing a rate for certain businesses which is based on the experience of the business, an analysis of it, and designed to have that particular business pay what it should be paying rather than a much lower rate because of the difficulty of administering the Act without an effective rate clause.

I do not know, either, why the change in the law has been made in the Senate amendments to remove some of the penalties for understatement of taxes. It seems to me that we are not only eliminating by exemption a great many of the items that were taxable and intended to be taxable and should be taxable, but we are also pulling so many teeth out of the enforcement provisions of this Act that the thing will probably get back to a voluntary basis. People will pay if they feel like paying and they will not pay if they do not want to pay, and we are not going to get much revenue from that.

I say again, why so much haste in this matter? No one will be hurt if we take another month to consider what should be done by way of changes in this law. There are probably other groups who are entitled to some exemptions.

It is probably a very fine thing that we are doing in one of the amendments here, to exempt dental supplies and dental plates because we exempted other devices, prescription medicine, and so forth. It was simply, I suppose, because the bill was written so hurriedly the last time that the Bureau had to rule that dental plates were includable as a taxable item.

Let me point this out to you. If the main intention of adopting these amendments is to help business do something more for business, manufacturing concerns, utilities, and so forth; and if we are going to grant them further exemptions, it must necessarily take away the revenues that would have been collected from their purchases of certain items, and that money is going to have to come from some other source. In my humble opinion we are not going to raise nearly enough money even under the present law without these amendments, not nearly as much as we are going to need. So perhaps we are taking $20 millions of revenue from the shoulders of business and industry, and what-not, and we are going to have to get that money somewhere else.

Here is something you should bear in mind in making this decision today as to whether this bill should go to a conference committee and receive some further consideration by you and some further study. You will remember we amended a law last session to provide as of January 1, 1958, the five mill capital stock tax should no longer be collected from manufacturing corporations. That alone when it goes into effect is going to cost during the following biennium $43 million. In addition to that, the Governor has already recommended, and bills have been introduced, to repeal various business nuisance taxes totalling about $8 million or $9 million. So we are already faced with a loss of about $50 million of revenue. Here we are considering a sales tax bill which would further amend it and grant a great many new exceptions to items used in business.

I say to you we will be making a most serious error if we go through with what I think your present plans are, to pass on these amendments today and concur in them. We will then, of course, be relegated to the position where separate bills would have to be introduced and put into the Ways and Means Committee to consider other matters. If we wrote the first bill in a great hurry, I think we are writing this one in a greater hurry, and we will probably live to regret it deeply.

How many of us have considered the morality, the rightness, the wrongness of taking some of these taxes away from business and putting them on somebody else's shoulders? All of us know that whatever items business must pay in manufacturing or processing or fabricating, whatever taxes are paid by business are added into the cost of the product. It has got to be added because otherwise there would be no profit in the business and the business would not continue. Somebody is paying these bills, and you and I as purchasers and ultimate consumers and consumers all over the United States are paying these taxes. But what are we doing here? We are not going to help the Commonwealth of Pennsylvania by shifting the burden from one group to another. Perhaps we will not even get the revenue. Perhaps it will not be raised unless you adopt a new tax of some kind. Perhaps you will be forcing yourself into enacting a tax on soft drinks or disallowing trade-ins later on.

I think what we should do today and what I am asking you to do is to vote "no" on concurrence, not for the purpose of stopping us from writing a good sales tax act when it is fair and equitable but to write one that will be considered fully, and when it is finally passed will be fair and equitable, and you as well as we will be satisfied that it is. This is not the time to rush a bill like this through the House.

Mr. GOLDSTEIN. Mr. Speaker, will the gentleman from Berks, Mr. Readinger, consent to be interrogated?

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, is the Minority Leader concerned about haste today?

Mr. READINGER. About what?

Mr. GOLDSTEIN. Haste in the passage of this bill and concurrence in the amendments?

Mr. READINGER. I am concerned about it, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, does the Minority Leader recall the revolutionary manufacturers' excise tax?

Mr. READINGER. I shall never forget it.

Mr. GOLDSTEIN. Will the Minority Leader refresh the recollection of the new Members as to how many days that was considered by the House of Representatives?

Mr. READINGER. One and a half or two and a half, I guess.

Mr. GOLDSTEIN. Is it not true that House Bill 337, as amended by the Senate, was on second reading and printed in that form on March 13th? At least, it shows so in the record.

Mr. READINGER. In its present form?

Mr. GOLDSTEIN. Yes.

Mr. READINGER. I did not see a copy of it until last Wednesday morning, whatever date that was. That was later than the 13th.

Mr. GOLDSTEIN. Would it not be true—

The SPEAKER. The Chair will inform the gentleman that the bill was in print on March 19th.

Mr. GOLDSTEIN. Would the Minority Leader not state that the administration is greatly interested in the proceeds from this bill from the 17 categories?

Mr. READINGER. The administration is greatly concerned about them.

Mr. GOLDSTEIN. Has the administration enlightened the Minority Leader as to the amount to be obtained from each of these 17 categories so that we on this side can get the benefit of that information?

Mr. READINGER. I will answer the gentleman by saying that I have no figures of estimated yield from this bill as now amended.

Mr. GOLDSTEIN. Does not the Minority Leader think that the administration should give us the full facts, if it has any facts?

Mr. READINGER. I think the administration should always give us facts if it has them, but I doubt at the moment whether it has any facts concerning yields on this bill as amended.

Mr. GOLDSTEIN. Is the Minority Leader familiar with the interpretation of the word "manufacturing" as it concerns steel companies?

Mr. READINGER. I guess I am about as familiar as the average Member.

Mr. GOLDSTEIN. Does the gentleman disagree with the Majority Leader to the effect that if a steel billet is made in a plant in the district represented by Representative Filo and then is transferred to another plant of the United States Steel 20 miles away, the resultant product is taxed under regulation today?

Mr. READINGER. I will take the Majority Leader's word that that is the regulation. I am not familiar with it myself.

Mr. GOLDSTEIN. Thank you, that is all.

Mr. Speaker, I would just like to speak briefly.

The last remark of the Minority Leader is very enlightening. If Mr. Johnson's report that by regulation the processes of manufacturing in the steel industry have been taxed, which is contrary to the sales tax as we passed it, at least that is my interpretation, then today we are having government by bureaucracy. We should have government by legislation. That is the issue today.

Anybody who believes in government by Legislators and not government by bureaucrats should vote "aye" today.

Mr. READINGER. Mr. Speaker, I am afraid I am unimpressed by the ingenious argument of the fine lawyer from Allegheny County, Mr. Goldstein.

I did not at any time say anything, either today or at any other time, indicating I did not think this sales tax bill should be amended. That is the furthest from my thoughts. Frankly, I think it needs amendment. I am objecting to the manner in which this is being done, as well as objecting to some of the proposed amendments written into this bill.

We are again moving with the utmost speed. We are going to write some things into this bill if we do not stop and think and weigh these considerations more thoroughly. There are things in this bill we do not want to see there.

Again I raise the question, who is going to be hurt by giving us adequate time to study and reflect on the amendments to this bill?

The gentleman mentioned the passage of the excise tax bill during the last session. There is one difference. That bill was being passed in the House first, it had not even gone to the Senate, so there was bound to be adequate time to stop and look at it in the Senate, at least. But here we have a bill which we passed in a very minute form and which comes back to us with multiple amendments. Overnight we are supposed to act upon it. If we do act upon it favorably today, this bill will be a finally enacted bill and will go to the Governor's desk.

That is the difference between the passage of the manufacturers' excise tax in such a hurry and the passage of this one.

Mr. LOVETT. Mr. Speaker, there is just one more word I want to say in regard to this bill.

Last Wednesday I sent the page boy down for a copy of this bill and there were no copies of this bill available at that time. I had to take the bill from my book and take it home with me if I wanted to see it. I believe in economy the same as you do, but not to that extent.

Mrs. PASHLEY. Mr. Speaker, may I ask the Majority Leader a question?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mrs. PASHLEY. Will the majority agree to a Conference Committee in view of the fact that charitable and religious institutions and private schools are not included in these amendments?

These institutions, hospitals and private schools, save for the Commonwealth millions of dollars. The citizens who support these institutions, I feel, are entitled to some tax relief as well as the manufacturers.

Mr. JOHNSON. The lady's question is, would we agree to send this bill to a conference committee so that amendments can be put in to exempt religious organizations, is that the question?

Mrs. PASHLEY. That is right.

Mr. JOHNSON. Today we have the bill before us with amendments. They are before us for concurrence, and I am asking the House to vote for the bill as is and concur in the amendments.

Mrs. PASHLEY. That would eliminate these institutions completely?

Mr. JOHNSON. Mr. Speaker, there is nothing that will stop any Member from putting in an appropriate bill to exempt anybody. As I say, it can be referred to the Ways and Means Committee.

I would recommend to the lady that she introduce a bill embodying the principles she has set forth.

Mrs. PASHLEY. I believe there is a bill in now. I would like some assurance that it would come out.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—124

Adams,	Ewing,	Lafore,	Pursley,
Agnew,	Fetterolf,	Lee, A. M.,	Ragot,
Ashton,	Foster,	Lee, K. B.,	Rigby,
Auker,	Fox,	Light,	Royer,
Barton,	George,	Lippincott,	Seltzer,
Bell,	Gibb,	Magee,	Snare,
Blair,	Gibson,	Mahan,	Spray,
Boles,	Goldstein,	Markley,	Steckel,
Bower,	Goodling,	Marsh,	Stevens,
Bowman,	Goodrich,	McInroy,	Stimmel,
Brand,	Gramlich,	Merry,	Stoner,
Breisch,	Gross,	Metz,	Strausser,
Brenninger,	Guthrie,	Mikula,	Stroup,
Breon,	Haudenshield,	Miller, B. Z.,	Stuart,
Brown,	Heffner,	Miller, H. G.,	Thompson,
Brucker,	Henzel,	Miller, W. H.,	Tompkins,
Buchanan,	Hocker,	Moody,	Ujobai,
Carson,	Horst,	Moscrip,	Varner,
Cleveland,	Ide,	Moyer,	Vaughan,
Cooper,	Isaacs,	Murphy,	Wall,
Dalrymple,	Jenkins,	Murray, H. P.,	Weidner,
Davis,	Johnson,	Murray, P. G.,	Wescott,
DeLong,	Johnston,	Naugle,	Whittaker,
Dengler,	Jones, T. H. W.,	O'Dell,	Willard,
Dennison,	Jump,	Ogilvie,	Willaredt,
Dietterick,	Kehler,	Parry,	Wilt,
Donahue,	Keller,	Phillips,	Wyatt,
Donaldson,	Kernaghan,	Piper,	Wynd,
Down,	Knecht,	Pomeroy,	Zimmerman,
Dunn,	Kooker,	Post,	Helm,
Edwards,	Korns,	Price,	Speaker
Eshleman,			

NAYS—78

Amarando,	Floyd,	McCann,	Schuster,
Anderson, M. S.,	Flynn,	McCormack,	Schwartz,
Anderson, S. A.,	Frascella,	McGee,	Sherman,
Andrews,	Galley,	McKeever,	Shields,
Boory,	Garlock,	McLaughlin,	Silverman,
Brennan,	Gelfand,	Mills,	Smith,
Breth,	Hamilton,	Muldowney,	Snider,
Bucchin,	Heavey,	Munley,	Stone,
Capano,	Holt,	Musto,	Taylor,
Cianfrani,	Jim,	O'Brien,	Toll,
Cioffi,	Kamyk,	Pashley,	Trusio,
Comer,	Kornick,	Petrosky,	Varallo,
Cummins,	Krakow,	Polaski,	Verona,
Curwood,	Leonard,	Readinger,	Walsh,
Devlin,	Limper,	Reidenbach,	Wargo,
Dougherty,	Lopresti,	Renwick,	Welsh,
Duffy,	Lovett,	Rovansek,	Wheeler,
Eilberg,	Lutty,	Rudisill,	Williams,
Farabaugh,	Maxwell,	Scarcelli,	Worley,
Filo,			Yatron,

NOT VOTING—7

Erb,	Jones, G. E.,	Monroe,	Wood,
Fineman,	Mihm,	Mullen,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER. The Chair at this time would like to thank the membership of the House for the splendid order and the intelligent debate during the consideration of the amendments on the tax bill.

The Chair would like to inform the Members that it is the desire of the Chair to clear the first and second reading calendars and the desk before adjournment for the day. We hope we can have the business of the day completed by six o'clock.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 860, entitled:

An Act creating a Highway Investigation Commission for the purpose of making a study and investigation of all activities of the Pennsylvania Department of Highways and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 319, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) providing additional standards for the determination of rates of common carriers of passengers by motor vehicle.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 395, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) providing for approval to erect traffic signs and changing the definition of the term "school zone."

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 400, entitled:

An Act amending the "Uniform Acknowledgement Act" approved July 24, 1941 (P. L. 490) deleting the reference to "Philippine Islands" the reference to "homestead" and the requirement that certain acknowledgements taken without the State be authenticated.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 402, entitled:

An Act amending the act of December 14, 1854 (1855 P. L. 724) entitled "An act relating to the authentication of Letters of Attorney Protests of Notaries Public * * *" authorizing deeds executed and acknowledged out of State to be recorded * * *.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 403, entitled:

An Act to validate certain acknowledgements and to regulate the effect thereof.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 439, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire by gift on behalf of the Commonwealth the property known as Graeme Park in Horsham Township Montgomery County * * * and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 454, entitled:

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905) further regulating the size of motor buses and motor omnibuses

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 573, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) exempting veterans who served in the armed forces of the United States during any period of war or armed conflict and lost eyesight as a result of such service from fees charged for certificates of title or registration.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 590, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 591, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 592, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a certain tract of land adjacent to Shippensburg State Teachers College in Cumberland County and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 618, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville and in the Township of Manor Lancaster County for the use of the Millersville State Teachers College and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 738, entitled:

An Act repealing the act of May 1, 1907 (P. L. 147) entitled "An act to require corporations owning leasing or operating steam or electric railways and engaged in the business of carrying freight or passengers within this State to report to the Secretary of Internal Affairs the number of statute miles of lines so operated * * *"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 786, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire seventy-eight acres more or less of land in Washington Township * * * for the use of the Edinboro State Teacher's College and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 74, Printer's No. 36

was passed over at the request of Mr. TOLL.

There being no objection

Senate Bill No. 216, Printer's No. 81

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 277, entitled:

An Act authorizing and empowering the Delaware River Port Authority a body corporate and politic functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey and the express consent of the Congress of the United States to appoint policemen make rules and regulations for the prevention of disorder the preservation of safety and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate to prevent the evasion of the payment of tolls and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 280, entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 281, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts page 120 Act No. 150-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five" decreasing appropriations to the Department of Revenue

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 262, entitled as follows:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for attendance of school directors at National School Boards Convention.

On the question,

Will the House agree to the bill on third reading?

Mrs. HENZEL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1 line 4 from top of title, by inserting after "the" area in which school directors may attend meetings

Amend Sec. 1, (Sec. 516.1) page 2, line 6, by inserting brackets before and after "on" and inserting immediately thereafter "at"

Amend Sec. 1 (Sec. 516.1), page 2, line 11, by striking out "on" and inserting "at"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

House Bill No. 391, Printer's No. 187

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 582, entitled as follows:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) requiring the Budget Secretary to submit budget material to the chairman of the Committees on Appropriations of the House of Representatives and the Senate within a specified time.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. GIBSON. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence No. 331.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 24.

An Act providing for the rendition of certain reports by joint interstate bodies.

SENATE BILL No. 123.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" permitting county commissioners to hold their organization meeting on the day after a holiday.

SENATE BILL No. 161.

An Act amending the act of December 27, 1951 (P. L. 1742) entitled, as amended, "The Realty Transfer Tax Act," requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

HOUSE BILL No. 337.

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" eliminating provisions which would reduce the rate of the tax and the use of prepaid tax receipts changing and clarifying certain definitions making further exemptions changing the procedure for the collection of the tax and the administration of the act and providing appeals.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL RE-REFERRED

Mr. HAUDENSHIELD from the Committee on Welfare, returned with the recommendations that it be re-referred to the Committee on Cities—Counties First—Second and Second Class A, House Bill No. 893, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," further regulating payments to certain beneficiaries under the fund.

The SPEAKER. The bill is re-referred to the Committee on Cities—Counties First—Second and Second Class A.

QUESTION OF PERSONAL PRIVILEGE

Mrs. BEATRICE Z. MILLER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The lady will state it.

Mrs. BEATRICE Z. MILLER. On March 11, 1957, Mr. Speaker, on House Bill 479, page 641 of the Legislative Journal, I am recorded as not voting on amendments offered by the Minority Leader. I was in my seat and voted "nay" on these amendments.

BILL ON FINAL PASSAGE POSTPONED

Mr. WESCOTT. Mr. Speaker, I call up on page 5 of today's calendar, Bills on Final Passage Postponed, House Bill No. 269.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WESCOTT.

The House resumed the consideration on final passage of House Bill No. 269, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) further providing for the employment of a certified public accountant the duties of the township auditors and further regulating appropriations.

RECONSIDERATION OF VOTE

Mr. WESCOTT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WESCOTT. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1, (Sec. 702), page 3, by inserting between lines 5 and 6

When a certified public accountant is employed under the provisions of this clause the certified public accountant shall have the powers given to the auditors under sections 545, 546 and 551 of this act. They shall perform the duties of the auditors as provided in section 547. They shall be subject to the same penalties to which the auditors are subject under section 549.

The report of the certified public accountant is subject to appeals the same as reports of auditors under sections 553, 554, 555, 556, 557, 558, 559, 560, 561, 562 and 563 of this act.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ANNOUNCEMENT

The SPEAKER. The Chair would inform the Members of the House that the Governor has requested permission to address a Joint Session of the House and Senate tomorrow at three o'clock. It is the intent that the procedure will be set up at tomorrow's Session to receive the Governor.

COMMITTEE MEETINGS

CITIES THIRD CLASS, Mr. Mikula, Chairman, Room 521, Tuesday, March 26, at 11:00 a. m.

JUDICIARY, Mr. Tompkins, Chairman, Room 145, Tuesday, March 26, at 11:00 a. m.

JUDICIARY SPECIAL, Mr. Thomas H. W. Jones, Chairman, Room 145, Tuesday, March 26, at 9:45 a. m.

LIQUOR CONTROL, Mr. Price, Chairman, Room 330, Tuesday, March 26, at 10:00 a. m.

MOTOR VEHICLES, Mr. Guthrie, Chairman, Room 522, Tuesday, March 26, at 10:30 a. m.

PROFESSIONAL LICENSURE, Mr. Wall, Chairman, Room 521, Tuesday, March 26, at 10:30 a.m.

PUBLIC HEALTH and SANITATION, Mr. Jump, Chairman, Room 522, Tuesday, March 26, at 12:30 p. m.

ADJOURNMENT

Mrs. DONAHUE. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 26, 1957 at 2:00 p. m.

The motion was agreed to, and (at 6:07 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, MARCH 26, 1957. No. 29.

SENATE

TUESDAY, March 26, 1957

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. GEORGE I. MELHORN, Pastor of the Moxham Lutheran Church, Johnstown, offered the following prayer:

Gracious God, Father of all creation and the great Architect of the Universe, we bow today before Thy sovereign power. We are the creatures of Thy creation, and Thou holdest in Thy hands our lives. We live this day and each day of our lives only by Thy permission.

Too often we forget that Thou are Lord of all. We invoke Thy special favor this day on these the Senators of the Commonwealth of Pennsylvania. Grant that they may be able and willing to forget self and intent and purpose, and think wholly of following Thy divine guidance and direction.

Guide all our lives, we pray Thee, that they may be acceptable in Thy sight; that in all our thoughts, words and deeds, we may be given wholly to serving Thee and that our lives might reflect Thy guidance and direction.

We offer these, our prayers, in the Name of Jesus Christ, Thy Son our Lord, Who liveth and reigneth with the Father and the Holy Ghost, ever one God, world without end. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read and Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. KALMAN, further reading was dispensed with, and the Journal was approved.

SENIOR CLASS OF MYERSTOWN HIGH SCHOOL PRESENTED TO SENATE

Mr. EHRGOOD. Mr. President, I would like to present to the Chair, and to the Members of the Senate, a very fine group of young men and young ladies, comprising the Senior Class of Myerstown High School. They are here with Professor Harvey L. Nitrauer, the Supervising Principal of Myerstown High School; Mr. Dwight C. Fake, teacher; and Mr. Harold G. Yeagley, of the Social Studies Department.

The PRESIDENT. Will the class please stand? The Chair, on behalf of the Members of the Senate, welcomes this group here. I just had word from the press section that they say it is the best looking group that has appeared here in the Senate during this Session. I had the pleasure of meeting them this morning in my office and to talk to them. We are certainly glad that they are here to visit with us, and I hope they can stay for the entire Session.

STUDENTS FROM CHAMBERSBURG PRESENTED TO SENATE

Mr. ELLIOTT. Mr. President and fellow Senators, I am not quite the vote getter that Senator Ehrgood is but I do have four of my good, young friends from Chambersburg, Franklin County, here today. They represent, by themselves, four different schools.

I would like to call your attention to the fact that they have certainly honored me and I hope you will feel the same way by their attendance here today.

The PRESIDENT. Will these distinguished visitors please stand?

On behalf of the Members of the Senate, we also extend to you our cordial welcome, and we hope you will be able to stay with us for the whole Session.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JOINT SESSION

March 26, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session today, March 26, 1957, at three p. m.

GEORGE M. LEADER.

SENATE CONCURRENT RESOLUTION JOINT SESSION

Mr. WHALLEY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY offered the following resolution which was twice read as follows:

In the Senate, March 26, 1957.

Resolved (if the House of Representatives concur) That the Senate and House of Representatives meet in Joint Session Tuesday, March 26, 1957, at 3:00 p. m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION ADOPTED

Mr. WHALLEY. Mr. President, I move that the Senate adopt the resolution just read by the Clerk.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAHANY. Mr. President, I am quite willing to vote "aye" on this resolution, but I hope that the Governor, in being our guest at this Joint Session of the Legislature, will act like a guest.

Mr. SILVERT. Mr. President, I am sure the Governor will not only act as a guest, but as a good host.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. LANE. Senator Mahany, could you tell us just how you would have the Governor act and what his actions should be, after your description of him as a guest?

Mr. MAHANY. I thought you would know how a guest should act when he goes into the house of someone who has invited him there; that is, to be polite, to be courteous and to be respectful of the fellow who invites him.

Mr. LANE. I wanted to know the Republican definition. I thought possibly it might be that you might be sensitive and be afraid of just a little criticism.

Mr. SEYLER. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. SEYLER. Mr. President, I would, of course, defend the gentleman's right to make any comment which is critical of the Governor or any other person after the event.

However, the remarks of the gentleman seem to me to be anticipating that the Governor has some intention of acting in an improper manner as the guest of this Legislature.

I would like to ask the gentleman, Mr. President, whether to his knowledge, at any time in the past when the Governor has been a guest of the Legislature, the gentleman can cite any instance in which the Governor has acted in any other manner but a proper one and as a gentleman would act.

Mr. MAHANY. It has usually been the custom for the Governor to send over an advance copy of his speech to me. I usually receive that in the morning in order for me to prepare some answer to it. We had the understanding that would be his policy.

Today, that speech is conspicuous by its absence. I have also been told by certain newspapermen, who evidently have some advance notice of what the Governor is going to say, that he is going to take the means of this Joint Session to give us some kind of a reprimand and dress us down for something which we have done.

Mr. SEYLER. Mr. President, if the Governor, at the Joint Session, gives what, in his opinion, is an honest criticism of the actions of this Legislature, it hardly seems to me that the gentleman on the other side, even though he may disagree with what the Governor says, has any right to imply that this is in any way an improper action or that he is acting in a manner in which one who is a guest should not act. The Governor, obviously, has a reason for calling this Joint Session.

The Governor in the past, I submit, has always acted properly. The gentleman from Crawford has offered us no instance in the past where the Governor has acted in any other manner. My personal opinion is that the gentleman has spoken in taste rather lower than one is accutomed to hearing from this distinguished gentleman in making this inference on the floor today.

Mr. LANE. Mr. President, after listening to the Majority Leader's last statement, it is indicative to me that it appears the Majority Leader has more or less a guilty conscience.

Mr. MAHANY. Mr. President, it just shows how these fellows on the other side can twist a man's words around. All I asked the Governor to do is to treat us as any guest would when they enter our house. From that, they jumped to all kinds of conclusions and all that sort of thing. I am willing to let the record stand as it is until after we hear the speech.

The only thing I wanted to point out was that the Governor did not send me over an advance copy of his speech as he has always done before. Therefore, Mr. President, I have a right to anticipate that there is something in his speech about which he might be ashamed. Let us allow him to come before us and if what I anticipate is true, then he will hear further from me after the Joint Session.

Mr. WEINER. Mr. President, I can feel for the gentleman in going to a meeting with some foreboding. I certainly hope his conduct has not been such as to make him feel that there is some reason for him not to go to this meeting or be treated other than the way he has been treated in the past.

I also think that Senator Mahany's anticipatory remarks cannot lead to any kind of feeling on his part, and the gentlemen under his leadership, to listen to anything which the Governor has to say today with an open mind. It might very well be that the Governor is not going to criticize, but rather perhaps make recommendations on what has already been done. Of course, if the gentleman feels that some of his actions in the past are the type which should be criticized or that certain recommendations should be made, I think he is intelligent enough to let the record be made by the Governor before he makes any remarks.

I think it is a little unfair to any person, who is invited as a guest, to make any kind of remarks about

them prior to having heard what they have to say and prior to observing their conduct, especially if their conduct in the past has always been above approach and exemplary.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

JOINT SESSION

In the Senate, March 26, 1957.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in joint session Tuesday, March 26, 1957, at 3:00 p.m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth.

SENATE CONCURRENT RESOLUTION

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. WHALLEY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 26, 1957.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

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The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

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COMMITTEE APPOINTED TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee, pursuant to the resolution just adopted by the Senate and the House of Representatives: the gentleman from Bucks, Mr. Watson; the gentleman from Delaware, Mr. Watkins; and the gentleman from York, Mr. Seyler.

Mr. LANE. Mr. President, I wish to prevail upon the President pro tempore to appoint Senator Mahany as one of the Members to escort the Governor to the hall of the House.

The PRESIDENT. Does the gentleman from Washington, Mr. Lane, wish to confer with the President pro tempore?

Mr. MAHANY. Mr. President, the President pro tempore was successful in one appointment for me, and I do not want him to take another risk.

REPORTS FROM COMMITTEES

Mr. FLEMING, from the Committee on Local Government, reported as amended, Senate Bill No. 33, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law," authorizing certain political subdivisions to borrow money for improvements and equipment without the issuance of bonds.

He also, from the Committee on Local Government, reported as committed, House Bill No. 98, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code," permitting the prothonotary to appoint a solicitor and prescribing a means for paying the cost of prothonotary's litigation.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 146, entitled:

An Act amending the act of June 12, 1931 (P. L. 512) entitled "Industrial Farms and Workhouses Law," permitting any county to commit inmates to any industrial farm and workhouse in the Commonwealth; and providing for payment of their upkeep.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 206, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," increasing the sum of money county commissioners may pay to the county historical society.

He also, from the Committee on Local Government, reported as committed, House Bill No. 266, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," permitting city council to hold its organization meeting on first day after a holiday.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 299, entitled:

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law," revising basic

facts and policy; changing definition of "redeveloper" and "redevelopment"; further defining the powers of an Authority; and extending and changing redevolpment proposal requirements.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 318, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code," requiring entrance of bond in appeals from board of adjustment rulings affecting zoning regulations.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 326, entitled:

An Act providing for the creation and incorporation as bodies corporate and politic of joint service districts by counties, cities of the third class, boroughs, towns and townships to perform certain functions; prescribing the powers and duties of such joint service districts, and the duties of participating counties, cities, boroughs, towns and townships; and conferring jurisdiction on courts of quarter sessions in connection therewith.

He also, from the Committee on Local Government, reported as committed, House Bill No. 326, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 425, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law," providing for the waiver of notice in certain cases when two political subdivisions impose the same tax on the same person, subject, business, transaction or privilege.

He also, from the Committee on Local Government, reported as committed, House Bill No. 458, entitled:

An Act validating the assessment rolls of counties from the fourth to eighth class.

He also, from the Committee on Local Government, reported as committed, House Bill No. 521, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code," further regulating ordinances opening changing or vacating roads and highways.

BILLS RE-REFERRED

Mr. FLEMING, from the Committee on Local Government, returned to the Senate, Senate Bill No. 126, entitled:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia; . . ." enlarging the jurisdiction of the municipal court.

Which was re-referred to the Committee on Judiciary General.

He also, from the Committee on Local Government, returned to the Senate, Senate Bill No. 337, entitled:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia; . . .," enlarging the jurisdiction of the court.

Which was re-referred to the Committee on Judiciary General.

He also, from the Committee on Local Government, returned to the Senate, Senate Bill No. 371, entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein a distinct and separate court of common pleas designated court of common pleas number eight; and providing for the appointment and election of judges for the court.

Which was re-referred to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. MADIGAN, on behalf of Mr. HARNEY, from the Committee on Judiciary General, reported as amended, Senate Bill No. 125, entitled:

An Act requiring the determination of value of property taken and amount allowed for delay in payment as separate items an eminent domain proceedings.

Mr. WEINER, from the Committee on State Government, reported as committed, Senate Bill No. 66, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire land on which is located the Old Bradford House in the City of Washington, Washington County; providing for its repair; authorizing the conveyance thereof to the Washington County Historical Society; and making an appropriation.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 165, entitled:

An Act amending the act of May 17, 1929 (P. L. 1798) entitled "Law Fixing Annual Charge on Forest Lands," fixing the time of payment of the charges.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 321, entitled:

An Act amending the act of August 22, 1953 (P .L. 1344) entitled "The Marriage Law," further regulating the issuance of marriage licenses.

He also, from the Committee on State Government, reported as committed, House Bill No. 564, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," providing penalties for violation of rules governing State Parks State Forest Picnic Areas State Forest Monuments and State Historical Parks.

He also, from the Committee on State Government, reported as amended, House Bill No. 734, entitled:

A Supplement to the act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929," regulating expenditures and commitments by administrative bodies boards and commissions from the General Fund during a portion of each biennium.

BILL RE-REFERRED

Mr. WEINER, from the Committee on State Government, returned to the Senate, Senate Bill No. 155, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction of a field house and gymnasium at Slippery Rock State Teacher's College.

Which was re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES

Mr. DONOLOW, from the Committee on Judiciary

General, re-reported as amended, Senate Bill No. 97, entitled:

An Act to define and prohibit unauthorized interception divulgence or use of telephone and telegraph communications providing criminal penalties and civil damages including attorneys' fees for the violation thereof and limiting the admissibility of evidence.

Mr. HAYS, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 94, entitled:

An Act amending the act of June 6, 1907 (P. L. 417) entitled "An act to authorize all State hospitals for injured persons, and all hospitals for the care and treatment of the insane, in whole or in part maintained by State aid, to acquire lands for hospital purposes; . . .," extending the act to all hospitals in whole or in part maintained by State aid.

He also, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 279, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law," regulating powers of the Department of Public Assistance with respect to rules, regulations and standards for eligibility for assistance.

He also, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 316, entitled:

An Act relating to the practice of ophthalmic dispensing; providing for the registration and licensure of dispensing opticians and the registration of apprentices; conferring powers and imposing duties upon the State Board of Examiners for Dispensing Opticians; providing for the revocation or suspension of licenses in certain cases and prescribing certain unlawful acts and penalties.

He also, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 317, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," creating the State Board of Examiners for Dispensing Opticians, and defining its powers and duties.

He also, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 331, entitled:

An Act to amend the act approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1335) entitled "The Pennsylvania Hospital Survey and Construction Act," by requiring that non-Federal funds be available before application shall be made for hospital construction projects to be owned or operated by the State.

He also, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 423, entitled:

An Act amending the act of May 1, 1933 (P. L. 216) entitled "The Dental Law," regulating the use of dental technician services by dentists; imposing duties on dentists and dental technicians and prescribing penalties.

Mr. WHALLEY, from the Committee on Highways, reported as committed, Senate Bill No. 379, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding a new route in Jefferson County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 385, entitled:

An Act amending the act of April 8, 1925 (P. L. 191) entitled "An act establishing certain public roads as State highways; . . .," changing a route in Lancaster County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 386, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," changing a route in Chester County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 395, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding a new route in Luzerne County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 396, entitled:

An Act amending the act of June 22, 1931 (P. L. 720) entitled "City State Highway Law," adding routes in Luzerne County.

BILL INTRODUCED AND REFERRED

Messrs. PECHAN and MAHANY read in place and presented to the Chair Senate Bill No. 447, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for reimbursement by the Commonwealth to school districts and vocational school districts; authorizing the revision of budgets and temporary loans and harmonizing the language of existing amendments.

Which was committee to the Committee on Education.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 448, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," clarifying and including power boilers within the exclusion of certain items in valuing real estate.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 449, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945," further defining the appointment and terms of office of Board members.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 450, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," further prescribing the purposes of zoning regulations.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 451, entilted:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," authorizing the promulgation of housing codes, and further prescribing the purposes of zoning regulations.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 452, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," authorizing city council to promulgate a housing code and further prescribing the purposes of zoning regulations.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 453, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing the promulgation of housing codes and further prescribing the purposes of zoning regulations.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 454, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing the promulgation of housing codes; and further regulating zoning and the powers of township supervisors and procedures in respect thereto.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, I wish to present several bills which were prepared as a result of certain studies made by the Joint State Government Commission's task force on administrative procedure in the courts.

BILLS INTRODUCED AND REFERRED

Messrs. BERGER, MALLERY and SILVERT read in place and presented to the Chair Senate Bill No. 455, entitled:

An Act authorizing the Supreme Court of Pennsylvania to prescribe general rules of practice and procedure in all criminal actions in certain courts of this Commonwealth; authorizing certain courts to prescribe and adopt local rules, not inconsistent with such general rules of the Supreme Court of Pennsylvania; authorizing the Supreme Court of Pennsylvania to appoint a Criminal Procedural Rules Committee, and fixing and defining its powers and duties; imposing duties on judges and other officers of every court of record; fixing penalties.

Which was committed to the Committee on Judiciary Judiciary.

They also read in place and presented to the Chair Senate Bill No. 456, entitled:

An Act providing for the assignment of certain judges to other judicial districts by the Supreme Court of the Commonwealth.

Which was committed to the Committee on Judiciary Judiciary.

They also read in place and presented to the Chair Senate Bill No. 457, entitled:

An Act for the improvements of the judicial system by providing for an administrator for the courts and for an annual conference of judges.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, it has been said that consistency is both a jewel and the attribute of a small mind. However, I know that the Senate has been waiting with eager anticipation for the introduction of this piece of legislation that I am about to offer.

I am, therefore, gratifying that eager anticipation in presenting a bill calling for reconstruction of "Ole Bull's Castle."

BILLS INTRODUCED AND REFERRED

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 458, entitled:

An Act authorizing the Department of Forests and Waters to build a replica of "Ole Bull's Castle" on its original site in the Susquehanna State Forest to commemorate the settlement of the colony fostered by the famous Norweigian musician.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. KESSLER, on behalf of Mr. PROPERT, read in his place and presented to the Chair Senate Bill No. 459, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," providing a registration plan for rental trailers.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, on behalf of myself and Senator Wagner, I am presenting seven bills which were prepared as a result of the Joint State Government Commission's continuing study on education.

BILLS INTRODUCED AND REFERRED

Messrs. KESSLER and WAGNER read in place and presented to the Chair Senate Bill No. 460, entitled:

An Act reenacting and amending the act of June 27, 1947 (P. L. 1046), entitled "State Tax Equalization Board Law," authorizing the State Tax Equalization Board to certify to school districts the market value of all taxable real property within such school districts and the percentage of such market value to be used for school assessment purposes.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 461, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the certification by the board of school directors in each school district to the boards or bureaus of assessors, boards of revision of taxes or other proper city and

county officials of the assessed value of taxable real property in each school district to be used as a basis for school borrowing purposes and school taxes, subject to certain tax limitations.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 462, entitled:

An Act amending the act of June 27, 1939 (P. L. 1199), entitled "An act relating to the assessment of real and personal property and other subjects of taxation in counties of the first class; . . .," providing for the uniform assessment of real property for school district tax purposes and the certification of assessment valuation by school districts.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 463, entitled:

An Act amending the act of June 21, 1939 (P. L. 626) entitled "Second Class County Assessment Law," by providing for the uniform assessment of real property for school district tax purposes and the certification of assessment valuation by school districts.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 464, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "Third Class County Board Assessment Law," further providing for the uniform assessment of real property for school district tax purposes and the certification of assessment valuation by school districts.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 465, entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," providing for the uniform assessment of real property for school district tax purposes and the certification of assessment valuation by school districts.

Which was committed to the Committee on Education.

They also read in place and presented to the Chair Senate Bill No. 466, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," providing for the uniform assessment of real property for school district tax purposes and the certification of assessment valuation by school districts.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, I will open my remarks by reading one sentence from an article which appeared in the New York Times, dated March 3, 1957:

"Massachusetts college students will become eligible tomorrow to invest in their own futures on easy terms."

Mr. President, the bill I am about to introduce is patterned after this Massachusetts act. It creates a corporation to be known as the Pennsylvania Higher Education Assistance Authority. This nonprofit corporation would be eligible to receive grants from business firms and philanthropic individuals. The money so received will be used not to give money away, but to lend it to worth-while students who have proven their competence in their first year of college.

A student who is competent would be permitted to borrow from this corporation $500 a year and do so for three years, to the extent of $1,500. He would sign a note, bearing a low rate of interest, on which he would promise to repay this money as soon after he graduates as possible.

Mr. President, the donors to this fund would have tax exemptions on the amount donated. The State would absolutely guarantee nothing; it is the corporation which woud lend the money and guarantee the loans made by banks.

I am presenting this bill, Mr. President, on behalf of my Good Friend, Senator Ehrgood, and myself.

BILL INTRODUCED AND REFERRED

Messrs. SILVERT and EHRGOOD read in place and presented to the Chair Senate Bill No. 467, entitled:

An Act creating the Pennsylvania Higher Education Assistance Authority; defining its powers and duties; conferring powers and imposing duties on the Governor, President pro tempore of the Senate, Speaker of the House of Representatives, Superintendent of Public Instruction, President of Pennsylvania State University, and the Department of Banking.

Which was committed to the Committee on Education.

HOUSE NOTIFIES SENATE IT IS READY TO CONVENE IN JOINT SESSION

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presenting a committee on behalf of the House of Representatives.

The PRESIDENT. The Sergeant-at-Arms will escort the committee to the Bar of the Senate.

Mr. KELLER. Mr. President, we are a committee appointed by the House of Representatives to inform the Senate that the House is ready to receive the Officers and Members of the Senate in Joint Session, and to escort them to the Hall of the House.

The PRESIDENT. The Chair thanks the committee on the part of the House of Representatives.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now recess until 3:30 o'clock, p.m., so that the Members of the Senate may attend the Joint Session.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

SENATE PROCEEDS TO THE HOUSE TO HEAR GOVERNOR'S MESSAGE

The hour of three o'clock, p.m., having arrived, Messrs. KELLER and KAMYK, a committee on the part of the House of Representatives, being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate for the purpose of listening to an address by His Excellency, the Governor.

SENATE RETURNS FROM THE HOUSE

The President and Members of the Senate then returned to the Senate Chamber.

REPORT OF COMMITTEE TO ESCORT THE GOVERNOR

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presenting a committee on behalf of the Senate.

The PRESIDENT. The Chair recognizes the Senator from Bucks, Mr. Watson, the chairman of the committee.

Mr. WATSON. Mr. President, the committee to escort the Governor has performed its duty.

The PRESIDENT. The Chair wishes to thank the members of the committee.

BILLS INTRODUCED AND REFERRED

Messrs. STEVENSON and DENT read in place and presented to the Chair Senate Bill No. 468, entitled:

An Act amending the act of June 5, 1947 (P. L. 458), entitled, as amended, "Parking Authority Law," changing powers of parking authorities.

Which was committed to the Committee on Local Government.

Messrs. SCOTT and WEINER read in place and presented to the Chair Senate Bill No. 469, entitled:

An Act reenacting and amending the title and act of June 27, 1939 (P. L. 1125) entitled, as amended, "Nonprofit Medical Dental and Osteopathic Service Corporation Act," including in the plan chiropody services and defining "chiropody services" for the purpose of this act only.

Which was committed to the Committee on Public Health and Welfare.

They also read in place and presented to the Chair Senate Bill No. 470, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," making further provisions relating to nonprofit medical, dental and osteopathic service corporations; extending the provisions of said act relating to the furnishing of medical, dental and osteopathic services by nonprofit medical, dental and osteopathic service corporations so as to include the furnishing of chiropody services to subscribers and their dependents; and providing that the articles of incorporation of existing nonprofit medical, dental and osteopathic service corporations are amended by the provisions of this act so as to authorize the furnishing of chiropody services by doctors of chiropody.

Which was committed to the Committee on Public Health and Welfare.

Messrs. SCOTT, PECHAN, DENT, LANE and YOSKO read in place and presented to the Chair Senate Bill No. 471, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," creating an independent State agency known as the Office of the Pennsylvania State Architect and defining its organization, jurisdiction, powers and duties.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 472, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," transferring certain jurisdiction and powers from the Department of Property and Supplies to the Office of the Pennsylvania State Architect.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 473, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," requiring the Office of the Pennsylvania State Architect to approve school construction plans and certain building standards after consultation with State Council of Education.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 474, entitled:

An Act amending the act of May 1, 1919 (P. L. 103), entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings; . . ." requiring submission to and approval by the Office of the Pennsylvania State Architect of the design and location of public monuments, memorials and buildings.

Which was committed to the Committee on State Government.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 475, entitled:

An Act amending the act of June 4, 1945 (P. L. 1388), entitled "Administrative Agency Law," regulating judicial review.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 476, entitled:

An Act amending the act of April 6, 1937 (P. L. 200), entitled "Pawnbrokers License Act," limiting powers of the secretary with respect to rejection of licenses.

Which was committed to the Committee on Banking.

He also read in his place and presented to the Chair Senate Bill No. 477, entitled:

An Act providing for the assessment of damages in trespass actions.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 478, entitled:

An Act prohibiting the awarding of State contracts to persons owing State taxes.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 479, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the membership of the State Board of Pharmacy and changing provisions for their appointment and meetings.

Which was committed to the Committee on Education.

Mr. McGINNIS read in his place and presented to the Chair Senate Bill No. 480, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," changing the tax levy on land and buildings.

Which was committed to the Committee on Local Government.

Mr. VAN SANT read in his place and presented to the Chair Senate Bill No. 481, entitled:

An Act providing for an additional law judge of the court of common pleas in the thirty-first judicial district.

Which was committed to the Committee on Judiciary General.

Messrs. SCHMIDT and KOPRIVER, Jr., read in place and presented to the Chair Senate Bill No. 482, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," by further providing for the establishment of kindergartens.

Which was committed to the Committee on Education.

Messrs. RUTH and WOLFE read in place and presented to the Chair Senate Bill No. 483, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," authorizing the transfer of the use and control of land and improvements erected thereon from one department, independent board or independent commission to that of another department, independent board or independent commission.

Which was committed to the Committee on State Government.

Messrs. DONOLOW and CHAPMAN read in place and presented to the Chair Senate Bill No. 484, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. BERGER and HARNEY read in place and presented to the Chair Senate Bill No. 485, entitled:

An Act providing for the payment of money to owners in eminent domain proceedings, the crediting of such payments, and prescribing method of computing interest on awards.

Which was committed to the Committee on Judiciary General.

Messrs. YOSKO and DENT read in place and presented to the Chair Senate Bill No. 486, entitled:

An Act further amending the act approved April 9, 1929 (P. L. 343), entitled "The Fiscal Code," by clarifying and changing provisions which fix time limits for filing tax reports and the settlement, resettlement and review thereof, and provisions for receipts, verification of reports and extensions of time for filing reports; defining "predecessor in title" for lien purposes; authorizing strike-off of certain estimated settlements; and providing penalties for fraudulent reports.

Which was committed to the Committee on Finance.

Messrs. PECHAN and DENT read in place and presented to the Chair Senate Bill No. 487, entitled:

An Act amending the act of June 29, 1937 (P. L. 2423), entitled as amended, "An act establishing a Pennsylvania State Police Retirement System; . . ." changing the definition of "final salary" upon which a contributor's retirement allowance is based.

Which was committed to the Committee on State Government.

RECESS

Mr. MAHANY. Mr. President, I request a fifteen-minute recess of the Senate for the purpose of holding a Republican Caucus.

The PRESIDENT. Is the objection?

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DENT. Can you tell me which room you are going to use for your Republican Caucus?

Mr. MAHANY. We will use the regular Republican Caucus Room on the first floor.

Mr. DENT. Thank you very kindly.

Mr. PRESIDENT, I ask the Democratic Members to caucus together in the official Caucus Room of the Democratic Party.

The PRESIDENT. There being no objection, the Chair declares a fifteen-minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

At the request of the President pro tempore, the Honorable M. Harvey Taylor, the Chair is presiding.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, a short time ago we witnessed a very unusual proceeding. The Governor again addressed a Joint Session of the Legislature. Since I have been here in Harrisburg, since 1943, I think Governor Leader has found occasion to address more Joint Sessions of the Legislature than any other Governor. I am quite sure he probably will be back time and time again to address other Joint Sessions of the Legislature. This is a very unusual proceeding, especially since today's Session was caused by him wanting to come over and talk to us about a tax bill which we have already passed.

Mr. President, I think the next move is up to the Governor. The Governor can either sign the bill, he can veto the bill or he can let the bill become law within ten days without his signature.

It is also unusual that the Governor talked to us today before he found out what he wanted to talk about. He

said, in general terms, that there was something wrong with the sales tax bill and that he would give us a bill of particuars later on in the week. I cannot understand why the Governor did not wait until he had his bill of particulars so that he could have been more specific as to what he thought was wrong with the bill before he asked us to recall it. He did become specific in a little artifice here, which somebody in his office cooked up, to spring into the newspaper release a couple of specific items. He thought they would probably stand out and the newspapermen would probably put this in a box on the front page of the newspaper. I think that was probably artfully contrived by somebody over in the Governor's Office. He, therefore, did become specific on a couple of items.

He said that if you want to paint your house, your furniture or barn, you pay the tax. Well, that is true. I would say that you must pay the tax on that paint under the present law. You had to pay the tax under the old Sales Tax Act which we put on the books back in 1956, under which we are still operating. Then the Governor said that if you are a utility and you buy paint for your real estate, you do not pay the tax. This, I say, is untrue. I do not know who informed the Governor about that, but I say that is not true.

If a utility paints it shed or office or something like that, then it must pay the tax. However, if the utility buys paint to paint a tower or something which is used in the transmission of the utility services, then that is part of the rendition of the utility service and I would say, on that occasion, they would not have to pay the tax on that paint. However, suppose we did force the utilities to pay a tax on the paint and the other things which they use in the transmission of utility services—paint is a very small item and does not bring in very much—such as the Governor evidently would like to do. what would the utility do relative to the increased cost? Taxes are part of the cost as computed by the utility in asking for rate increases. Very shortly, they would come in and ask for a rate increase. Your railroad fares would have to go up; your electric light bills would have to go up; your water bills and all the other things which we commonly refer to as utilities; those things we buy from utilities, would have to increase in price. That extra expense would have to be added onto the consumers. Who are the consumers? On the average, they are the so-called little men, as the Governor refers to them. I call them the average citizens. They are people like you and I who have to pay the electric light bill, the telephone bill and the gas bill and all the other bills in connection with utilities. Therefore, our bills would be higher.

In addition to that, Mr. President, we do have industries in the State of Pennsylvania that buy electricity and gas. Their bills would be boosted and they, in turn, would have to raise the price of their products. However, in the meantime, what would happen as a result of this? As a result, the power bills would be increased and, again, industry certainly would not be attracted into Pennsylvania and surely the industry we already have here would not expand.

One of the chief reasons which the Universal Cyclops gave for not expanding in Pennsylvania and going over into Ohio was because of the power rates in Ohio being smaller than the power rates in Pennsylvania. Would Governor Leader have us increase yet more the power rates in Pennsylvania, and make Pennsylvania a less advantageous State, in which to have industry locate?

The next thing the Governor became specific about was if you are a small businesman and you buy a truck to use in your business, you pay the tax. I would say that is correct. I think in my little lumber business up in Titusville, we will no doubt have to pay a tax on the trucks when we buy them. I will say this to Governor Leader. We will get credit for any trade-ins which we have, and that is contrary to the report of the recommendations of his Tax Study Commission which did not want to allow trade-ins. The little fellow, for whom he bleeds every once in awhile, will get the credit for trade-ins on the cars which he turns in when he buys his new cars. The little fellow surely would not have received that had we accepted the recommendations of the Governor's Tax Study Committee. At the present time and as far as I know, as far as this Session is concerned and, perhaps, in the future, the little fellow certainly will not have to pay tax on the clothing which he buys. He will not have to pay tax on the shoes he wears. If Governor Leader and the commission had their way, the average citizen would be paying tax on clothing and on shoes, and my good friend, Johnny Dent, would have been able to come out here with his shoe boxes again and demonstrate now, since the Governor came out for it, how fair it might be for the little fellow to pay taxes on shoes.

Again, Mr. President, the Governor becomes specific and he says, "If you are a big shipbulding company and you buy a truck, you do not pay the tax." Well, I do not know who gave him that interpretation. We did exclude from the provisions of this sales tax the things that go toward making up the building of a ship. I suppose the steel, the wires and all of the other paraphernalia and so forth which goes into a ship are now exempt. However, I do not believe that Governor Leader or anybody else could show where we have exempted the trucks which are used by, we will say, the managers or the trucks which are used in the yard that are not directly used or consumed in a shipbuilding project.

On page 10 of the bill, in the manufacturing process, it provides specifically that:

"The exclusions," under the manufacturing process as set forth in paragraphs 1 and 2 of the Act, "shall not apply to any vehicle required to be registered under the vehicle code or the tractor code or to maintenance facilities."

Under paragraph 3, which is related to utilities, we did exempt from the payment of the sales tax, the vehicles which are used by the utilities in maintaining their services. For instance, the repair trucks or the linemen's trucks which are used when they go out and check the wiring are exempt. However, the car or the truck which is used by the manager, or which is used by the bill collectors or the office staff, all will be subject to the sales tax.

I do not know what other examples the Governor has, but if the other examples which he has relative to this tax are as false and misleading as the ones which he

has given us in this separate handout, then I do not believe that he knows, as yet, what the bill provides. I do not believe it is fair or equitable for him to come forward and give us a lot of misleading information and try to mislead the citizens of the Commonwealth of Pennsylvania as to the incidence of the sales tax which we have passed.

Mr. President, it appears to me that in spite of what the Governor has said, he still does not like the sales tax. He would prefer some other tax such as a wage tax. Certainly, he should have been fed up with that one when he tried for seventeen months to force it down our throats at the last Session. Just about everybody in the State of Pennsylvania was opposed to it. To show that we were right and he was wrong at that particular time, his own Tax Study Commission came out with the finding that the sales tax hit the average citizen, the little fellow, a lot less than the income tax which he proposed.

I would say to Governor Leader that he has a job to do, and that is to either sign this bill, veto it or let it lie there on his desk for ten days and let it become law without his signature.

Instead of making these long speeches and findings fault with our bill, I would also suggest to the Governor that if he needs further revenue he put in some bills, through his Minority Leader in the House, Mr. Readinger. I would like to find out what kind of a tax bill the Governor would favor at this time. Evidently, he would not put in another clasified tax as he did before, because that certainly did not meet with very good reception, even among the Democrats.

However, Mr. President, if Governor Leader has some kind of a sales tax which he would like to propose, I would like to have his consultants, and the other people who seem to have control over him, write up a good sales tax and have Mr. Readinger introduce it in the House. Then let us look at the kind of a sales tax the Governor would propose. If he would not like to propose a sales tax, let him propose some other kind of a tax and have it introduced in the House.

I believe my friend, Senator Dent, in a newspaper interview, stated that he thought it was up to the Governor to propose taxes to meet any additional revenue which the Governor would like to have. So far, the Governor has stayed about as far away from sponsoring or advocating tax legislation as anyone could get. I suggest to the Governor and his advisors that evidently is because he has a very good plan to come out for political office next year. I think Governor Leader has his eye fixed on somebody's seat down in the United States Senate. I think that is probably the reason he comes forward with all of these misleading, misguided bits of information. It appears to me that again he is on his white horse, charging around. He is making about as many false statements now as he did when he was a candidate for Governor, and we have found that he made many of them at that particular time. I did not think it was possible for one man to fool the majority of the people of Pennsylvania twice in his lifetime, but evidently Governor Leader is trying to make a second effort.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and Members of the Senate, I would like to start off by saying that a great French philosopher once said something about the right to say what you have to say. He said, "I may disagree with what you say, but I will fight to the death for your right to say it."

It appears that my worthy Republican Floor Leader objects not only to what the Governor said, but questions his right to say it. He is very much upset because the Governor has come before this General Assembly more times than any Governor in his political career. I might ask the gentleman from Crawford whether he can remember, in his political career, when we had the same situation which prevails today at any time; when we had a Governor of one political party and a General Assembly of an antagonistic political party.

Now having that situation and appealing as he has tried to appeal to this majority in the House and Senate for reasonableness in its determinations, and having failed to receive that cooperation through his spokesmen in both the House and the Senate, he is left no other alternative except to appeal directly to the Membership of the General Assembly. I do not believe it is so much the fact that he spoke to us that aggravated my worthy colleague on the other side, but rather the fact that he said something when he did speak.

I do not believe that the gentleman on the other side puts his interpretation of the Act up against the interpretation of the Attorney General, who must, in the final analysis, determine the final regulations that will be put into effect pursuant to this Act of the Legislature.

I am awfully sorry if he has not read the section dealing with shipbuilding. If what he wants to do, or says that he wants to do, regarding shipbuilding is exactly what he would like to have, then he should have left the bill alone. We had already exempted anything used in the repair or the building of a ship. However Senator, if you will read the bill, you will find that there is one feature pertaining to shipbuilding that does not pertain to any other activity in the State of Pennsylvania. You have removed the word "directly" used in shipbuilding and repair and have allowed to be tax-free anything used in shipbuilding and repair regardless of whether it is directly used or not. Therefore, if you use an automobile and your company is building ships or repairing them, you are tax-exempt. Also, if you use paint brushes or anything else or, as I have said before on occasion, screwdrivers, you are exempt if you are a shipbuilder, but if you are a homeowner, you are not exempt. So, the Governor's interpretation was not wrong. It is exactly the Act as it is written.

Now you put out a very telling story about utilities and I know that you meant what you said, but you failed to realize one thing. You ought to read the financial papers a little more, Senator, and you ought to read what is happening in the utility field in Pennsylvania. For instance, one company comes to mind, the Pennsylvania Power and Light Company who just recently announced, in its financial statement, that in 1956 their earnings were $3.38 per share earnings as against $2.96 in the year of 1955. Do you know how many millions of dollars that is in greater earnings to the Pennsylvania Power and Light

Company over the year of 1955? Have you seen any proposal to the Public Utilities Commission by the Pennsylvania Power and Light Company to reduce its rates to the consumers of Pennsylvania Power and Light services in the amount they have earned over and above 1955?

You spoke of the Cyclops, and you honestly said that Cyclops' greatest reason for moving, its primary reason not for moving but for extending its facilities into the State of Ohio was because of the power charges, although you failed to tell this Membership of the Senate that the power charges are cheaper in Ohio, but that the power companies pay $150,000,000 more in taxes in Ohio than what they pay in Pennsylvania. Now that, to me, is a peculiar situation, sir, where the taxes are higher and the power rates are lower.

Ever since I have been a Member of this Senate, I have heard the cry that if you tax utilities, if you tax railroads, they will, in turn, put it onto the people. You fail to ever take into consideration the watered stock setup; the situation whereby they can earn a difference, for instance, of forty-two cents per share on a $2.96 stock dividend. Now I want to ask you, as an old stockholder of fine repute, that is a pretty fair increase in income, but have they reduced rates to the peoples and, yet, have they paid their share of taxes?

Now you just cannot keep whittling away and taking all taxes from business and industry, and utilities and shipbuilders, and put the load on the people. I have tried time and time again to demonstrate upon this floor that when I first came here, industry and business paid approximately eighty per cent of the tax load. Today industry and business pay aproximately, under your Act, twenty-seven per cent of the tax load. When that budget was $485,000,000, industry paid eighty per cent; the people paid approximately twenty. Now that the budget is $1,500,000,000, the people pay seventy-three and industry pays twenty-seven. It just is disproportionate.

In the matter of levying taxes, I think it was Chief Justice Marshall who once said, "The power to tax is the power to destroy." Now you cannot keep crying about industry and then put the load upon people just because industry gives jobs.

Let me give you some past history about job-giving. I was born and reared in a small, coal mining town for the junior years of my lifetime. My father had a job; yes, he did. He had a job with a coal company for which he should have been grateful. However, at the end of the month, when they got through charging him for carbide, lamps, augers and bits, and they got through charging us at the company store for the food that we ate, my father had a job but he never had anything else. Thousands upon thousands of other coal miners were in the same position, and in the steel industry it was the same.

Now we have come away from that. We have come away from that because, by this type of action, they forced the advent of labor unions which went out and fought for higher wages and better conditions for their membership. What are we trying to do? Are we trying to go back to that same particular philosophy through the means of taxation? Are we going to give jobs and then take out of the payroll the whole $1,500,000,000 to operate Pennsylvania? Are we going to say, "Yes, we will create jobs." What is industry saying today in some of this competitive market that we are in? They say, "Yes, we will come to your community. Build us a plant, give us a plant, reduce the taxes to a bare minimum, build roads into our plant and remove us from all taxing authority." What have you done? You have taken the machinery in Pennsylvania out of the real estate taxes by an Act passed by a Republican Legislature, signed by a Republican Governor. Now you are going to take the capital stock tax completely off of manufacturing concerns in the Commonwealth. You are going to take $8,000,000 worth of excise and mortgage loan taxes off of industry in the State of Pennsylvania, and you are going to remove them completely from the sales tax, if you can.

What happens, Senator? Do we build the plants to give people work and let them pay for the plants? When do we get to some kind of an understanding of the proportionate rights of those who build the plants and work in them, as against the dividends received by those who put their money into the companies?

If you want me to, I wil be glad to read you the financial statements of Bethlehem Steel, United States Steel, Gulf Oil, Pure Oil, St. Regis Paper and hundreds of other companies that I have made it my business to gather in the last month. If you want to see the difference between the stockholders' equity in 1954, 1955 and 1956, I will be glad to read them to you, but then let us measure on the other side of the fence. Let us go and measure the employees' equity in those three periods working for the same companies. There must be a sense of balance. No person on this side wants to destroy industry or the incentive to create jobs but, by the same token, we do not believe that you have to lay the entire burden of taxation upon the shoulders of the people.

Senator, people are what make industry go. They are what make everything go. The people themselves are the only purpose of government. There is nothing in the Constitution of these United States that sets the rights of property above the rights of the peoples, and are the peoples not the ones for whom we create governments? Why and when do we start to get to the philosophy of taxing only the people and allowing other wealth-producing machines—remember we, the people, are wealth-producing machines. A man out swinging a pick ought to be just as valuable as the pick itself. Certainly if you remove, and you do, mind you, you remove the tax from the pick because in the little dialogue that went on on the floor last week concerning the coal mining industry, it was more or less of a comedy in a way but they were working out a Gallagher and Shean act—they were introducing into comments the intent which they did not have the courage to write into the bill at that time. However, they want it clearly understood, if it is taken to court, that the pick that that man uses must be exempted from tax, but the man himself, who swings the pick, is not exempted from tax.

Senator, you might have all the logic you want in the world and you might think that you have Governor Leader right against the wall where, as you said, he must either sign the bill, veto it or let it become law without signature. That is not much of a choice for the Governor. The Governor has come to this group, in the first instance, with an olive branch in his hand. He named a Tax Study Commission, and the Tax Study Commision recommended certain things. The Governor, against every inclination of his own and against every philosophy that

he has ever expounded on the matter of taxation, stood before the General Assembly and said to you, "I will accept whatever tax you send me if it is equitable, if it meets the revenue base, and I suggest to you that the recommendations of this bipartisan Tax Commission show you the way to create the necessary revenues." Nowhere in the Tax Study Commission did they say that you have to keep clipping away and taking away certain tax sources that are now in existence. I cannot stand here, Senator, and I do not think any of my colleagues can sit idly by and watch you remove from the area of taxation a great source of revenue with the ability to pay, and place that burden on a narrow source of taxation, a narrower area of taxation which does not have the ability to pay.

You can say that your position is good. You are going to be adamant. You will not allow us to look at the bill. You would not allow us into your committee meetings. I want to say, here for the record, that the committee system of Pennsylvania's General Assembly is a farce. That is why I refuse to serve on any committee. It is nothing but a plain, everyday farce. It means absolutely nothing. The full Committee on Finance never knew anything about the amendments until the day they were called into the "Love Nest" and handed the amendments and were told, "This is it," by the chairman and that has been it. No one has been allowed to cross a "t" or do an "i".

Nou you say to the Governor, who has asked you to recall the bill—in my lifetime of twenty-two years in this body, this is the first time I have ever witnessed a situation where there has been a blunt refusal to consider the Governor's wishes on the recall of a piece of legislation. He did not ask you to recall it to scrap it. He asked you to recall it and put it in a Conference Committee so that we may work out some solution. Are you to say that there is nothing wrong with this bill; that the Governor has not at least the right to ask you to let his members sit in on the deliberations? We are not so far apart, gentlemen. There are twenty-three of us over here and twenty-seven over there. That is not so far apart.

I have seen so many times in this General Assembly when we have had more consideration for not only each other, but for the Chief Justice of this Commonwealth. I have not always liked your Governors. I have served under four of them, but I have never taken the position that they were so wholly wrong that I would not sit down with them and try to discuss the problems affecting the Commonwealth.

I do not want to get into the position of saying to you that you ought to recall the bill if you have made up your mind that you will not recall it. I do not kown what the Governor is going to do. I have not discussed it with him. I do not know whether he has decided to sign it but if he signs it, as a citizen I will live with it and I know that every other decent citizen will live with the bill. Every other citiezn in this State, and especially those that will be compelled to pay this tax, will not join a collusion to nonpay the tax.

I want to say to the Membership of this Senate right now that if I were the Attorney General of the State of Pennsylvania, I would start tomorrow morning and I would assess every corporation, utility and person in this State that has refused to obey the law of the Commonwealth. If necessary, I would prosecute, because the little housewife has paid her tax to the best of her ability and the little worker has paid his tax to the best of his ability, but the big corporations, the utilities and the shipbuilding companies have refused to pay their share of the taxes of this Commonwealth. The $100,000,000 that we are short, we are short just as much because of a refusal to obey the law on the part of these peoples as it is because of the fact that we have been unable, unable and I say it advisedly, to arrive because of the various committees and protests that have been made every time that they issue a regulation—that confusion has existed.

Let me just tell you something. This bill is by name a selective, categorical tax bill and the purpose behind it was twofold; one was so that we could subscribe to the Constitution of the State of Pennsylvania, because I am of the humble opinion that if a screwdriver is taxed to an individual in this State, it will have to be taxed to whomever buys it and on that premise I say that this bill is unconstitutional. There is nothing in the Constitution that allows any subject to be taxed to one and not taxed to another; that if there are any features of taxation, they must be equal upon all the taxpayers. So, the categorical idea was born; that we could in Pennsylvania, under our Constitution, specify the items to be taxed and then no matter who bought that particular item, it would be taxed. That is the secret of the categorical, selective tax. But what happened? We had a Democratic House and a Republican Senate, and in order to get some kind of legislation through after seventeen months, we had to concede certain points and we allowed you to put into this particular bill exemptions which were wrong, and therein lies the whole trouble with this tax bill, the exemptions, the exemptions in the bill.

I have said on the floor and I will make the offer again. You go along and state publicly that you will endorse the California-type of a general sales tax in Pennsylvania and I will not only vote for it, but I will fight to the last drop of my blood for its passage and in so doing, I will stand on the floor and demand certain removal of industrial taxes because they will be paying their tax through the medium of the sales tax.

I will be more than happy to work with any of you on a general sales tax that will hit everybody equally, regardless of whether they be big corporate interests or the little housewife. I will support that legislation and I will support a reduction in direct taxes to industry. However, Mr. President, I will not support selective reductions; I will not support legislation that removes the capital stock tax from manufacturing industries alone and allows thousands upon thousands of other industries in this State, which are non-manufacturing, to pay the tax because they, too, provide employment. They, too, provide revenue for the Commonwealth and sustain the lifeblood of this State. I will not go along with that kind of selective business.

I say to you that we will fight and stay right with you for a good sales tax bill. You know that deep down, inherently in my system I am against sales taxes, but I have the courage and I had the courage to vote for it

two years ago. I will vote for it again if it is right and equitable. Whether the Governor vetoes it or not is a matter of his own conscience. However, after the shabby treatment he is receiving from this group, if he does not veto it, then he is lesser of a fighter than I think he is. It is only because fighters throughout the lifetime of the human race have had the courage to stand up and fight against injustice that justice prevails. If we would allow injustice to prevail because we had not the courage to fight, then injustice would rule the day. Those who have the strength to conquer would be the only ones who would survive. Laws are made for all peoples and taxes must be paid by all peoples. I do not know what the Governor will do. I can only say to the Membership of this Senate that if he asks me my opinion, I will tell him frankly and bluntly that he should veto the bill because he has an organization which will not consider his wishes, who will not sit down and try to compromise, and who will not try to make the kind of a bill out of this that we could all vote for and which presently will not bring in sufficient revenues to meet the State's needs.

The entire program in this General Assembly today is this. Cut away, cut away at the revenues; increase, increase the expenditures. Later on, we will come to a bill whereby we will cut another cent from highway funds. However, at the same time, I might announce to you that I have made a little counting this afternoon. There have been more highway building bills introduced by individual Members of this Senate and passed than ever before in the history of Pennsylvania to build more roads, but yet you take the money from the Highway Fund with which to build them. That is another one of the schemes that we are in.

We are trying to work with you, but you will not let us work with you. You say to us, "You will not vote for this bill and, therefore, put your own bill in." We tried that. We offered our version of an income tax bill and you defeated it and, in fact, you laughed at it. I do not know whether the defeat hurt as much as the laugh, but you did. Then we put in a manufacturer's excise tax bill, which is a sales tax at the source, and the only sound method of taxing any kind of an excise. I want to say to you that when the final day comes, when we have the courage to write the kind of laws which this State demands and needs, you will find the basic tax of this Commonwealth to be an excise sales tax bill at the source, and not at the last retail juncture.

Canada just recently turned down an amendment to its excise tax bill which was the pattern for the one introduced here. They recently turned down, by an overwhelming vote, an amendment which would have shifted the tax base from the manufacturers' platform to the wholesalers' warehouse. Their arguments against that particular amendment were the same arguments that I have given to you on this floor. If you want a sound tax base, go back at the source. How many men in this room know that you pay a Federal excise tax on automobiles? How many of you, when you go to buy a car, have any idea how much that excise tax is? You do not know. However, Mr. President, you do hear the squealing when they say, "Ninety dollars for State sales tax." Yet, that may only be thirty per cent of the excise tax amount which is applied by the Federal Government.

I am not going to argue for a new tax bill tonight, because you will not accept any other kind of a tax. I think Senator Mahany was smugly not being honest this afternoon when he said to us, "Have the Governor put his own bill in." What for, just for the exercise? He does not need any exercise. You know that you will not vote for any bill. We gave you two bills and I have a third one. Do you want it? We will have aonther tax bill. Will you tell me this afternoon that you will support another set of tax laws if I tell you what they are? I will even tell you now. I can find another tax source more equitable than this monstrosity and I will tell you what it would be. It would be a tax equal upon all of us, based upon the net return to the Federal Government. There would be no problem of administration; there would be no question of cheating. You would not need an army of collectors and you would receive the money. However, I bet you would not vote for that, Senator Mahany.

I do not know of any other item and I do not think that you have heard one Member on the Democratic side get up on this floor and advocate a tax on shoes. Why do you insinuate that we are asking for a tax on shoes? As far as the shoe box is concerned, you just put a tax on shoes and I will bring them in here by the carloads.

You also said something about the great tax relief being given to the little fellow because when he buys a car, his trade-in car is not taxed. We did not ask you to tax it. Are you trying to put out your version of our version of a tax bill? All we asked you to do was to increase this tax one per cent, if that is what you wanted to do.

You are in full authority; the Governor said so. If that is what you want, go ahead and do it. However, at the same time, do not try to kid both your colleagues in the Senate and the people of Pennsylvania into believing that you can exempt from the tax bill taxpayers, and still gain a greater amount of revenue. You just cannot work that way. If that were true, we would exempt all the taxpayers and we would have a lot more money than what we need.

INTERROGATION

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I certainly will, Mr. President.

Mr. BARR. Have you been in conference with the Majority Leader in the House of Representatives since you heard the Governor's speech?

Mr. MAHANY. I talked to Mr. Johnson this morning, around twelve o'clock.

Mr. BARR. I asked whether you spoke to him since the Governor's speech.

Mr. MAHANY. Since the Governor's speech, no; I have not, Senator.

Mr. BARR. Thank you very much. That is all.

I just want to say that your thinking and his are going on two different roads. I was going through the House of Representatives with Senator Fleming and since that time I have called over there and received what Mr. Johnson had to say. Mr. Johnson's criticism of the Gov-

ernor is not that he came over to make a speech. His criticism is that he did not call you fellows in.

Are you willing to be called into the Governor's office? Are you, and your leaders over there, willing to be called into the Governor's office on this bill?

Mr. MAHANY. Senator Barr, I have yet to refuse to go over to the Governor's office when His Excellency has asked me to come over. I always go.

If the Governor will telephone me or, through you, invite me to come over there, I will go any time.

Mr. BARR. Thank you very much.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, the gentleman was complaining that this legal document would not be here for several days. I suppose he is probably aware of how bills go and that bill has not even yet reached the Governor's office.

I think the gentleman should be told that the Attorney General of this State went home to bed yesterday with a very bad virus at two o'clock. He came back this afternoon, not physically fit, to prepare this bill of particulars and will have it in your hands by noon on Thursday.

I still think it is a waste of time, effort and money because so many fellows on the Republican side told me they have not even read House Bill No. 337. I hope when he gets it over here, you will hold a little school and let those who have not read it read it.

INTERROGATION

Mr. WATKINS. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. WATKINS. Mr. President, I would like to ask Senator Dent just one question. Would he be in favor of taxing shipbuilding in the State of Pennsylvania when all other states, which have shipbuilding plants, exempt them from the sales tax?

Mr. DENT. The answer to that, Senator, is contained in the record. I voted for the sales tax bill last year and we exempted shipbuilding. Therefore, my answer to you is, "No, I would not be in favor of taxing shipbuilding as such."

Mr. WATKINS. Senator Dent, if you voted that way last year and you feel that way this year, then may I ask you why you have cried and used it for a theme song for the last three or four days in the Senate of Pennsylvania? If you feel that they should not be taxed, then why are you saying they should be taxed now? Why do you want them taxed so much now?

Mr. DENT. Senator, I said that if you will remove the further exemptions which we are giving to shipbuilding and not giving to any other industry in the Commonwealth under this bill, I certainly would have nothing to say. It is the further exemptions which they have been given that I object to.

I do not think that you honestly believe me when I tell you that they have exempted screwdrivers. If your shipbuilding company buys screwdrivers, they have them exempted, but if I buy a screwdriver they have not exempted it.

Mr. WATKINS. May I ask you whether you are sure that screwdrivers are exempt? Is it just your version of it or is it the Attorney General's version that screwdrivers are exempt? I am not too sure they are exempt.

Mr. DENT. There is nothing which I can say to you to change your opinion on that matter. The Attorney General has said that screwdrivers are exempt to shipbuilders.

It might be interesting to know that your Sun Ship Building Company is doing very well at the moment. As I understand it, from their annual report—and I think you have read it because it comes from your District—they are at a record peacetime operation. They recently received an order for ten new tankers and six of them are super tankers. I glory in their prosperity; I am not opposed to that. I think it is wonderful that they are doing so. However, while it is so wonderful for them, I think they should pay the tax for screwdrivers.

Mr. WATKINS. I disagree with you. I do not think screwdrivers are exempt unless you perhaps use them on a plate on a ship or use them to weld some place on a boat. I do not think they are exempt.

You made a statement that fountain pens were exempt. I know you are wrong. If the Attorney General says they are exempt, he is wrong, and I am only a layman.

Mr. DENT. Thank you. You asked me the question and I cannot answer it. You will have to let the Attorney General answer it. If you want to debate with Mr. McBride on the matter of a legal interpretation of the Act, then you will be fulfilling the time-old saying that "fools walk in where angels fear to tread."

Mr. WATKINS. It would not be too hard to debate with the Attorney General.

Mr. DENT. I agree with you.

Mr. WATKINS. I find it tougher to debate with you, Senator Dent. However, I do have your answer; that you are not in favor of putting a sales tax on shipbuilding firms in the State of Pennsylvania.

Mr. DENT. That is right. However, I want to correct you on one thing. Do not go around saying that no State which has shipbuilding does not tax shipbuilding, because that is an incorrect statement. There are States which do tax shipbuilding and they compete with Pennsylvania. However, that is their business and not ours.

Mr. WATKINS. I want to thank you, Senator Dent. You have been very kind to me and, as a little boy from Delaware County, I am glad that you do not want to tax our shipbuilding industry. Thank you very much.

INTERROGATION

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Watkins.

The PRESIDENT. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. DENT. Senator Watkins, since I have been so nice to you and said that I do not want to tax shipbuilding in your District, would you answer me one question? Do you want to tax the coal miners in my District?

Mr. WATKINS. Personally, I do not want to tax anybody. However, I do not think coal is taxed in your District.

Mr. DENT. I did not say coal; I said coal miners.

Mr. WATKINS. I do not think we are taxing miners. I cannot read it, Senator Dent, anywhere in the bill.

Mr. DENT. Mr. President, I do not want to get into that Gallagher and Shean act, so I will just thank the gentleman and I will tell the Attorney General that he read into the bill that miners will not have to pay the tax.

Mr. WATKINS. No, I do not think so.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, I rise to correct what I believe is an erroneous statement .

The gentleman from Westmoreland, in the early part of his comments, said that we have eliminated the use of the word "directly" in connection with manufacturing and shipbuilding. I would like to call his attention to a number of pages in House Bill No. 337, Printer's No. 160.

On page 4, line 11, shipbuilding is construed to be manufacturing.

On page 8, line 3, we define "sale at retail" and refer to supplies and materials that are used or consumed "directly in any of the operations of the manufacture of personal property" and, therefore, shipbuilding.

On page 16, line 11, in connection with the definition of the word "use," we have again the word "directly"; use of "supplies directly in any of the operations of" manufacturing, and shipbuilding is manufacturing.

Another error which I think needs correction, as the gentleman from Westmoreland intimated, or in fact as I think he said rather bluntly, that the public utilities are attempting to evade the payment of the tax. That I do not believe is true, because the regulations, so far as many of the public utilities are concerned, have not been issued and how can there be evasion when you do not know what is taxed. I think many of the public utilities have failed to pay tax on certain items, certain commodities, until they know definitely whether or not those items are taxed.

Mr. DONOLOW. I yield, Mr. President, to the gentleman from Westmoreland, Senator Dent.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I do not think it would do any good for Senator Kessler and myself to enter into debate over the construction of the Act. However, I would suggest that he go to page 21, where it says:

"Exclusions from tax the tax imposed by Section 201"—the section you refer to—"shall not be imposed upon.

"Sale at retail or use of vessels designed for commercial use of registered tonnage of fifty tons or more when produced by the builders thereof."

"Sale at retail of tangible personal property used or consumed in building rebuilding repairing and making additions to or replacements in and upon vessels designed for commercial use of registered tonnage of fifty tons or more upon special order of the purchaser or when rebuilt repaired or enlarged or when replacements are made upon order of or for the account of the owner."

You exclude in that particular section any and all taxable items used in or for shipbuilding. That is the Attorney General's opinion.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, we omitted in the prior sales tax bill the exclusion of the sale of ships at retail with this possibility. We did exclude the manufacture of ships, but since we failed to exclude the sale of those ships, when the ship was transferred to an owner the Commonwealth could have collected the tax from that owner. Our purpose in inserting into these amendments the sale at retail of ships was to avoid the evasion of the tax which would have come about by having the ships delivered over to New Jersey, and then transferred to the owner or delivered down into deep water, tide water, and then turned over to the owners.

They do not extend the exemptions as Senator Dent has indicated. Maybe the Attorney General feels otherwise, but I would be glad to discuss that with him, too.

PERMISSION TO ADDRESS SENATE

Mr. DONLOW asked and obtained unanimous consent to address the Senate.

Mr. DONLOW. Mr. President, I have sat here and listened to the debate on this sales tax for a few days last week and today. I have listened to the Governor's examples, as well as the predictions of the stand taken by the Governor by Senator Mahany.

I am very much concerned at this time that we are passing a bill, the interpretation of which no one seems to be able to agree upon. It seems that Senator Kessler is the only one in this Senate who feels he knows the proper interpretation of this tax bill. As a lawyer, I am concerned that we should pass a piece of legislation where one Member of the Senate, and he only, can stand up here and tell the Attorney General that he is wrong in his interpretation, and who takes the position that the Revenue Department is wrong in their interpretation and that we, in Pennsylvania, must depend on what he feels each construction stands for. If such a bill is passed, if such a bill becomes law on our books, Mr. President, we have not met our obligation as legislators to the people of Pennsylvania.

Lord, behold, if we put a bill on record that even the Attorney General cannot interpret correctly, and must be corrected by a Member of this Body time and time again. I think out of common decency, as Members who are dedicated by law to pass legislation which can be interpreted by all the people in the same way, we should recall this bill and attempt to correct it.

There is no doubt in my mind when men of training start differing on opinion so widely as we have found here, that we are heading for a chaotic situation on this tax bill. I see nothing wrong, Mr. President, if we recall this bill and look it over, attempt to correct it and attempt to come to an opinion where we will all agree as to what is meant by each chapter of this piece of legislation.

RECESS

Mr. MAHANY. Mr. President, I move that the Senate do now take a recess until 7:30 o'clock, p m. for the

purpose of allowing time for the Senators to have their dinner.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order.

Senate Bill No. 70, Printer's No. 84;
Senate Bill No. 71, Printer's No. 85; and
Senate Bill No. 157, Printer's No. 56.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER TEMORARILY

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order temporarily:

House Bill No. 335, Printer's No. 66; and
House Bill No. 336, Printer's No. 67.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 341, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding new routes in Washington County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 346, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" extending a route in Lehigh County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

RECONSIDERATION OF SENATE BILL No. 346

Mr. MAHANY. Mr. President, I move that the Senate

do now reconsider the vote by which Senate Bill No. 346, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" extending a route in Lehigh County.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. MAHANY. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. MAHANY. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 346, on third reading, be recommitted to the Committee on Highways.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 372, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding routes in Clinton County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 68, Printers' No. 83; and

Senate Bill No. 69, Printer's No. 88.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 130, entitled:

An Act providing for the reassessment of properties for tax purposes where new improvements have been made and the addition thereof to existing tax duplicates of political subdivisions.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

REQUEST THAT BILL GO OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 130, Printer's No. 49, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, I was about to make a motion that this bill be recommitted.

REQUEST THAT BILL GO OVER IN ORDER WITHDRAWN

Mr. LANE. Mr. President, I will withdraw my request that the bill go over in order. If Senator Mahany makes a motion to recommit this bill, I will gladly second it.

And the question recurring,

Will the Senate agree to the bill on second reading?

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that House Bill No. 130, on second reading, be recommitted to the Committee on Local Government.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 204, Printers' No. 135; and

House Bill No. 205, Printer's No. 104.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 257, entitled:

An Act amending the act of May 3, 1909 (P. L. 408) entitled as amended "An act authorizing the merger or consolidation of certain corporations" providing for the merger of a domestic corporation into a foreign corporation and for the merger into a holding company of a subsidiary corporation incorporated under or subject to the Business Corporation Law and eliminating any requirement of stockholder approval and any right of objecting stockholders to payment for their stock if the holding company is the owner of all the outstanding stock of the subsidiary corporation

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. Berger offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, line 12, by inserting after "domestic": "or foreign"; amend Sec. 1 (Sec. 2), page 7, line 17, by striking out "corporation" and inserting "corporations"; amend Sec. 1 (Sec. 2), page 8, line 12, by striking out "corporation" and inserting: "corporations"; amend Sec. 1 (Sec. 2), page 9, line 7, by striking out "the" and inserting: "boards of"; amend Sec. 1 (Sec. 5), page 9, line 16, by striking out "agreement" and inserting: "agreement".

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 258, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" permitting corporate affidavits to be made by persons duly authorized by a board of directors and excluding certain days from the computation of certain tax periods

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 265, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts page 110 Act No. 146-A) entitled "An act to provide for the ordinary expenses of the Department of Welfare for two years beginning June first one thousand nine hundred fifty-five and . . .", making certain appropriations for research and training applicable only to State-owned institutions.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Messrs. YOSKO and BERGER offered the following amendments:

Amend Bill, page 6, by inserting between lines 8 and 9:

"Section 2 (a) The sum of one hundred fifty thousand dollars ($150,000), or as much thereof as is necessary, is appropriated to the Department of Welfare for the fiscal biennium beginning June 1, 1957, for the purpose of establishing a plan of scholarships for the medical education of qualified residents of the Commonwealth for the purpose of assuring the Commonwealth institutions of a more adequate supply of internes and residents.

"(b) The Governor after consultation with the Secretary of Welfare, as to the estimated needs of State institutions of internes or residents, shall declare the number of scholarships to be granted for each medical school academic year which number shall not exceed forty. He shall direct the Secretary of Welfare to conduct competitive examinations of all applicants for scholarships.

"(c) The Secretary of Welfare shall promptly make known to all public and private colleges of the Commonwealth and to such other colleges and by such other means as he deems advisable the fact that scholarships are available to applicants, the time and place fixed for examinations, the qualifications of applicants and the method to be used in registering for examinations.

"(d) Applicants for examination shall be residents of the Commonwealth, graduates of an approved college in a course of study that would qualify the applicant for entrance into a medical school but the standing or rank of the applicant in his class shall not affect the applicants' right to take the examination herein provided for.

"(e) At the time and place fixed by the Secretary of Welfare, he shall conduct examinations of all qualified applicants, which examination shall be prepared by and with the advice of the Department of Public Instruction and an advisory committee of representatives of the State-aided medical schools of the Commonwealth.

"(f) Scholarships shall be awarded to the number of candidates fixed by the Governor from the list of examinees having passed the examination in the order of their rank in grades earned. If two or more examinees eligible for scholarships receive the same grades on examination, selection of the recipient of the scholarship shall be made by lot.

"(g) Each person awarded a scholarship shall before entrance into medical school enter into a written agreement with the Commonwealth whereby in consideration of receipt of the scholarship he shall agree to serve in any State institution designated by the Secretary of Welfare as an interne or resident for a period of no less than four years after his graduation from medical school. The agreement shall contain a clause for a voluntary confession of judgment for the amount of money paid out under the scholarship if the recipient of the scholarship fails to comply with the terms of his contract. On a failure to comply, the Attorney General shall enter judgment in favor of the Commonwealth and proceed to enforce it.

"(h) Scholarships shall entitle the recipient to subsidization of his cost of tuition, board and lodging, cost of textbooks and other necessary equipment and instruments not in excess of the sum of two thousand five hundred dollars ($2500) for any one medical school year. The continued subsidy shall be conditioned upon the person's regular and uninterrupted progress through medical school.

"(i) Payments of tuition and all other charges made by any medical school to a student shall be made directly by the Secretary of Welfare to the medical school. The secretary shall make payment to the recipient of the scholarship in monthly payments on account of his board and lodging and other allowable costs not directly charged to the medical student by the medical school.

"(j) The Secretary of Welfare may prescribe general rules relative to the maximum amounts allowable for board and lodging under the subsidies payable.

"(k) As a condition to the continued receipt of State aid all State-aided medical schools of this Commonwealth shall agree to cooperate in the medical student scholarship plan herein provided for and shall agree to reserve a sufficient number of places in their first year's classes as fixed by the Secretary of Welfare to permit the entrance of scholarship holders into the medical schools. The Secretary of Welfare shall equitably apportion the reservations among the State-aided medical schools as the normal complement of their first year classes bear to the number of scholarships to be awarded in any one year";

Amend Sec. 2, page 6, line 9, by striking out "2" and inserting in lieu thereof: "3".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. YOSKO and BERGER offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "institutions": "and making an additional appropriation to provide State scholarships for medical education to assure State institutions of a more adequate supply of internes and residents."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. YOSKO. Mr. President, I ask unanimous consent that Senate Bill No. 265 (Pink), on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 319, (Pink), on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. BARR. Mr. President, I would like to interrogate either one of the sponsors of this bill, Senator Kessler or Senator Propert.

The PRESIDENT. Senator Mahany asked that the bill go over in its order. Do you have any objection to the bill going over in its order?

Mr. BARR. I have no objection, Mr. President.

The PRESIDENT. There being no objection, the bill will go over in its order.

INTERROGATION

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Lancaster, Senator Kessler.

The PRESIDENT. Will the gentleman from Lancaster, Mr. Kessler, permit himself to be interrogated.

Mr. KESSLER. I will, Mr. President.

Mr. BARR. Mr. President, in 1949, if I remember correctly, we passed the amendment to the LaRue Act of 1937 which is known as the Pure Streams Act. In my county, it is costing us approximately $100,000,000 and the only way we can finance this is through an authority.

I would like to ask either of the sponsors if the people knew that an Act that we passed up here was going to cost $100,000,000 and we asked them to establish an authority, I am sure they would vote against it. How then could a municipality, if you make them vote on it as this bill does, how could they then, or any municipality, obey the amendments to the LaRue Act of 1949, which was Jim Duff's big bill?

Mr. KESSLER. Mr. President, it seems to me that it a question that cannot be answered because it is an assumption that the general electorate would not go along with it. That is purely an assumption.

Mr. BARR. Well, I think it is a pretty good assumption. I think of you would tell the voters in my county that they are going to have to spend $100,000,000 to comply with this Act, they would vote against establishing an authority and then, under the Act, the officials of the county, since there is a criminal provision in this Act, what would happen to these officials if we passed a bill such as this?

Mr. KESSLER. Mr. President, about the only answer I can give the Senator from Allegheny is that the government is for the people and not the people for the government. It seem to me if the people do not want to do what the State Government says they should do, they have the right to change that.

All we are asking the people to do in this bill is to have the right to vote on whether they want to incur the indebtedness and the taxes that are necessary to repay that indebtedness.

Mr. BARR. Thank you very much. I can tell you that the people of Allegheny, if they had a chance to vote on it, would not vote to incur the indebtedness and if you pass a bill like this, then the officials of Allegheny County would be liable under the criminal section of the Act of 1949.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 327, entitled:

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 479, entitled:

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. MAHANY. Mr. President, I received a note today from the Department of Labor and Industry asking me to move House Bill No. 479. I understand that Senator Yosko has some amendments which, no doubt, will prove controversial and which will have to be debated. I want to dispose of the gasoline tax bills which are on our Third Reading Calendar tonight and which will take considerable time.

Therefore, Mr. President, I would ask Senator Yosko to hold his amendments until tomorrow when this bill will be on third reading. At that time, I assure Senator Yosko that I will not object to his presenting amendments. I ask that this bill be moved up.

Mr. YOSKO. Mr. President, I will go along with Senator Mahany's request.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING POSTPONED CALLED UP

Agreeably to order,

The bill having been called up from the Postponed Calendar by Mr. MAHANY,

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 292, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" further defining and limiting the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders and employes establishing additional limitations of actions and imposing additional duties on the Department of Banking

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 1 (Sec. 513), page 2, line 10, by striking out "Books" and inserting: "records"; amend Sec. 1 (Sec. 513), page 2, line 11, by inserting after "association": "containing such information"; amend Sec. 1 (Sec. 513), page 3, line 17, by inserting after "request": "And provided further, That the Department of Banking, with the approval of the Building and Loan Board, shall prescribe by regulation the procedures to be followed in submitting for approval material to be mailed to the shareholders, including filing date and provision for hearing if objection to the material is made by the association."

They were agreed to.

The section was agreed to as amended.

The second, third and fourth sections were read and agreed to.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendment:

Amend Sec. 5 (Sec. 618), page 7, line 14, by striking out "leases" and inserting: "losses."

It was agreed to.

The section was agreed to as amended.

The sixth section was read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendment:

Amend Sec. 7 (Sec. 622), page 11, line 7, by striking out "shoreholder" and inserting: "shareholder".

It was agreed to.

The section was agreed to as amended.

The eighth, ninth and tenth sections were read and agreed to.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments: Amend Sec. 11 (Sec. 903), page 16, line 9, by striking out "residental" and inserting: "residential"; Amend Sec. 11 (Sec. 903), page 17, line 17, by inserting after "amortization": "excluding one to four family property"; Amend Sec. 11 (Sec. 903), page 18, line 3, by striking out "or" and inserting: "of"; Amend Sec. 11 (Sec. 903), page 18, line 6, by inserting after "properties": "excluding theatres and factories"; Amend Sec. 11 (Sec. 903), page 19, line 9, by inserting after "any": "other"; Amend Sec. 11 (Sec. 903), page 19, line 11, by striking out the bracket before "c"; Amend Sec. 11 (Sec. 903), page 19, line 13, by inserting brackets before and after "five" and inserting immediately thereafter: "ten"; Amend Sec. 11 (Sec. 903), page 19, line 13, by inserting a bracket before "but"; Amend Sec. 11 (Sec. 903), page 19, line 15, by inserting a bracket after "dollars"; Amend Sec. 11 (Sec. 903), page 19, line 19, by striking out the bracket after "benefit"; Amend Sec. 11 (Sec. 903), page 20, line 1, by striking out the bracket before "or" at the beginning of the line; Amend Sec. 11 (Sec. 903), page 20, line 20, by striking out the bracket after "d" and also striking out "c".

They were agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendment:

Amend Sec. 12 (Sec. 904), page 21, line 10, by inserting after "settlement": "statement".

It was agreed to.

The section was agreed to as amended.

The thirteenth and fourteenth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WAGNER. Mr. President, I ask unanimous consent that Senate Bill No. 292 (Pink), on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE CONCURRENT RESOLUTION, SERIAL No. 111, TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Concurrent Resolution, Serial No. 111.

The resolution was read by the Clerk as follows:

VOICING DISAPPROVAL OF THE DISCRIMINATORY ACTION OF THE EXECUTIVE DEPARTMENT OF THE UNITED STATES IN JEOPARDIZING THE WELFARE AND RETARDING THE FURTHER PROGRESS OF DELAWARE VALLEY U. S. A.

In the Senate, March 11, 1957.

Whereas, The Executive Department of the United States has recommended an appropriation of $9 million to be expended by the Corps of Engineers in the fiscal year 1958 for the purpose of continuing the authorized improvement of the Delaware River Channel, Philadelphia, Pa., to Trenton, N. J.; and

Whereas, The Executive Department of the United States has imposed a maximum depth of 35 feet for the authorized improvement; and

Whereas, the Congressionally-authorized improvement calls for a depth of 40 feet; and

Whereas, the Philadelphia District Engineer of the United States Army, Corps of Engineers, has stated that the sum of $16,500,000 can be economically utilized in Fiscal 1958 on deepening the Delaware River Channel, Philadelphia to Trenton; now therefore be it

Resolved (the House of Representatives concurring), that the Senate and House of Representatives of the General Assembly of Pennsylvania, in behalf of the people of Pennsylvania, voice their disapproval of the discriminatory action of the Executive Department of the United States in jeopardizing the welfare and retarding the further progress of our Delaware Valley, U.S.A. three-state area and by refusing to recognize the urgent need for improvement of the Delaware River by providing insufficient funds for the effective, timely continuation of the construction of this vital project, thereby causing an undue delay, measured in years, of the economic usefulness of the project; and be it further

Resolved, that the Senate and House of Representatives of the General Assembly of Pennsylvania, on behalf of the people of Pennsylvania, voice its disapproval of the discriminatory action of The Executive Department of the United States which has altered the Congressionally-authorized 40-foot channel depth to an imposed figure of 35 feet; and be it further

Resolved, that the Senate and the House of Representatives of the General Assembly of Pennsylvania petition the Executive and Legislative branches of the United States Government through this resolution to amend and approve legislation during the present session of the Congress of the United States that will make available in fiscal year 1958 the economic sum of $16,500,000 so that the justified and authorized improvement of the Delaware River can be continued at an effective rate in the interests of our national defense, industry, commerce, and the welfare of all of the people of the Delaware Valley; and be it further

Resolved, that the Senate and the House of Representatives of the General Assembly of Pennsylvania petition the Executive and Legislative branches of the United States Government through this resolution to strike out any reference to a 35-foot restricting depth when that figure is in conflict with the authorized 40-foot depth; and be it further

Resolved, that the President pro-tempore of the Senate of the General Assembly of Pennsylvania reconstitute three members of the Senate who together with three members of the House of Representatives, upon the concurrence of the House of Representatives, to be appointed by the Speaker of the House, shall serve as a Joint Committee to be known as the Delaware River Philadelphia-Trenton Deeper Channel Committee; and be it further

Resolved, that said committee shall cooperate with the Governor of the Commonwealth of Pennsylvania in such actions as may be desirable and necessary to achieve the required legislative action from the Congress of the United States to assure not only the construction of the Congressionally-authorized 40-foot channel but to assure also the earliest possible completion of this important project; and be it further

Resolved, that the Secretary of the Senate be directed upon the passage of the instant Resolution to forward copies thereof to His Excellency, the President of the United States; to the Vice President of the United States, in his capacity as Presiding Officer of the Senate of the United States; to the Speaker of the House of Representatives of the Congress of the United States; to the two United States Senators from Pennsylvania, the Honorable Edward Martin and Joseph S. Clark, Jr.; to each one of the Members of the Pennsylvania Delegation to the House of Representatives of the Congress of the United States; to the Director of the Bureau of the Budget; and to the Chief of Engineers, United States Corps of Engineers.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL No. 111, RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Concurrent Resolution, Serial No. 111, be recommitted to the Committee on Constitutional Changes and Federal Relations.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILL No. 335 CALLED UP

Mr. MAHANY. Mr. President, I call up, from Page 1 of today's Third Reading Calendar, House Bill No. 335, Printer's No. 66, which went over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

AMENDMENTS PREVIOUSLY OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 335, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" extending the provisions of one additional tax for a limited time.

The PRESIDENT. The amendments submitted at yesterday's Session by the gentleman from Allegheny, Mr. Barr, are now before the Senate.

And the question recurring,

Will the Senate agree to the motion to adopt the amendments?

Mr. BARR. Mr. President, I yield the floor to the gentleman from Cumberland, Senator Wade, in order to let him finish his tirade.

Mr. WADE. Mr. President, I want to express my sincere thanks to the Senator from the Thirty-first District and request all of my colleagues, both Republicans and Democrats, to vote against the amendments.

Mr. BARR. Mr. President, has the gentleman from Cumberland, Senator Wade, run out of editions of the Pittsburgh Sun-Telegraph? I can loan him a few.

Mr. WADE. Mr. President, if that is an interrogation, tell him that I received two new copies in today's mail.

Mr. BARR. Mr. President, I wish to inform the gentleman that I received the same copies.

Mr. President, could we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, since the fight was stopped in the middle of the round and one of the fighters has refused to come out after the bell rang, I thought in order to get together and know just exactly what we are fighting about, since we are for this amendment and the opposition has yet to produce any arguments against the amendment except those which were advanced last night by Senator Wade, I think in order to refresh everybody's mind I would like to have the stenographers read back Senator Wade's speech so that we will know just what he said. This would help us in knowing what to fight about.

You cannot fight a shadow. You have to fight a live opponent, and since Senator Wade has refused to come out of his corner at this time, we would like to have, at least, something to fight upon. We feel that we are right, but how can you fight when you have nothing to fight?

Mr. President, I would like to have the girls read back last night's remarks made by Senator Wade.

Mr. MAHANY. Mr. President, there is nothing quite as old and as useless as yesterday's newspaper. I think we would be just wasting a lot of time by having the stenographers read Senator Wade's remarks. I do not know whether they could do better or worse than Senator Wade on his remarks. Senator Wade delivered his speech very nicely and very well. I still remember that the general tenor of his remarks were that we did not need this one cent extra, that the Highways Department had plenty of money to do all the things which they could do in the next two year period and that there was no chance of losing any Federal money under the Federal Road Program. Senator Wade wound up by casting a few stones over there when he read some excerpts from a Pittsburgh newspaper. At that time, bedlam broke loose and we thought the best thing to do was to adjourn. Now, Senator Dent, you are brought up-to-date.

Mr. DENT. Thank you very kindly.

Mr. President, I will agree with the Senator from Crawford that Senator Wade's remarks were useless, and I am sure that Senator Mahany was very honest when he made that statement. Since they were useless, I think it is important at this point to at least provide the argument in favor of this one cent gasoline tax.

Mr. President, it seems that Senator Wade has a peculiar way of saying things one day and not backing them up the next day. I have a newspaper article in which Senator Wade said that the one cent was necessary after the Governor's speech, in which he gave the highway budget. Now it appears that Senator Wade has changed his mind, which is a prerogative of Senators and women.

Mr. WADE. Mr. President, I ask leave of the gentleman who has the floor and request that he read that article from the newspaper as it was printed.

Mr. DENT. You will have to wait until I go down to the Evening News, because the newspaper is upstairs somewhere and my girls have left. I will be sure to read it to you tomorrow. I can assure you, however, that it appeared in the newspaper.

Mr. WADE. Mr. President, if Senator Dent will pardon my interruption, let me inform him what the article stated. It stated that we had not as yet made up our minds, that we were studying the figures and we would not say no until the figures were complete and our study was complete. That was the gist of the newspaper article, Mr. President, for the gentleman's information.

I appreciate his permitting me to interrupt him.

Mr. DENT. That is all right, Mr. President. Thank you very kindly. However, the one thing I have never been able to do is to make up our minds. I have difficulty enough making up my own mind.

The question of whether this one cent is needed or not is a very serious question. We are faced with the greatest road building program with which this State or Nation has ever been confronted. Yet, the Republican Membership of the House and Senate have made their minds up, politically, to cut the highway funds to the lowest point that they have been cut to since 1949. At that point we passed the final five cent tax in Pennsylvania. Today we are asking for the continuation of a one cent tax on gasoline.

It is a peculiar thing that by some kind of a maneuver, the Republican Party is always able to put the Democrats in the position of asking for taxes. If the Democratic Party were to act in the same manner in which the Republican Party has acted for sixteen years, we would not need the extra one cent. I am sure that we could find enough money in the five cent tax to biuld roads in Democratic counties. However, we feel that when we are elected to office, it is not a question of Republican or Democrat the day after election, but rather it is the question of all the people. When we design roads, we design them as to need, regardless of the political persuasion of any given community.

Mr. President, I said earlier this afternoon, and I want to repeat, that I do not believe the people will be fooled by the maneuvers which have been going on in this Senate, namely the cutting of revenue in the State and the adherence to the greater demands for services. There have been more Republican-sponsored road bills passed

in this Senate during this three month Session than ever before in the history of this State during any Session. They will go back home to their constituents and say, "Look, I put the bill in for Podunk Road to be built. I put the bill in for the road to be built in front of your house. However, the darn Democratic Governor vetoed it." They will not tell their constituents, however, that the reason the Governor vetoed the bill was because there was not sufficient money to build the road.

Mr. President, I would like to read some figures if you do not mind. If you pass this bill in the version in which it is now before us in the Senate, how many of the Members of this Senate know what it really means to their Districts? This morning, I contacted the Department of Highways and I said "I would like to have from you the figures on the amount of moneys that have been paid out and will be paid out during this biennium to the local districts in Pennsylvania, pursuant to the Act of the Legislature which gave a greater amount of return to the local districts." For sixteen years the Republican Party had been in power in Pennsylvania, and during that time the highest amount that was ever given to local districts was $36,000,000 a biennium. The Democratic Party succeeded in winning an election. They had made a promise to the people of this State that if they were elected they would make a greater contribution out of tax moneys, from highway revenues, to the local districts. For the first time in the State's history, we increased the contribution to local districts somewhere near the amount of money required to meet the growing needs of our local communities. Remember that in a local community, the only money which they have for streets, parking facilities, alleys and general transportation thoroughfares is made up by local real estate taxation. The State has gathered unto itself all of the revenues from motor vehicle taxes, from gasoline taxes and, therefore, the local communities must necessarily depend upon real estate taxation to take care of the ever increasing need of transportation facilities. Recognizing this, some of us have for many years tried to fight for the passage of legislation giving each community a greater share out of the Motor Fund.

During the first two years of this Administration we were able to do that. If you will remember, myself and others persuaded the Governor and the Secretary of Highways to double the amount given to local communities, from $36,000,000 to $72,000,000. However, this Republican Senate saw fit to cut it to $60,000,000. Very frankly, being beggars at the door of the charity of the Republican Majority, we were happy to accept at that time the $60,000,000. This meant an increase to local districts of sums unheard of before.

For instance, just to give you an illustration, I will take Blair County, my friend Charley Mallery's county. Prior to the advent of the Democratic Administration, Blair County's municipalities received $185,308. After the passage of that Democratic-sponsored bill, the allocation was $320,402 or an increase of $135,094, just $50,000 less than the entire amount it received before.

I see my good friend, Ed Kessler, over there and I would like to remind him of what happened in Lancaster County. In Lancaster County, their appropriation was $521,767. After the passage of that bill, we gave to Lancaster County, you and I, Ed, and the rest of the Senators, $843,210 or and increase of $228,683. I could go on through the list.

I do think it would be important to remind George Wade, the Chairman of the Highways Committee, of what happened in his county. I think it is important that we study these things and bring them out into the open. In Cumberland County, prior to the passage of that bill, they received $206,556. After the passage of that bill, they received $333,141 or an increase, mind you, of $126,585.

Let us see what the effect of this particular piece of legislation has upon this formula and upon the county districts, the municipalities, the townships, the boroughs and the cities in our respective Districts. This afternoon, during the busy Session, I tried to work out some of the answers and I assure you that they are very difficult to work out. However, I had a great deal of pleasure in reading about a county which I think, for too many years, has been considered a stepchild of the State—maybe it is because the county has been Democratic for so many years—and that is Allegheny County. I want Senator Fleming and Senator Kopriver to hear this particularly.

Allegheny County, prior to the passage of that bill, received $1,402,347. After the passage of that bill, they received $2,606,657 or an increase of $1,204,310. The increase was $1,204,310 as against the total appropriation, prior to the passage of that bill, of $1,402,347. I have to give credit to Senator Fleming and to Senator Kopriver because they both voted for the Act.

Now let us see what happens, Mr. President, if you pass this bill tonight. If you pass this bill to night, you will lose from that appropriation of $2,606,000, $338,000. If you fail to pass the Barr amendments, which are before us tonight, you will lose an additional $520,000 or your county of Allegheny, to its municipalities, will lose a total of $858,000 of much needed money. I will show you how I worked that out in order that there will be no question. There might be a question of my interpretation of the sales tax, because at that time I had to deliver an opinion which was more of a legal opinion than a mathematical opinion. However, when it comes to the mathematics of government, I pride myself on being my own master. I will show you how I worked it out.

The formula upon which the returns to the county districts or municipalities are based is a formula of twenty per cent of a four and one-half cent tax base. Although there is a five cent tax base, one-half cent is earmarked for distribution to county government. Therefore, the Department of Highways has four and one-half cents. We add the formula on the statute books of twenty per cent of the four and one-half cents, based upon a $56,000,000 per penny of taxation which, incidentally, is $2,000,000 more than what has been received in this biennium. However, anticipating the greater number of automobiles and the greater consumption of gasoline, we have anticipated that each penny will bring in $2,000,000 more in the next biennium. Based upon that, twenty per cent of the total will give us $52,000,000. In order to insure the same allocation to the districts as we have given them during this biennium, we will require $60,000,000. If you only have $52,000,000, then there must be somewhere near thirteen per cent of a cut in appropriations to each of the local districts.

I know that Senator Wade put a bill in, co-sponsored by all of the candidates on the other side who have to run next year, putting a floor of $30,000,000 in order that the local districts would not lose any money. However, I can assure Senator Wade that by introducing the bill, it does not assure either its passage or its signature by the Governor. Therefore, we have to deal here with the acts of the Legislature which control the expenditures of moneys as they appear on the statute books.

The law now says that there will be twenty per cent of four and one-half cents of taxation. That formula will be applied, I assure you, if this bill passes. I cannot speak for the Governor but I know that if he were sincere, and I believe he was, when he made his budget speech on highways, he does not have $8,000,000 to give. Unless you accept this amendment for one cent, he faces this situation. He faces a situation whereby he will have the same amount of taxation for highway purposes as they had in 1949. Now you want to take from him an additional $24,000,000 as against what was paid out in 1949 for municipal governments.

On top of that, we have a Federal program which will require some $370,000,000 if we reach the complete picture on the amount that is allowed to Pennsylvania. On top of that, we still must pay our debt services which require almost a cent and three-quarters of our tax moneys. If we add these items up, how can we spend any money on the 20,000 miles of road which are purely State-supported roads? Incidentally, these State-supported roads are the spokes which spread out from the hub of industry. The cities depend more upon the State-owned and State-operated roads than they do on the thoroughfare roads. The limited access roads are used by those who are traveling to and from points which they are interested in reaching. However, the little State-owned roads are the roads which bring the people into our municipalities to do business and to congregate.

It is important that we have money for the State-owned and operated roads. Yes, I know the Federal law says that the Federal Government will pay ninety per-cent if we will pay ten per cent. Last night, Senator Wade, in his statement, said that we have $40,000,000 of unspent moneys that we have allowed to the State Highway and Bridge Authority. However, what Senator Wade did not explain to you was that we are a biennial Session. We meet in biennial Sessions. We do not meet every year. If the Federal Congress, in August or September of this year, or January, or February or on up until December of next year, should open up a greater amount of the Federal Road Program out of the $50,000,000,000 program and they should allocate to Pennsylvania another $250,000,000 or $300,000,000 or $400,000,000 worth of roads, we will have this $40,000,000 of funds available when we borrow it, incidentally, under the State Highway and Bridge Authority, to meet any commitments that we may have to meet under the Federal Road Program. It would be the poorest kind of business and the silliest kind of thinking to use that allocation in reserve at this time while we are in Session. That is why that money is there. It is not costing the taxpayers one cent until we borrow it. We do not need it until we must have it. It is like saying to a person who is working in a factory and while he is working in a factory, he buys himself a radio or a television. He has savings in the bank, savings for an emergency of sickness, an emergency of need for his family, but instead of paying for it out of his earnings, you say, "Go to the bank; take your money out of the bank and pay for your radio and forget it." That is not the way the American people are built. The American people always try to save something for tomorrow.

Therefore, we are saving this $40,000,000 in case the United States Government, the Federal Government, opens up the Federal Road Program for another $3,000,000,000 or $4,000,000,000 worth of construction next year, at which time we will be in a position to accept our responsibility and meet our share of the obligation without calling a special Session and raising taxes. I predict to all of you—and I want this to be especially contained in the record—that when you release this one cent of taxation on gasoline, there will not be a reduction in pump gasoline prices anywhere in Pennsylvania.

If my memory serves me right, I believe it was in 1940 or 1939, somewhere back in those days, when we relieved the one cent tax. The bill passed the House, passed the Senate, I believe, and was vetoed. I am not sure of the action now. Then we had thousands upon thousands of petitions against the tax. The tax failed, the one cent increase, and, lo and behold, within thirty days after the adjournment of the House and Senate, the gasoline companies raised the price of gasoline in Pennsylvania one cent. Therefore, I predict to you that if you take this penny off of gasoline in Pennsylvania, it will not be reduced at the pump sale prices. That is as true as we are standing here. All of us fought against the pop tax. We took the pop tax off. Can anybody here buy a bottle of pop without that pop tax today?

You are dealing with economics and the economics of government demand that you pay as you go if you can. The economics of our individual lives at home demand that we pay as we go if we can, and there is no man in this room who can give me a reasonable argument in the face of the economy of the State for the relinquishment of this one cent gas tax.

Let me just show something to you, something that is important. Of all of the needs in this Commonwealth that are pointed up daily in our lives, the need for more help from this Commonwealth to the municipalities is pointed up in the field of streets, parking and transportation facilities. All of us live in Districts where we have cities, boroughs and townships and if ever any communities needed help in this State, they need help when it comes to taxes. Every community in this State is basing its budget for street work upon the amount that they have received from the State in the previous year.

Take a little community like my own. I believe that the amount they received from the State was something like $14,000, and then all of a sudden they were given an amount reaching somewhere near $28,000 or $29,000. Their budget has been adjusted to that figure. Now you come along and you cut away from that. You cut away from that probably $6,000 to $7,000. How can that community hope to meet its obligations on its commitments, some of them long-term bonds, paying for reconstruction and construction of street facilities that they must pay out of income? If the State does not give it to them, there is only one place that they can go to get that money and that will be from real estate taxation.

I am not trying to belabor you tonight with the idea

of hearing myself talk because I am as tired as any of you. However, I want to tell you that of all the things that you have done or will do this Session, the most serious thing you are doing is dropping this one cent from gasoline taxes.

Other speakers will give you details that I am sure will astound you in the matter of work done, in the matter of the needs of communities and of the State itself. I predict to you in the manner of a friendly observation that the worst thing which can happen to the Republican Party in Pennsylvania—and I say this advisedly because if it is bad for the Republican Party, it will probably be bad for the people because it will be disastrous to both—is for you to act on this bill as it is written tonight and then elect a Governor in full control of the Legislature. If and when that happens, I will be standing right at this rostrum and I will fight you until the cock crows in the morning against an increase in State taxes on highway users, because that is what you will be asking for. You will find many excuses and reasons for asking for it, because you are going to need the money.

Let us take Dauphin County, a county right here in which we live. I say we live in it because it has been a second home to me for twenty-three years and I respect this community of Harrisburg and Dauphin County. I think it has many internal problems created by the fact that many of us do make it a second home and do not pay or contribute toward its expenses of operation. Let us look at the problem in Dauphin County alone. Let us see what they have. Dauphin County used to get $282,000. That was the highest amount that Dauphin County ever received in its history. Now they are receiving under the Act that we passed which was based upon this one cent, mind you, Dauphin County now receives $485,000 or an increase of $202,000. Imagine getting an increase of $202,000 against a total appropriation, prior to that time, of $282,000.

I want you to go back home to your communities. I want you to explain to the people in your Districts the reason they are cut in their appropriation. You tell them it is because you saved them one cent in taxation. Before you do that, however, you go to the oil companies and make yourselves assured of the fact that the oil companies will not add the penny, because if the people are still paying the same amount at the gas pumps after you have cut the tax in Pennsylvania and the community is losing that amount of money, you explain it to the people because, frankly, I will not be able to.

Let us go through the rest of the counties. Let us take any of the counties which some of you represent. Let us take Potter County; my good friend, Jimmy Berger's county. That is a little, wee county which is one of the diamonds of this great necklace of counties of ours that shines up there at night. When no one else knows where to go, they can always go to Potter County and find a welcome. I have fished and hunted in that county for years and I had to travel over some pretty darn bad roads, Jimmy. Now you are getting better roads, and I will tell you why you are getting them. You are getting them because, Jim, up until recently you received $121,000; now you are getting $188,000. In your county that is a lot of money. It is not like Allegheny County or Philadelphia County where they talk in millions and billions. You come from a rural county where an increase of $67,000 is a great deal of money. It is better than a fifty per cent increase; in fact, it is better than a seventy per cent increase on the amount. Are you going to sit over there and vote to cut out this one cent just because it is politically expedient to do so?

No man on this floor can tell me honestly that in this day of rising costs, in this day of the largest Federal budget in the history of the United States, it is the proper thing to do. Your own Republican President, speaking of promises—I am not condemning Eisenhower but I think that he found out the facts of life—promised a $60,000,000,000 budget and he asked for $72,000,000,000. Senator Mahany, when you start criticizing George Leader for broken promises, speak in a whisper. Speak real low, because some of us remember Mr. Eisenhower's promises, and $72,000,000,000 is a long, long way from $60,000,000,000. He found out the realities, the facts of life, and so maybe George found out the facts of life. George found out that when you get into government, it is a lot different as Governor than as a candidate. Eisenhower found out the same thing.

Those of us who have gone through many campaigns have listened to many promises. I have heard Republican candidates say that they had $200,000,000 in surplus. In fact, I think I had the unhappy experience in 1946 of being on the State ticket against Duff. Duff said there was a $200,000,000 surplus and I came back to the Senate because I was still a Member of the Senate, although defeated for Lieutenant-Governor, and I found out that the $200,000,000 surplus had suddenly changed into a $65,000,000 deficit.

These things happen in politics. We let them happen. We are not honest with each other. I say to you Members of the Senate on the other side that this is the most foolish of all of the actions you could possibly take, in taking this one cent off of gasoline. I cannot for the life of me find any sound reason for it. The poppycock talk made that the department does not need the money is as ridiculous as "Alice in Wonderland." In these days of increasing costs, with a great Federal program of road building facing us for the first time in our history, and with the greatest amount of contribution to the local districts ever written upon the statute books, to say that we do not need the money is ridiculous.

You have had five cent gasoline taxation since 1949. If I am not mistaken, the first three cents went into effect in 1931, and then there was another cent in 1935. I can remember that one penny tax! oh, how I can remember it. Senator Frank Ruth was my floor leader over in the House. I am looking around to see who else was with me in the House of Representatives at that time. I think George Wade was there. Senator, I think you were in the House with me in 1935. We have certainly grown old together. Senator George Sarraf is beginning to show it. It was 1935 and we proposed a one cent gas tax and they carried the petitions against it into the House of Representatives in bushel baskets. It was said that we were going to close the borders of this great Commonwealth by putting a one cent tax on. We were going to chase all of the business out of the State. Incidently, in 1935 there was not enough business to worry about. You will never, unless you live through it, and I am saying this in front of witnesses, you will never believe as long as you live the propaganda put out

against that one cent tax back in 1935.

Then in 1949, if you will remember, we put through another tax of one cent for a fellow by the name of Duff. We had that bill licked until Jim finally decided that the way to handle that was to put the pressure on Pittsburgh. The Republican House Members were not going to go along with that bill at that time, but Jim was going to build Point Park and so my good friend, Joe Barr, started to be a messenger boy and went down the aisle in the House and picked up the votes to give Jim Duff that tax bill back in 1949. I am telling tales out of school, but since there is nobody here but us fellows, I can tell it. In all seriousness, I hope that you will consider what you are doing and reconsider.

I would ask you tonight to do something that probably you will not, but I am hoping you will. I am asking you to act as reasonable men. I am going to ask you to allow this bill to go over and ask that the bill's contents be referred to the Committee on Rules in order that those of us in the leadership of both parties can sit down and try to work out whatever differences there are. I assure you that this will mean a cut of $8,000,000 to the local communities if you do not take the one cent, and if you do take the one cent, it will mean $20,000,000 to the local communities.

For instance, in Montgomery County, which is just a little county over here, a neighboring county of Philadelphia, it will mean to Montgomery County this, and I think I ripped your figures out. Just to help me out of a hole, I worked your figures out. If you pass this bill, Senator Propert, if you pass this bill the way it is written tonight you will lose $114,700. If you accept the Barr amendments, you will add $176,600 to what you now have or a difference between this bill not amended, and a bill amended with the Barr amendments, of $291,300 in your county.

In Chester County, incidently, they will lose $72,000 if you pass this bill as it is now written. You will gain $120,000 if you pass the Barr amendments or a total of $192,000.

In Delaware County, where my good friend, the captain of the fleet, Senator Watkins, lives, they will lose $107,600 if this bill passes as it is written. They will gain $149,800 on top of that or a total of $257,400 if you vote for the Barr amendments to this bill.

Bucks County—and, of course, my friend, Ted Watson, is very interested in Bucks County—will lose $72,600, or an added $113,600 if the Barr amendments pass or a total of $196,200 which is the difference between voting for the one cent increase allocated to the local districts in the proportion that the Barr amendments provide.

There is no use going through the figures. I think that you must realize by now that what you are up against is this. You are either going to vote to cripple the Highways Department in its attempt to do two things; first, to build local roads and State roads; and, second, to participate in the Federal Program.

I ask you at this time to consider very seriously what you are doing. I can assure you that if you are basing your hopes upon the bill that Senator Wade put in last night which places a minimum floor of $30,000,000 under the amount that will be contributed to local communities, you are living in a dream, because the Governor cannot, and I am almost sure he will not, sign that floor bill because he will not have the money to give out.

Mr. EHRGOOD. Mr. President, I feel quite hurt that Senator Dent has not mentioned Lebanon County on this. After all, I believe that I have not seen anything happen in Lebanon County as to new construction or repair work done.

Mr. President, I now desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. EHRGOOD. Senator Dent, do you know how many miles of new highway construction were constructed by the Pennsylvania Department of Highways in this biennium?

Mr. DENT. No.

Mr. EHRGOOD. Let me ask you this. Do you know how many years are contemplated under the Federal Program for highway construction?

Mr. DENT. It all depends. They have two phases of that program and it all depends on whether they are going to work on the accelerated base, which depends upon whether or not we are in a position to contribute on a State-wide base or whether we will take it under the long term pull.

Mr. EHRGOOD. You do not know how many years is contemplated?

Mr. DENT. No, I do not and neither do you.

Mr. EHRGOOD. It is at least more than two, is that not correct?

Mr. DENT. Oh, definitely.

Mr. EHRGOOD. As a matter of fact, it is about four or five.

Mr. DENT. It will go further than that. The least that they can contemplate is fifteen years.

Mr. EHRGOOD. Fifteen, thank you. That is all .

Now I would like to call to the attention of the Members of this Senate that I do not believe the people of the Commonwealth are fooled by the political oratory of Senator Dent.

We hear a great deal of talk about helping the little fellow. Now I think it is time and here is one chance where the Members of this Senate can help the little person. One cent a gallon, and how many people use one cent a gallon? It adds up to some money over a long period of time, however.

We talk about broken promises of the Democrats. Here is one chance where I would like to see the Republicans at least hold good in their promise. As I recall, as a Member of the House, we passed this tax on an emergency basis. Well, let us hold good to the people of Pennsylvania and let us repeal this one cent or, rather, let us defeat this amendment so that we do hold good our trust to the people of Pennsylvania.

Let me ask you this. How much money is being spent by the Department of Highways in Pennsylvania? What good are they doing? Are they making repairs to the roads? Would you come down to Lebanon County and see what repairs they are making, and how many persons they have on the payroll in Lebanon County? Do they have any engineers in the Department of Highways that are capable of doing a job? Are they capable of spending this extra one cent? That is what I would like to know, Senator.

I hear so much said about this little person. I have heard you crying about the little person. It seems to me that here is one good chance when you and I and everyone else in this Senate can do something on behalf of the little guy, as you call him. I say let us vote these amendments down.

Mr. DENT. Mr. President, the gentleman from Lebanon reminds me of the story they tell about the fellow who was arrested for selling sausage, mixed sausage. He was arrested because he was advertising rabbit sausage, and the inspectors inspected the sausage and found that it was mixed meat.

In the hearing before the squire, they asked the defendant if this was rabbit sausage. "Well," he said, "it was part rabbit sausage." He said, "It is half and half." He was asked, "What is the other half"? He said, "Horse meat." He was asked, "How do you mix it?" "Well," he said, "fifty-fifty; one rabbit and one horse." That is what the gentleman is talking about. He wants to do a favor for the little people. He wants to cut a penny off of gasoline, but, he forgets to talk about the millions he is taking and saving the big people.

The little people will not save anything, Senator. The gasoline price will remain the same, and you will come back and tell me that. The gas companies will not let go of this penny. They never did, they will not.

You talked about Lebanon County and the ruts in the roads, and you want to know about engineers. Just let me give you one simple fact, sir. There are 2,900 technical engineers and technical employees in the highways Department. Since Secretary Lawler took office as Secretary of Highways, eighteen have been dismissed. If they are not any good, we did not put theme there. They are holdovers from Republican Administrations. Twenty-eight hundred, sir, and eighty-two out of 2,900 are the remaining technical staff employees who are still in the Highways Department. I am getting sick and tired of hearing talk of removing technical people from the payroll in the Highways Department. The facts are irrefutable. They are on the records and the names are available for all of you.

If you do not have good roads in Lebanon County, do not blame the Democrats. We just came into power two years ago. The Republicans were in power for centuries in this State and if they neglected your county, do not blame us. I know, I am up against that in my county. We have roads in Westmoreland County, Mr. President, that have been almost impassable for forty years and all of a sudden, in the two years that we are in power, we are supposed to rebuild every road, remake every place into a broad highway. Give us half a chance.

I will say this to you Senators on the other side, give us sixteen straight years and you can ride a roller coaster to Harrisburg from any point in Pennsylvania.

Mr. EHRGOOD. Mr. President, all I would like Senator Dent to do is come down to Lebanon and try to sell that business about the Highways employees. You know, Lebanon County was very fortunate in the Highways Department. We had quite a few employees; perhaps even more than our share from Lebanon County. I wonder if Senator Dent would some down there to Lebanon and explain that to all the persons who were fired down there.

Mr. DENT. Mr. President, I desire to interrogate the young man from Lebanon, Senator Ehrgood.

The PRESIDENT. Will the gentleman from Lebanon, Mr. Ehrgood, permit himself to be interrogated?

Mr. EHRGOOD. Mr. President, since this is a night Session, I might as well get my intitation now.

Mr. DENT. That is all right, this is without any rancor or personalities, sir.

How many were fired from your county?

Mr. EHRGOOD. I do not know the exact number. I do not want to make a wild guess. I know that there were quite a few, a definite large number. I cannot give you an exact number. I do not know. I will find out for you.

Mr. DENT. Tell me something, were the Republicans fired?

Mr. EHRGOOD. Oh yes, there were Republicans fired.

Mr. DENT. How many Democrats were on before we took office?

Mr. EHRGOOD. I do not know how many Democrats. Let me say this to you, Senator. I am talking about competency and repairs done whether by Republicans or Democrats, and all I am asking is are the Democrats going to do a sufficient job and a reasonable job down in Lebanon County?

Mr. DENT. Thank you very kindly. I might remind you though, while you are at the microphone, in case you want to answer, that if you think there is any difference between a Democratic snow shoveler and a Republican, you are crazy.

Mr. FLEMING. Mr. President, I had no intention of getting into this tonight at all, but Senator Dent particularly called the attention of Senator Kopriver and myself to some figures about what it would cost in the county of Allegheny if the so-called Barr amendments were not accepted and what would happen to our municipalities, and he talked about the refund to the county. I presume you meant the refund to the municipalities in the county, Senator Dent, rather than a refund to the county of Allegheny of one-half a cent. I presume that would be correct, sir.

I would like to deal a little bit with both of them. If the County Commissioners of Allegheny County would give back to the State the 500 and some odd miles of county roads that they still maintain and put them in and make them part of the highway system, then the County Commissioners could take that one-half cent gasoline tax that is given back to them and allocate it to the various municipal subdivisions in Allegheny County, such as is done in some of the other States, on a matching basis, and give them a considerable amount of money.

My main point, Senator Dent, is this. Governor Leader has projected, in his highway budget, appropriations amounting to $720,444,269 and he estimates that he will have a cash balance of $58,596,675. Now I would submit to you, sir, and to the Members of this Senate, that if we do not enact the one cent gasoline tax, assuming that we give Governor Leader everything he wants and every nickel he wants to spend of this seven hundred twenty-plus millions of dollars, we would then end up with a $1,000,000 surplus at the end of this coming biennium. If that be true, then I can certainly see no reason at all for foisting on the motoring public of Pennsylvania this extra one cent.

I would further say to you, Senator, that I think the people generally are pretty tax conscious. I think politically you have said what will happen to the Republican Party. I know we are all grateful to you for your concern over what will happen to us next year in the gubernatorial race, but I assure you that the people of Pennsylvania, as all over the Nation, are pretty tax-fed up, and that Party which attempts to cut the cloth to the money they have and that Party which will attempt to effect some economies in Government, I believe, is the Party that will be successful in next year's election. At least we in the Republican Party feel that that is right. We are going to make every effort to pitch our appeal to electing a Governor of Pennsylvania on that level between now and next year. We are very confident that we are going to be successful, so please, and I know you do it with all the sincerity at your command, do not tell us of the mistakes we are making. We do not think we are. We think we are doing the things that the great majority of the 11,000,000 Pennsylvanians wish their representatives in the General Assembly to do.

Mr. DENT. Mr. President. I desire to interrogate the gentleman from Allegheny, Senator Fleming, in a friendly fashion.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Fleming, permit himself to be interrogated?

Mr. FLEMING. I will, Mr. President.

Mr. DENT. Were you a Member of the Senate during the Session of 1953?

Mr. FLEMING. In 1953, I was; yes sir.

Mr. DENT. Can you tell the Senate what the cash balance, surplus, was in the Highways Department as of June 1, 1953?

Mr. FLEMING. Maybe my friend and adviser, Senator Wade, has that. Do you have that, Senator?

Mr. DENT. Ask Senator Wade; he knows.

Mr. FLEMING. Well, that is what I am trying to get. If this is the balance that you are talking about, it calls for $63,071,000. Is that what you are talikng about?

Mr. DENT. That is right. Did you promote any legislation then to cut the tax one cent? Incidentally, one penny at that time brought in $49,000,000, and you would have ended up with a surplus of $14,000,000. If you were consistent, you should have advocated the cutting of one cent then instead of now. Now you will only end up with a surplus of $1,000,000. Then, if you would have cut it one penny, you would have ended up with $14,000,000.

Mr. FLEMING. That is probably right.

Mr. DENT. That is right.

I might ask this, were you a Member of this General Assembly in 1949?

Mr. FLEMING. Yes.

Mr. DENT. You were a Member of the House, were you not?

Mr. FLEMING. That is right.

Mr. DENT. Do you remember in 1949 when we put one additional penny on?

Mr. FLEMING. I recall that.

Mr. DENT. Do you know what the surplus was in 1949, June 1, 1949?

Mr. FLEMING. I do not have that information.

Mr. DENT. Sixty-nine million dollars and you added one cent. I know that consistency is the hobgoblin of small minds. I do not want you to have a small mind, but broaden it a little bit to say that what you are doing tonight is entirely different than what you have done in the entire history of your Legislative career. There has never been a surplus in the history of Pennsylvania's Highways Department smaller than the anticipated surplus of 1957-1959, including this penny of tax, which is $58,596,000.

I think you need it for a cushion, very frankly. If you did not need it for a cushion, then you Republicans have been terribly wrong over the last sixteen years. We had to learn something from you fellows; this we learned from you.

Mr. McMENAMIN. Mr. President, I felt sure all along that eventually I would get recogniezd.

Mr. President, tonight I have a petition, a remonstrance and a resolution, but I do not think I brought enough material with me. I thought it was going to be "Cumberland County Night."

I would like to tell my new friend, Senator Ehrgood, from Lebanon, that we will get the figures for him on Lebanon County very shortly. If I had been running the Republican Party and Lebanon County stood up as it has over the years, it certainly would have had more than its share of Highway employees. If I were running the Democratic Party, I think I would make sure that they had a little bit less than their share this time.

Mr. President, I was primarily interested awhile ago in hearing my distinguished colleague, the Majority Floor Leader, Senator Mahany, state and admit publicly that Pennsylvania would not lose a single sent of Federal highway money. I do not want to get off, under this order of business, on the same tangent we got off on last night. However, last night reference was made to the articles contained in one of the newspapers in Pittsburgh and some of the charges they had made. It seems to me there were five. I think Senator Mahany just pulled the prop out from one of them by stating that we are not going to lose a single cent of Federal money. I understand this afternoon another of the props went when former Chief Engineer Wiesenberger repudiated a statement attributed to him in a Pittsburgh press,—I mean press generically—or rather the Pittsburgh Sun-Telegraph. I understand you have two responsible newspapers in Pittsburgh. It would seem to me that losing two of the defenses to a libel suit in about six hours is pretty good going for anybody.

Mr. President, last night on the subject of this amendment, the Senate was regaled by the Senator from Cumberland County with a dissertation on the Administration's highway budget. In all charity to everyone here, I deplore Senator Wade's presentation as being biased, misleading and partisan. More to the point, I am amazed that this man, whose previous record in this Chamber has been marked with integrity, has permitted partisanship to becloud an issue of vital interest and importance to every person in the Commonwealth. Had Senator Wade's attack on the highway budget been delivered by a member less familiar with highway matters, it might be excused. However, here we have the Chairman of the Highways Committee in a deliberate attempt to destroy and distort a highway program which was presented to the Legislature in all sincerity by Governor Leader, who is dedicated to the cause of good government and pledged

to build safer highways, modern highways, by the highest and most complete utilization of Federal funds which are made available through the passage of the Federal Highway Act of 1956.

I, and other Members on both sides of this Chamber, I believe, were amazed and astonished by Senator Wade's distortion of the facts. He knows, as well as all of us do, that in previous years and in previous Administrations the Governor was permitted to present the essential points in the highway budget. The detailed explanation of the budget was given to the apropriate committees in both branches of the Legislature. That has been the practice within the memory of this Body. Senator Wade well knows that it is the proper way to handle such an important matter. However, Senator Wade chose to scrap Senatorial courtesy and to discard political ethics to join the wolf pack in his desire to harass the Leader Administration and to wreck the carefully prepared construction program of the Department of Highways.

Does the Senator believe that his constituents who drive the narrow, twisting roads in his district, the roads long neglected by previous Administrations, will applaud his effort to hamper the construction of new and safer highways? Will the families whose loved ones were killed at the hazardous York Springs Intersection, on Route 15, applaud and approve Senator Wade's campaign? Will the survivors of a score of unfortunate victims whose lives were sacrificed because of the hazardous conditions at Rose Garden, again on Route 15, appreciate Senator Wade's marked concern for the highway dollars?

Senator Wade knows, or perhaps he is too busy to find out, that this Administration is relocating Route 15 at York Springs. This relocation will completely eliminate the tragic, hazardous condition there. Does Senator Wade not know, or does he not care, that Secretary Lawler, as Secretary of Highways, is ready to begin construction and relocation of the most dangerous spots on the entire highway system at Rosegarden? This callous disregard for public safety, multiplied by sixty-seven times for each county in the State, which was ignored for two score years by Senator Wade's Party's Governors, cannot be permitted to continue. It shall not continue in spite of Senator Wade and others who, like him, are determined to hamstring, hamper and harass Governor Leader and Secretary Lawler in their determination to build highways honestly and intelligently.

Is Senator Wade more concerned with the doubtful political propaganda value he might gain by his presentation in this Chamber or is he genuinely concerned with saving lives by building safer highways? These answers, of course, must be answered by Senator Wade from the innermost recesses of his own conscience.

I have compared the Senator's speech with a document prepared by a paid employee of the Keystone Automobile Club, a misanthropic individual who has set himself as a financial wizard, the alpha and omega of all matters pertaining to and in connection with the Highways Department. As a special pleader, this so-called expert prepared for delivery an analysis of the Governor's Highway Budget, dated March 8. These observations neither received any publicity nor, as I understand it, scant consideration from those persons to whom it was made available. However, this is not true of the Senator from Cumberland. The observations were lifted lock, stock and barrel by our colleague from Cumberland. They were adopted as his own contribution to the campaign to destroy the first real highway program this Commonwealth has seen in many years. Word for word, line for line, and paragraph for paragraph, the expert's so-called observations were grabbed by Senator Wade. The statistical tables drawn up by the Keystone expert became part and parcel of Senator Wade's medicine show.

Such is the way this Republican campaign against good government is shaping up. These seem to be the watchwords of this Session. Not content to wait for orderly analysis of the Highway Budget, the Senator has issued a canned statment and sets himself as the savior of those who would aline themselves with him.

Over the years, Senator Wade, as a member of the Highways Committee and as a Member of this Senate, has been given credit for being a good public servant. His probity as a citizen has not been questioned. As a partisan he was credited with fighting clean. That is why it is doubly hard to understand the performance we saw yesterday.

Will the political ambitions of a Member of this Senate, on either side of the Legislature or in either House, overshadow their responsibility to the public? Will the bitter poison of political ambition besmirch the highway administration's decent efforts to improve the highway system? I doubt it.

Realizing that this attack is but the prelude to similar maneuvers, I want at this time to set the record straight on the financial situation in regard to the Motor License Fund.

Motor fuel taxes have increased over the years and it is expected that some increase will be made during the 1957-1959 biennium. It is not expected to increase at the rate that has been prevalent since 1950. A more conservative rate has been used in the budget presentation. Certainly, with industrial productivity leveling off as it is at the present time, our conservative estimate is being justified. The continuation of the one cent emergency tax was budgeted to provide matching funds to meet the increased amounts of Federal aid available, to permit local road maintenance and construction payments in the municipalities and to provide for adequate 100 per cent State highway construction.

The $327.4 million Federal Aid Program consists of $226.7 million of Federal funds and $100.7 million of State matching funds. Pennsylvania's share of previous Federal allocations averaged approximately $84,000,000 per biennium and required $78,000,000 of State matching money. This biennium witnesses the beginning of a program of increases in Federal-aid allocations. It is obvious that additional State matching funds must be secured if we are to take advantage of these present and future increased Federal allocations.

Federal-aid payments to the State are estimated at $75,000,000 for the 1955-1957 biennium. Our allocation of Federal-aid funds, estimated at $141.7 million for this biennium, could not under any circumstances have been collected during this same period. However, the balance will be used and State funds must be available to match. Projects must first be built, the contractors paid and reimbursement made to the State by the Federal Gov-

ernment. To secure, during the same year, reimbursement by the Federal Government of the Federal-aid participation in that year's projects, would mean that all Federal-aid funds would have to be obligated by contracts immediately after allocations are made in July of each year. This is impossible and impracticable.

As to the expenditure of $81,000,000 in 1955-1957 and only twenty miles of Federal-aid urban extensions built, it must be realized that all work under contract was completed and the twenty miles are only that portion of the obligated money resulting in highway mileage completed. Many more miles will be finished from the rest of the $81,000,000. This remainder was expended on the initial portions of miles of uncompleted construction.

There is no political sleight of hand here. These are the cold facts upon which the Governor's budget were based. They are genuine; they reflect the highway needs of the Commonwealth. A proper hearing before this Legislature being denied, the Administration is willing to rest its case with the public.

I firmly believe that every item set forth in the Governor's Highway Budget and the continuation of the extra cent of gasoline tax are justified.

Mr. President, I want to point out to Senator Wade just a few facts in connection with this Highway Budget and the problems which arise out of his own District and which, I think, he might well have taken a few minutes to check as we did today with the Department of Highways. As I understand it, his home is in Cumberland County which is in a highway district comprising the counties of Cumberland, York, Lancaster, Lebanon, Perry, Dauphin, Franklin and Adams.

Mr. President, during the 1953-1955 biennium, in this highway district, $17,000,000 was spent for new construction, or contracts negotiated and entered into by the State. During this present biennium, under the administration in the Highways Department of Joseph Lawler, to date $26,000,000 has been spent. In other words, already there has been an increase of $9,000,000. By April 1, there will be an additional $19,623,000 worth of contracts advertised and signed. It is interesting to note that in Cumberland County alone, one of the projects about to be contracted and which should be completed by the first of the month, only a week or so away, is a bypass in Duncannon, Pennsylvania, just across the river, which will bypass Duncannon, a project in Cumberland and Perry Counties costing four and one-half million dollars. After the first of April, the highway program in Cumberland and the other counties in that highway district will be more than double what it was during the previous biennium.

Mr. President, I have an analysis of the Motor License Fund as of March 1, 1957, which I will not bother reading at this late hour. It consists of several pages and I ask that it be entered in the record as an exhibit so that all the Senators may avail themselves of it for study if they so wish.

The PRESIDENT. If there are no objections, the analysis submitted by the gentleman from Lackawanna, Senator McMenamin, will be printed, together with his remarks, in the Legislative Journal.

HIGHWAY DEPARTMENT MOTOR LICENSE FUND
COMMONWEALTH OF PENNSYLVANIA
MOTOR LICENCE FUND MARCH 1, 1957

The balance available on March 1st was			$98,545,000
The State has flood disaster obligations of		$14,900,000	
Township Funds in this balance			
Under Act 340	$ 1,600,000		
Under Act 655	15,000,000		
Total obligations to townships		16,600,000	
Balance of allocation due the Pennsylvania State Police		3,045,000	
Total funds reserved			$34,545,000
Balance to meet construction contract payments and other Department obligations			64,000,000*

*NOTE: It is to be especially noted that a balance of $64,000,000 is indicated as available to the Highway Department on March 1, 1957 for construction contract payments and other Department obligations. However, against this $64,000,000 there already are, as is shown later, the following debits:

Costs already levied by the Public Utilities	$ 7,700,000
Commission to be paid by the Highway Department	
Right-of-Way claims, some as many as five years old	50,000,000
Total	$57,700,000

These are ligitimate claims against the Highway Department; and if the Highway Department had had to pay all of them before March 1, 1957, the balance in the Motor License Fund at that time would have been, not $64,000,000 but less than $7,000,000.

MOTOR LICENSE FUND JUNE 1, 1957

As nearly as can be determined at this time, the condition of the Motor License Fund on June 1, 1957 will be as follows:

The estimated balance available June 1, 1957 will be			$116,100,000
The State will have flood disaster obligations of		$13,750,000	
Township Funds in this balance			
Under Act 340	$ 100,000		
Under Act 655	2,000,000		
Total obligations to townships		2,100,000	
Total Funds Reserved			15,850,000
Balance to meet construction contract payments and other Department obligations			$100,250,000

MOTOR LICENSE FUND STATE MONEY AVAILABLE
FOR
1957-1959 BIENNIUM

Balance on hand June 1, 1957 (as revised		$100,250,000
Motor License Fund State Money Receipts		
Liquid Fuel Tax (5½¢) (Page 2)	$312,000,000	
Motor License Fees (Page 3)	171,300,000	
Political Subdivision Contributions (Page 3)	12,000,000	
Miscellaneous Revenue (Page 3)	6,500,000	
Fuel Use Tax (Page 2)	4,700,000	
Other (Page 3)	800,000	
		507,300,000
Total State Funds Available		$607,550,000
State Highway & Bridge Authority Borrowing Authorization		40,000,000
Total State Money Available		$647,550,000

SYNOPSIS OF MOTOR LICENSE FUND REQUIREMENTS
1957-1959 BIENNIUM

UTILIZATION OF MOTOR LICENSE FUND STATE MONEY
1957-1959 BIENNIUM

Required to pay costs of Public Utility Commission action		
Levied prior to June 1, 1957	$ 7,800,000	
Levied June 1, 1957—May 31, 1959	7,500,000	
		$ 15,300,000
Required to pay right-of-way damages (Some as old as 5 years)		55,000,000
Contract obligations expected to be pair prior to June 1, 1957 but which will be paid subsequent thereto		
Execution of work retarded	31,000,000	
Plans delayed	10,800,000	
		41,800,000
Required by Highway Department as planned for 1957-1959 in Budget		
Maintenance, Admin., & Design (Pages 5, 6 & 7)	196,400,000	
Construction (Matching & 100% State) (Pages 5 & 6)	199,800,000	
		396,200,000
Required June 1, 1959 to enter 1959-1961 Biennium (Page 1)		58,600,000
Payments to other Departments		
Appropriations (Page 4)	6,700,000	
Executive Authorizations (Page 4)	43,700,000	
Cities, Boroughs & Townships (Page 8)	63,300,000	
		113,700,000
Total State Money Required		$680,600,000

(Page references are to the 18th Biennial Special Funds Budget for the 1957-1959 Biennium, submitted to the General Assembly by Governor Leader March, 1957..

And the question recurring,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I notice that Senator Ehrgood is gone. I just wanted to make a few remarks. I wanted to tell him that I have ridden down through Lebanon lately and I noticed that Route 22 is being repaved right through the main street and widened by two feet. I also noticed there is a new bypass. Therefore, I think the new, young Senator had better open his eyes when he goes down home.

I want to say to Senator Fleming that we will not wait until next year to fight this out. This is the issue for our friend, Stacey, who is running against Senator Kopriver in Duquesne this year and I love it.

Mr .WADE. Mr. President, if I am correct I think you recognized me a moment ago, but the confusion is perfectly understandable because Senator Barr now resides in the Thirty-first District as we all know, so it is easy to make that error.

The PRESIDENT. The Chair could not distinguish between the two Senators from Cumberland.

Mr. WADE. That is most complimentary, Mr. President, I appreciate it.

Mr. President, we have heard a rather extended discussion, particularly by Senator Dent and Senator McMenamin. I want to say at the outset that I very much appreciate the information they have brought, and that the purpose of every Member of this Senate, together with the Members of the House, I firmly blieve, is to take advantage of every opportunity to improve Pennsylvania's highway system .

I noticed the distinguished Senator from Westmoreland pointing out different ones of us and in talking about our Districts he said if we pass this bill, you will lose certain amounts. He referred to Senator Propert, Senator Berger, Senator Taylor, Senator Mahany and others. Senator McMenamin just mentioned a little while ago the newspaper reports that are getting to be pretty general knowledge over the Commonwealth. I agree with Senator Dent and I am almost afraid to say this, because if we pass this bill and give the Highways Department the money that we believe they are entitled to, I am afraid we will lose it all if these reports are correct .

Then again he stated that if we do not give the Highways Department this extra cent of gasoline tax, we will cripple the Highways Department. Again, I refer to these reports. Senator McMenamin referred to them. They are reports that I believe have a place in this debate for the simple reason that this provision, embodied in House Bill No. 335 and House Bill No. 336, is raising money for the Highways Department and if the allegations and accusations are correct—there are ten of them, for the benefit of the Senator from Lackawanna, instead of five. If he would wish me to, I would gladly read them into the record and I shall do so later.

Mr. BARR. Mr. President, I think we are entitled to hear them. The gentleman mentioned them. I think everyone of them should be read into the record at this time.

Mr. WADE. Under some pressure, Mr. President, I shall be very glad indeed to do so.

These are allegations and accusations made by the Sun-Telegraph, Pittsburgh newspaper, under date of Sunday, March 17, 1957. Number one—I perhaps should start at the beginning of the article.

"The Pennsylvania department of highways has collapsed and the entire state roadbuilding program is in jeopardy.

"Only radical and immediate reformation from top to bottom will save the state from highway chaos.

"The Pittsburgh Sun-Telegraph has made a lengthy and intensive study of the department's operations. The following statements were found to be true:"

1. "Trained highway engineers were fired because of political patronage."

2. "Non-qualified persons were hired to fill their places because of politics rather than highway know-how."

3. "Most trained highway engineers held over from the previous administration were booted around or placed in positions not justified by their qualifications."

4 "Engineers fired by the highways department have been hired at increased salaries by consulting firms to do the same work on state highway projects."

5. "New consulting engineering firms have sprung up almost overnight to grab off lush highway projects."

6. "Hundreds of unqualified highway inspectors have been hired" . . .

Mr. LANE. Mr. President, may I suggest to the distinguished Senator from Cumberland that he slow up in his reading because I want to keep track with him?

Mr. WADE. I shall be very glad to.

6. "Hundreds of unqualified highway inspectors have been hired through politics to pass on contractors' work."

7. "These inspectors have been kept on the payroll all winter, although the majority of construction jobs have been halted by the weather."

8 "There aren't enough qualified engineers in the highways department to check engineering plans after they have been completed by consulting engineering firms."

Mr. BARR. Mr. President, the gentleman skipped one. Now read it in.

Mr. WADE. I assure you it was not intentional if I did. This is the one I suppose I missed, Mr. President.

9. "The highways department is withholding millions of dollars owed contractors because it doesn't have qualified personnel to close jobs already completed."

10. "There are 25 county Democratic chairmen holding highway superintendent jobs in the state. The other 41 are also political appointments."

Now I understand—and I am no longer quoting—that Secretary Lawler refuted that statement and said there were only two. I want to say to him, if that is true, he has paid a great honor to the District which Senator Barr and I represent because two of the County Chairmen, Mr Shoemaker, from Mifflin, and Mr. Stump, from Carlisle, are both Democratic County Chairmen and they are both County Superintendents of Highways.

Mr. BARR. Mr. President, I do not want to take issue with the gentleman, but there are four and while the man is acting as chairman, he is wrong again because the chairman he talked about, Mr. Shoemaker, is not the County Superintendent. You should know more about your District.

Mr. WADE. I still maintain, Mr. President, that I am correct. He was appointed County Superintendent of Highways.

Mr. BARR. Senator, you question my word when I

say that the man is not the County Superintendent, is that what I am to gather from that?

Mr. WADE. Senator Barr, I have the highest respect for you, sir, but if you say that that is correct, I will find out tonight. I know that he was appointed County Superintendent. He may have been fired, a lot of them have.

Mr. BARR. I will straighten you out. He works for the Highways Department, but he is not County Superintendent.

Mr. MAHANY. I think the Democrats owe our Senator, Senator Wade, the courtesy of hearing him without interruption, and I suggest that they allow Senator Wade to continue as we have allowed Senator Dent to continue, unless they want to raise a point of order.

Mr. DENT. I agree with the Senator, Mr. President.

Mr. BARR. Mr. President, I apologize.

Mr. WADE. Thank you very much, Mr. President. This is number eleven, and finally:

"Engineering blunders by one highway superintendent have cost the taxpayers approximately $140,000."

The article continues and there are continued articles, as Senator Dent mentioned this evening. Two new issues came through in the mail today. So much for that.

At the outset of Senator Dent's rather lengthy discussion, he said that the Republican Party always seemed to be able to put the Democratic Party in the position of asking for money. I submit to him that during my legislative career, and I refer particularly to the Earle Administration and to this particular Administration, it has been the plan and purpose apparently of the Democratic Administrations to spend more money than was forthcoming from the taxpayers. The same, I think he will agree, was true during the twenty years of Democratic control in Washington. Constantly the budgets were increased. I recall very well in 1931-1932 during the campaign for President when President Hoover's budget was some $4,700,000,000, President Roosevelt campaigned on an economy platform maintaining that he would cut the budget, and before he was finished being President his budget ran in excess of some $80,000,000,000.

Senator Dent also referred to the Highways Budget of 1949. I have some figures and would be glad to give them to the Senator, showing that these budgets were very small indeed compared with the budget we are considering for this biennium.

Then, too, he referred to the allocations to the political subdivisions. If the Senator remembers correctly, it was a Democratic bill, I grant. It came from a Democratic House two years ago and the allocation was for twenty per cent of four and one-half cents on a fifty-fifty basis, which would give the municipalities of Philadelphia and Pittsburgh a decided advantage throughout the Commonwealth, over all the other municipalities throughout the Commonwealth.

Those amendments were made here in the Senate. They came from the Highways Committee. We worked with Senator Dent and his colleagues, and the final agreement to give twenty per cent of four and one-half cents as a permanent allocation came after pressure from the Republican side of this Senate and I think that that is a fair and honest statement.

The Senator further mentioned at some length that those allocations would be cut, and I maintain, Mr. President, as long as that law is on our books, it calls for the expenditure of twenty per cent of the four and one-half cents. Now the floor that was written here in the Senate was that the sum would not be less than $30,000,000 for the years of 1957 and 1958. That floor will expire, of course, with 1958, and we have already introduced a bill to maintain that floor as the Senator referred to awhile ago. So much for that.

Senator Dent said we should be honest with each other, and with that I agree. We are not debating as to whether or not we have a highway program or the best highway program in the United States. We all aspire to that. The former Republican Administrations aspired to that. The present Administration, I believe, is working toward that end. However, they seem to be working in a very handicapped manner at the present time if all these rumors and allegations are correct.

Now let us go back a little bit to the history of highways. I know that I am imposing on every Member of the Senate because it is already ten o'clock, but the Senator inferred that our highway programs were very small compared with the present ambitious one. Let me tell him that history says that Governor Bigler was the first Governor to ever advocate a highway plan in Pennsylvania. Prior to that, there was a law, according to history, on our books that required a man who owned land along a route laid out by the State to cut the trees down to the level of the ground in an area at least seven feet wide so that a horse-drawn or ox-drawn vehicle could be pulled over that trail. They were not paid for their rights of way, they were required to do that by the State of Pennsylvania. Then during Governor Pinchot's second term, when Charlie Bidelspacher was Chairman of the Highways Committee in the House, a twenty mile road program was added to the then existing highway plan. Those roads were gradually improved and I daresay to this Body, and I think Senator Dent will agree, that was perhaps the most forward step made under a Republican Administration the most forward step in highway building in Pennsylvania.

No we come up to the present time and our President, President Eisenhower, whose name as mentioned a few moments ago on this floor, has advocated and been able to convince Congress that they should pass the greatest highway program of any Nation on the globe in all history. It will undoubtedly, when completed, provide not only Pennsylvania but every state in the Union with the finest system of highways, both primary and secondary, that any nation has ever had. Those are all accomplishments during Republican Administrations.

Now, for example, let us go over to New York State. Their Legislature is slated to adjourn finally on this coming Saturday. They have a four cents gas tax, one cent less than the tax we propose under House Bill No. 335 and House Bill No. 336. They have been unable to push it any further. It is is a Democratic Administration and they throw up their hands and say that they are unable to get that accomplished. I ask you, is what is happening in New York State any tribute to the Democratic Party?

Senator McMenamin has referred also to some projects in my District. He referred to one on Route 15 at Rosegarden, now being built. I agree with him on that, and I asked the Senator whether that engineering was not planned under the previous Republican Administration.

Another bad spot at York Springs, he referred to. That also was engineered and planned under the previous Administration, if my information is correct.

The Senator also referred to callous disregard. I am in possession of a copy of a letter just written on March 21 to His Excellency, George Leader, Governor of Pennsylvania, Harrisburg.

"Dear Governor Leader:

"We are writing in regard to the conditions of the road between Mahanoy City, and Trenton" in Schuylkill County.

"This road passes through Bowmans, Shoemakers, and Park Place. The road isn't fit for a truck to drive over, much less, a car or a bus filled with children.

"We are two civic-minded teenagers and we would like to see the state do something about this road. Since the state has taken over the road, it has gotten worse.. At least when the Township owned the road, it was temporarily taken care of and the holes were filled from time to time.

"We suggest that you send a representative to look over the road and drive over it. Then he or she can report back to you.

"We would appreciate being notified of what action you see fit to take."

Signed by "Geraldine Wufus" W-u-f-s-u-s—and "Ann Marie Malasavage" M-a-l-a-s-a-v-a-g-e. Copies were sent to Senator Paul Wagner and Representative Ivor D. Fenton.

Senator McMenamin's discourse was really more of a tirade against yours truly, and that is all right. That is perfectly within his privileges and prerogatives. It really does not matter. I simply expressed to the Senate what I believed were the true figures of the Highways Department and the Highways Department's revenues. Senator McMenamin has been courteous enough to send me a copy of his statement, and I should like to inquire why it was necessary to revise the Governor's Budget from March 5 until three weeks later.

Now on March 5, the Governor in this printed Budget stated that the balance on hand as of June 1 was estimated to be $65,921,966. Three weeks later, he revised that to conform with the figures given to the Senate yesterday, stating that the estimated balance as of June 1, 1957 would be around $100,000,000. He uses the figure of $100,250,000. Then further in that Budget, on page 3, he estimates the amount of highway funds at $647,550,000, where he leaves out entirely the estimated amount of Federal-aid of $205,800,000 on page 3, or a total of $853,400,000, which has grown in three weeks from $720,000,000, or a difference of $133,400,000 that the fund has grown in three weeks.

Also I have searched honestly and diligently in the printed Budget submitted by the Governor's Budget Office as the Eighteenth Biennial Budget, and I do not find any figures at all covering items in the statement given me by Senator MeMenamin and they cover these articles:

1. "Required to pay costs of Public Utility Commission action levied prior to June 1, 1957, $7,800,000; levied June 1, 1957 to May 31, 1959, $7,500,000; or a total of $15,300,000.

2. "Required to pay right-of-way damages, some as old as five years, $55,000,000."

Now I again repeat that not a single one of these items is to be found in this Budget. If they are, I am unable to find them in there.

3. "Contract obligations expected to be paid prior to June 1, 1957 but which will be paid subsequent thereto; execution of work retarded, $31,000,000; plans delayed, $10,800,000;" total, $112,100,000.

Estimated expenses, if you will, in this statement handed to me by Senator MeMenamin's messenger, which are not in the Budget, total $112,100,000.

Now I am not alleging that Senator McMenamin has distorted the facts. I firmly believe that he is honest in every figure that he gave me but I believe that he has been entirely misled just as I believe Senator Dent has been misled.

May I ask further why, in less than three weeks, was the estimated cash balance in the Budget revised from $65,000,000 to $100,000,000, which makes the Governor's Budget as of today, three weeks after it was published, obsolete?

Pennsylvania's gas tax is as much or more than our adjoining States. Ohio, for example, has a five cent gas tax such as we will have with the enactment of House Bill No. 335 and House Bill No. 336. New York, to which I referred just a few moments ago, has a current gas tax of four cents. New Jersey has a gas tax of four cents. Now New Jersey happens to be located on traffic routes leading into the largest city in the world. Their highways are subjected to tremendous traffic. They get along on a four cents gas tax and you will agree that their roads are very satisfactory. Delaware has a five cents gas tax, and so I could go on.

Let me say, Mr. President and Members of the Senate, that I firmly believe the Governor could take the $100,000,000 reported unexpended cash balance as of June 1, 1957 and immediately finance Pennsylvania's share of the Federal Highway Program and use the receipts from the four and one-half cent gas tax, less the allocations to the subdivisions, plus the motor license fees and other sources of revenue to carry out the regular highway activities for the next biennium.

Now I repeat, Mr. President, our main purpose and sole intent, and I feel that I am speaking for every Republican in the House or Senate, is to first take advantage of every opportunity to build roads, more roads and better and safer roads in this Commonwealth; secondly, to preserve and carefully use and account for every single cent of tax funds levied by us as the Legislature and help the Highways Department, if we can continue to have confidence in the Administration's Highways Department, toward a better highway system, and to see further, as far as we can, that moneys from the Motor License Fund allocated to the municipalities are just and wisely spent. In this connection, it now appears that moneys allocated to these various municipalities throughout the Commonwealth may be better and more carefully used than those expended by our present Highways Department.

Mr. DENT. Mr. President, I yield to the gentleman from Lackawanna, Mr. McMenamin.

Mr. McMenamin. Mr. President, I do not know whether all of the questons directed to me by our distinguished friend, Senator Wade, were rhetorical or whether they were direct questions asking for a direct answer tonight.

In reference to a couple of them, I would say that

generally speaking the comparisons are odious and I do not think that Pennsylvania's problems can be compared to either New York's or New Jersey's problems. New Jersey, for one, has undoubtedly a much higher per capita density of population than Pennsylvania has. It is a smaller State with a larger per square mile average population and, therefore, it is able to collect out of the same type of area a greater amount of money percentage-wise than we can in a much larger State in area with a lesser population density. Certainly, their construction costs cannot approach ours. New Jersey, generally speaking, is flat level country and Pennsylvania is mountainous. I would guess, without knowing all of the facts, that the cost of constructing a highway per mile in Pennsylvania is as costly as it is in any State in the Union.

Mr. President, I do not think that Senator Wade, as a Pennsylvanian, should brag about New York State's highways. I am very proud of the fact that we, in Pennsylvania, have, I believe, the finest highways of any State in the Union. I do not know of any other State that can compare with them. Certainly, New York cannot. I do not drive in New York a great deal, but let me point out to the Senator, perhaps he does more than I do. However, a great many Pennsylvanians certainly do drive U. S. Route 11, which goes through Harrisburg and on its northward journey it goes through Watertown, New York, and on up around Massena toward Montreal. Many Pennsylvanians use that highway as far north as Watertown to go fishing in Lake Ontario or in the Thousand Islands area of the St. Lawrence River and further into Canada. Yet, between two major cities, Binghamton and Syracuse, there is a winding, twisting, two-lane beat up highway. Nowhere in Pennsylvania, between two such populous cities on such a heavily traveled route, will we find such an old-fashioned highway. Therefore, as far as I am concerned, as a Pennsylvanian whatever New York has is no criterion. I think we are miles ahead of New York as far as highways are concerned, both in total number of miles and in the quality of the construction.

I am reminded also that New Jersey's highway tax burden is eased by the fact that the New York Port Authority owns and controls most of the roads and the approaches going into the city and the port of New York.

If Senator Wade wants other questions answered, I will do my best to get the answers for them. Any criticism of the fact that there may be a change in some of these figures in three weeks time might be due to the fact that highway planning takes a long time. That is one thing we have been trying to get across to these people. Blueprints, plans, bridge designs and so forth start on the drafting board more than two years, in many instances, from the time that the draftsman first starts to work until the ribbon opening the bridge is cut. If three weeks seems a short time to Senator Wade for a man to change his mind or a figure to change, let him remember that only two weeks ago he changed his mind on this very subject which is being debated tonight.

Mr. DENT. Mr. President, I yield to the gentleman from Potter, Senator Berger.

Mr. BERGER. Mr. President, inasmuch as the gentleman from Westmoreland, Senator Dent, has been kind enough to refer to the diamond clasp and the gem necklace of the northern tier of Pennsylvania and referred to Potter County in its proper position there, I feel that I should hark back a little bit to some history in connection with some of the matters which have been discussed here tonight on both sides.

I might say in passing, however, that I wish Senator Dent would also recall that I represent the two other great counties in northern Pennsylvania, McKean and Tioga.

Under interrogation, Mr. President, Senator Ehrgood said that he could not recall the number of Republicans who had been fired and Senator Dent said that he wondered whether there had been any Democrats employed prior to the present Administration. I do not know; I have no answers as far as figures are concerned from my own county, but I might recite one incident with which I am very familiar and that is that under our Republican Administration of the Highways Department, we had two Democrats that I know of working for us and we never questioned their registration However, as soon as this change over came, those two Democrats who were on the payroll got fired to make a place for two Republicans who changed their registrations.

Mr. President, Senator Dent has said that the county of Potter, which presently receives $188,000 out of the twenty per cent of four and one-half cents of the gasoline tax which is returned to the municipalities, would lose money if this one cent tax were not continued. First of all, I well recall that when this tax was put on, there was complete unanimity among both Parties that this we must do in order to relieve the distress caused by Hurricane Diane. I do not know how much of the proceeds of that one cent have been expended by the Highways Department for that purpose, but I am informed that there is a comfortable balance left from the proceeds of that emergency one cent tax.

I well recall a meeting of the Highways Committee of the Senate when the bill relating to the allocation of funds back to the local municipalities was under discussion. Senator Dent and I were there, although neither of us happened to be members of that committee, Senator Barr was there and he was a member of the committee, of course, among others. We had under discussion this bill which would return twenty per cent of four and one-half cents of the gasoline tax to the local municipalities. However, my interest in being there was to make sure that the formula of sixty per cent on mileage and forty per cent on population was not changed. Although the figures which had been sent out to the various townships and boroughs in my District showed that they would receive more money under this. nevertheless, by changing the formula, they actually would receive less percentage money because of the fact that it would then be weighed heavily in favor of the more populous areas. As you all know, it turned out that the formula remained unchanged. Although, I will say that Senator Barr and Senator Dent argued their case very strongly, it was recalled that this originally was a township road bill to aid township roads. Gradually, the larger municipalities came in and began to participate under various amendments made by this Legislature.

However, Mr. President, this is the point that I want to make tonight. When they said that if this one cent is not continued, the municipalities will get less money than they are receiving under the present floor which we have put at $30,000,000 per year back to the muni-

cipalities, Senator Dent and I argued most strongly and, I believe, we agreed on this amendment that this floor of $30,000,000 should be put in there because it might happen that in some future Session, under some future Governor, rather this twenty per cent of four and one-half cents might not equal $30,000,000 or that they would wish to reduce it. Because of that, we wanted to make sure that the municipalities would always receive at least $60,000,000 in the biennium.

I do not understand, Mr. President, how, in the face of that type of assurance, it is possible to come here tonight and say that they are apt to lose as much as $8,000,000 on the biennial appropriation back to the townships. boroughs and third class cities. It seems to me that it is an obligation not only upon the Administration but also upon the Members of the Senate, who advocated this and assisted in having it put into the bill so that this could not happen, to see that that $30,000,000 floor remains in this bill and that the townships, the boroughs and the cities, all of them, receive the amount of return out of this gasoline tax which they have been assured they would get in the past.

Mr. LANE. Mr. President, I have been listening to this debate here tonight and I paid particular attention to the remarks made by Senator Wade. I might say to the Membership here that he, as usual, very astutely eliminated a number of factors which I think would be of interest to the Members of the Senate. First, when he was talking about the cost of operations in Pennsylvania and he compared New York, New Jersey, Ohio Delaware and several other States, he forgot to mention the total number of miles of highway in Pennsylvania compared with these other States about which he talked. He also talked about the legislation which Senator Berger just finished discussing; that is, the reallocation to the political subdivisions last year.

If I recall correctly, Senator Wade put an article in the Harrisburg Evening News whereby he and Senator Taylor took credit for the passage of this legislation. At that time, I believe I questioned him on that point because, if I recall correctly, he accused me of playing politics and having the bill passed over in order for about a week and a half in order to have a proper amendment prepared whereby we would guarantee the $30,000,000 as a floor. Senator Dent, himself, was the man who offered the amendment which you people accepted.

You infer that we were not here as far as that legislation is concerned, because you say that it was pressure from the Republican side of the Senate which caused us to vote for this legislation. That is not correct either. As a matter of fact, when the bill came over from the House, we on the Democratic side, from the rural areas, did not say that we were in agreement with the subject matter as far as the formula was concerned. We, being concerned with the smaller districts, such as boroughs and townships, voted to accept your amedments. However, those amendments were approved over here by a majority of the Democratic Members. Therefore, Mr. President, just to keep the record straight in order for everyone to know, we on the Democratic side were not pressured by you people on the Republican side, because we have the interest and the welfare and the well-being of the people of the smaller communities at heart, and we are happy that we had the legislation passed.

I believe if you people on the other side are sincere and if you are not shedding crocodile tears on behalf of those people in the smaller districts, you will support Senator Barr's amendments. Otherwise, I think the only conclusion that anyone could arrive at would be that you are playing politics.

Mr. WADE. Very briefly, Mr. President, a few moments ago I think I used the years of 1957 and 1958 in discussing the allocation to the municipalities. The correct years are 1956 and 1957.

I would like to say further to Senator Lane of Washington County that, after the caution of Senator Dent that we be honest with each other, I think if he will look into the record, the amendments giving the present formula and setting the floor of $30,000,000 for those years, were sponsored by Senator Dent and myself.

I would like to remind him further—I dislike very much being accused of playing politics because you would realize that that is the furtherest thing from my mind as well as it is from the mind of Senator Lane—that if Senator Lane will recall, and I am injecting another subject matter in here, it was the pressure of the Republican side of the Senate that returned to the farming population of Pennsylvania the refund of the gasoline tax used in agriculture.

Mr. DENT. Mr. President, I am happy that the gentleman does not play politics. If he can think of anything else that they want credit for on the other side, we will be glad to give it to them. He reminds me of the Russians. They are always claiming that they invented baseball, they invented the Statue of Liberty, they invented everything worth-while in the whole world. That is what is happening now.

The Republicans gave the farmers their money, but why did they not give it to them when they had a Republican Governor? They give everything good while they have a Democratic Governor. The 100 per cent refund to the farmers came under Governor Leader. Maybe you do not know that, but that is what happened. The allocations to the local communities were raised from $36,000,000 to $60,000,000 under a Democratic Governor. Why did you not do it before?

Very sincerely, I want to say this to Senator Wade and to others on the other side who are always throwing New York, New Jersey and Ohio into our teeth. If I thought as little of Pennsylvania as you fellows profess to, I would move out of the State. I love Pennsylvania and I do not think there is a comparison you can make between this and any State in the Union except an odious comparison on their side.

Everytime we talk, they tell us how good it is in Ohio, how good it is in Michigan, how good it is in New Jersey. Certainly they have some things that we do not have. I live near some people who have much more than I have. However, I do not run my own family down because my family cannot have what my neighbors' families have.

Why do you not bring in your favorite State in comparison, California which has a seven cent gasoline tax? Sure, they have six-lane roads and many thoroughfares out there. However, they do not have them unless they spend money.

Senator Wade knows that he sat in this General Assembly and he voted for the five cent gasoline tax under a Republican Governor, with a Republican House and a

Republican Senate, when New York still had a four cent gasoline tax. Why did he do that if it was so bad? If four cents was enough in New York, and he now says it is enough in Pennsylvania, why did he vote for an extra cent? Senator Wade voted for the five cent tax in 1949 when there was no Federal Road Program and he was only giving the local communities $16,000,000. Yet, today, in the face of rising costs, Senator Wade says that we do not need any more money.

Regarding the allegations that Senator Wade read to the Senate, I am sure he will not stand up on the floor and say they are true. He keeps saying in a nice, professional insurance man way, "I am not going to say that they are true, but this is what they say." If you do not believe they are true, then do not repeat them. Only gossip mongers do that.

I will tell you why there is $100,000,000 in that fund, because of this. You received it today; you are bragging about it. Why do you not read it? Why do you not read this paper to the Senate? "Slow pay, the State road builders cry." Some of them have been waiting two years for their money. Yes, with Secretary Lawler and the Secretary of Highways twenty years from now, they will wait twenty years until they live up to their contracts. There is nothing holding up their money. Most of it is now being held up because it is in arbitration. They are discussing the matter of whether they have lived up to their contracts. If you want the Secretary of Highways to pay money out before the contracts have been fulfilled, then you are not living up to your duty as a Senator. Yes, the $100,000,000 might be there instead of $65,000,000, but it is earmarked for expenditure. It is like saying that a man owes ten dollars to his neighbor, but he will go out and spend ten dollars because he does not have to pay his neighbor. That is not the way to do things. These moneys are earmarked.

You made another allegation, Senator Wade, and I do not think you should have made it unless you read the record. You said that we are employing a lot of unqualified firms to do our engineering work. I would like to ask you something.

Here is the list of firms which have the contracts in Pennsylvania. Would you like to examine them, Senator Wade? Would you like to pick out the ones which are unqualified and accuse them of not being qualified? Would you like to pick out your own firm here in Dauphin County? Would you like to pick out, for instance, Robert W. Lowry with $28,000,000 worth of work? Would you say he is unqualified? Would you like to pick out Gannett, Fleming, Corddry and Carpenter with $67,000,000 worth of work? Would you say they are unqualified? Would you like to pick out Michael Baker, Jr., with $142,000,000 and say they are unqualified? Would you like to pick out Erdman, Smock and Hosley with $3,000,000 and say they are unqualified? Would you like to pick out Edwards, Kelcy and Beck, with $8,000,000, and say they are unqualified? Would you like to pick out Gwin Engineers with $12,000,000 and say they are unqualified? Would you like to pick out Green Engineering Firm, with $10,000,000, and say they are unqualified? Would you like to pick out Harris, Dechant, McCormick, Taylor and Associates, with $33,000,000, and say they are unqualified? Would you like to pick out Damon and Foster, out in your county, with $12,000,000, and say that they are unqualified?

I might say to the Members of this Senate that ninety-five per cent of the firms appearing upon this ledger as having received the engineering contracts in the State of Pennsylvania are Republican firms in this State. If they are unqualified, then it is an indictment of your own particular engineering firms. In this paper you can find every road contract given in the last two years. They are open for inspection. I do not like allegations being put into the Senate record without any qualification whatsoever.

Since when has the Pittsburgh Sun-Telegraph become an authority on Pennsylvania highways? We have in Pennsylvania many great newspaper institutions and yet, out of all of these, one newspaper suddenly decides that everything is wrong in the State of Pennsylvania. Of course, those of us who live in western Pennsylvania have learned one thing about the Sun-Telegraph and that is, a Republican can do no wrong and a Democrat can do no right. Therefore, we take their stories with a grain of salt.

Senator Wade, I do not think you are hard of hearing. I read to this Senate earlier in the evening the fact that there are 2,900 technical employees in the Department of Highways. Out of the 2,900, eighteen have been dismissed. Yet, in the face of my making that statement on this floor and asking you to check the records if you so desired, you smilingly read into the record an allegation in a newspaper that qualified personnel were being dismissed because of political patronage. That is a peculiar thing.

Twenty years ago under Governor Earle, we heard a great deal about political patronage, about qualified people being taken off of their jobs. I remember one institution in my county, Torrance State Hospital, and if ever there was a mental institution that was in a deplorable condition that one was. We won the election, although you fellows on the other side have never yet learned it. However, we won that election by the grace of God and the voters of the State. We appointed a new Superintendent at Torrence State Hospital and a new Board. It took us two years to name a Board. We had a Republican Senate and it would not confirm. We finally obtained enough votes in the Senate and confirmed a new Board. We cleaned up the institution and the records will show that we cleaned it up. On January 2, Governor James took office and I think that within twenty-four hours he fired the Board and the superintendent. Not one little whisper appeared in the newspapers about firing Democrats. When the Republicans took office, year after year, and a new Republican Governor came in, he fired Republicans, but not one word was printed about the fact that he had fired Republicans because it was a Republican Administration.

I do not make any bones about it. If there is a job in this Capitol that is held by a Republican and a Democrat can fill that job, I am in favor of the Democrat having it, just as you Republicans for sixteen years filled every job on Capitol Hill with Republicans. To stand up now and complain because we are dismissing a handful of Republicans and putting in Democrats—if you want to get rid of the patronage system, why do you not do it when you are in office? Not one civil service bill was ever passed under the Republicans, not one. All of a sudden everybody wants civil service. Who wants it? The people who are out want it.

I will venture to say here that none of you read the New York Times, two weeks ago Sunday, when President Eisenhower was asking for them to eliminate some 63,000 jobs now held by civil service employees in Washington because he said that civil service brings on incompetence. He wants them dismissed. However, none of you complained about that. I will tell you why he wants them dismissed. He wants them dismissed because the State Chairmen of the Republican Party in the various States are screaming because they do not have any patronage. President Eisenhower must get rid of the civil service in Washington to give them patronage.

If it hurts you to see a highway worker dismissed and another worker put in his place simply because he is a Democrat, just think of our feelings for sixteen years when there was not a man qualified in the whole Democratic Party to shovel snow on the highways. I beg the pardon of Senator Berger. Somehow two Democrats sneaked onto the payroll up there. You know, I am beginning to think that when the Democrats fired them, they must have known why they sneaked on.

Senator Wade, as Chairman of the Highways Committee, you stand before this Senate and honestly say that they do not need another penny of taxation in this State, which is not already on the books. Senator Berger, from Potter, said that there will be a residue in the fund from the one cent Diane emergency tax. Do you realize, under this bill that you are passing tonight, that you stop the collection of the present tax three months prior to its expiration? You stop the collection of three months and thirteen days, and it amounts to something near $7,000,000 which you are depriving the State Highway Fund of in moneys from a law on the statute books today. You are stopping the one cent tax on May 31. If you think there is any extra money in there and if you think that floor which was placed in goes beyond May 31, then you do not know the law.

I will guarantee you that I am not fooling when I say that Potter County loses the amount of money that I gave you a minute ago. You know me better than that. I do not fool about figures and I never stand upon this floor and tell you anything unless I believe it. No one wrote this speech for me because I had not quite decided which one I was going to use. However, in all sincerity, I wish you would go along and let this bill go over in order so that we may decide this matter on the basis of need rather than on the basis of political expediency.

Mr. BERGER. Mr. President, very briefly, I want to say that I believe I found at least a partial solution for some of the problems which have been discussed here tonight.

I happened to read in the newspaper a few weeks ago, and I believe it to be a fact, that the Highways Department has withheld an allocation of some $29,000,000 which had been named for improvement of Route 6 which runs through my District.

Mr. President, we are very intensely interested up there in that area to have this Federal Interstate Highway, from the east to west, run approximately on the route of U.S. 6. I say to you and the Members of the Senate, and to the Highways Department, that they are welcome to keep that $29,000,000 and use $9,000,000 of it to make up the deficit which might occur in the returns to the municipalities if they will forget about building that so-called shortway across the rough terrain of the center of Pennsylvania and put that Federal Interstate Highway on the of U.S. 6 as it presently runs.

Mr. LANE. Mr. President, I just want to briefly set Senator Wade right on another statement he made here a little while ago.

It so happens that I have a very vivid recollection of what happened during the last Session. In speaking in regard to the tax refunds to the farmer, if I recall correctly and I am quite sure that I am correct, Senator Wade stood over at the microphone and argued that the farmers of Pennsylvania should receive a 100 per cent refund, based primarily upon a bill which George Leader sponsored here when he was a Member of this Senate. Of course, their objective was to put we Democrats on the spot with the residents of the rural communities. However, we decided to take the bill on the basis that that was what Leader wanted and we were also for it.

I want to call to Senator Wade's attention that he has served since 1931, I believe. He served under a number of Republican Administrations. During all that time, the Republican Governors and the Republican Administrations did not see fit to give the farmers a 100 per cent refund. It was only when we had a Democratic Administration that this was brought about.

Mr. YOSKO. Mr. President, I do not want to prolong this debate and it is not my purpose to either defend or condemn anyone. However, I do think that a few things should be clarified.

Mr. President, I have a copy of the Pittsburgh Sun-Telegraph here from which Senator Wade read a number of so-called charges. The first one reads as follows:

"Trained highway engineers were fired because of political patronage."

I heard that among those who were fired were the top echelon in the Department of Highways. In order that we set the record straight—and I am wrong you may correct me—the top echelon in the Department of Highways, before this Administration took over, were the following:

Mr. Buckius, who was not fired but resigned; Mr. Warrick, the Assistant Chief Engineer in charge of construction, who was not fired but resigned; Mr. Van Riper was the Chief Engineer of Design who was not fired but resigned; Mr. Mason, the Assistant to Mr. Warrick, was not fired but resigned; Mr. Dittmar was the Chief of Right of Way, and he was not fired but resigned; and Mr. Caulkins was the Assistant to Mr. Van Riper, and he was not fired but resigned.

Mr. President, it depends a great deal on how a newspaper wants to present a story. This newspaper, if it were going to favor the Democrats, could have said what I am going to say now. These people resigned either because of planned sabotage or because they were ashamed of themselves for the reason that those who came into power two years ago inherited a mess in the Department of Highways.

When they took over the Department of Highways, they found no long range program for highway construction. There were very few highway design contracts awarded. This is indicated by the fact that during the last two years of the Fine Administration, I understand that just about $3,000,000 or $3,500,000 was spent for highway design. During the last two years, that amount was increased to about ten and one-half million. This indi-

cates a speed-up of the highway construction program.

Here is one more very interesting fact. When the Federal Government decided to inauguarate a Federal Highway Program, the highway officials under the previous Administration, when they were asked to submit their survey on cost needs upon which the Federal allocation was to be based, submitted to the Federal Government a figure of $750,000,000 for the thirteen year period for which highway funds will be allocated. When the new Administration came in, following a resurvey, a figure of $2,000,000,000 was submitted to the Federal Roads Commission, which is going to handle the Federal Highway Program.

From facts and figure that I gave to the gentleman from Cumberland, Senator Wade, he will note that the allocations by States are listed. He will find, based on the estimates that this Administration gave to the Federal officials, that we will receive in Pennsylvania for the year 1957 about $101,000,000 and for 1958, we will receive about $138,000,000. Therefore, for a two-year period, 1957-1958, we will receive about $240,000,000 which, of course, must be matched.

I say it would be a mistake if we did not retain this one cent gasoline tax because we are liable to forfeit some of this Federal money over this thirteen year period. The fact that our highway program has been stepped up, as has been indicated through the engineering contracts that were awarded, we are going to need a great deal more money to complete the projects which are now either in preparation or under design than were prepared by previous Administrations.

Mr. President, I also read in one of these statements here a release written by a gentleman by the name of Mr. West. It appeared in the Pittsburgh Sun-Telegraph. I want to call your attention to the fact that perhaps he is squawking because he is not getting enough in fees. I do not know what he received from all over the State, but this is what he got down in my highway district. In a nine month period, for engineering fees, he received $220,972.25. I believe that is a great deal more than he received from previous Administrations, which is another indication that there is a stepped-up highway program now in progress.

There are eleven districts in Pennsylvania, as I understand it, and you are talking about firing district engineers. I suppose some of them were replaced, and that you will find under a political system anywhere, unless it is under civil service and very few highway departments are under civil service. However, out of the eleven, four of the districts are still manned by Republicans.

In Lycoming County you have a Republican, the same fellow who was there, by the name of Fries, I think. In Philadelphia you have Weigert, in Erie you have Gahagan. Out in Indiana County you have Lepold, who was just recently transferred here to Harrisburg.

I will say that so far as my district is concerned—and I can only talk about my district because I do not know about the rest of the State, and I think Senator Van Sant and Senator Scott will back me up on this—eighty-five per cent of the trained personnel in our highway district are holdovers and Republicans. The district engineer was not retained because he committed suicide. The person who took his place, unfortunately, died from a heart attack. The district engineer, who is down there now, formerly served over here in Cumberland County. As a matter of fact, we took a good engineer from Northampton County and loaned him to the Department of Highways to get things in shape over here in Cumberland County. Recently he was transferred to Northampton County. I defy anyone to say that he is not a competent engineer. His name is Rothermund. He is doing a grand job for us in the district which I partly represent, just as he did a good job up in the Cumberland District.

Therefore, Mr. President and Members of this Senate, I say to you that if you want to take advantage of the Federal money that we can get and in order that some other State will not get a part of our allocation and so that we can complete a highway system that is better than none, we better make the money available for it. The way to do that is to retain this one cent.

Just one more thing, Mr. President. I read statements in the Sun-Telegraph that were attributed to Mr. Wiesenberger, who formerly served as Chief Engineer of the Highways Department and as Deputy Secretary of Highways. Here is a statement that he released today, and I want to quote it:

"I am compelled by recent publicity to make a clarifying statement regarding my position in the controversy involving the Pennsylvania Department of Highways.

"Like other professional persons who have been in private practice and then assumed a high State position, there were times when I found myself in disagreement over practices and procedures related to departmental operations.

"When I assumed my position with the Highway Department, I recognized that the Secretary was a layman and that there would be differences of opinions on technical problems. These differences became aggravated over the months and finally reached a breaking point.

"Of course, I have, in private conversations, expressed my personal opinions. However, I want it clearly understood that they were strictly personal opinions and not to be construed as an indictment of the Department of Highways.

"The charges against the Highway Department were called to my attention for the first time on March 17th, when I returned from Florida.

"I want to state that I did not, at any time, give the Pittsburgh paper facts which would justify printing of the alleged charges.

"Statements which I have made heretofore indicate that the present Administration inherited an undesirable situation in that there was no long range highway program and the Department had suffered a loss of technical personnel. This condition was aggravated by the announcement of the enormous Federal road building program which opened up many opportunities for employment for engineers and other technical persons who had experience in the highway field. Most of the technical personnel who left the employment of the State of Pennsylvania did so voluntarily. In all probability, more will leave when they become eligible for retirement.

"Based on my contacts with other States, I know that this same situation obtains in every other Highway Department in the 48 states.

"I am a Professional Engineer, and therefore will not allow anyone to use me for political purposes. Undoubt-

edly, there are matters which need adjustment in the Highway Department today; however, the same criticism can be applied to previous administrations.

"In my opinion, the progress and achievements made in the past two years out-distance any previous record."

Based on this statement, I cannot see how the Pittsburgh Sun-Telegraph could infer that its accusations contained in these various newspapers should carry any weight, especially, as I said before, since Mr. Weisenberger issued this statement today to clarify his position and the situation.

Mr. SILVERT. Mr. President, as everyone here knows, I come from the city of Philadelphia. In Philadelphia, we are not as familiar with the road needs of the rest of the sixty-six counties. However, I have heard the argument advanced here that the Republican Party stands for a reduction in taxes because that is what the people want.

Now the question is, is this a reduction of taxes? When Senator Dent gives me figures, and, gentlemen, I believe Senator Dent's figures, he tells me that the difference between the present bill and the Barr amendments would mean a loss of revenue of $940,000 to the city of Philadelphia, and proportionate losses to various other cities and municipalities. Now the city of Philadelphia will have to make this money up by taxes, either by raising their wage tax or raising their real estate tax. "Therefore, where is the saving? Is it not merely a transfer of taxation from the State to the local municipality and, at the same time, jeopardizing some $240,000,000 that we may get from the Federal Government?

I cannot see this argument of reduction in taxes when all you are doing is transferring this easily collected tax, a tax that people do not feel badly at all about paying, and transferring that burden simply to your municipalities and jeopardizing a possible contribution of some $240,000,000 from the Federal Government.

Mr. VAN SANT. Mr. President, I had agreed with my Caucus earlier today that I would not read into the record the statement I am about to read into the record.

Senator Yosko's quote of the former Chief Engineer of the State Highways Department, as of today, prompts me to read into the record a quote from the Morning Call of Allentown, on Monday, March 18, 1957. The headline read:

"Chief Who Quit Agrees Road Program is in Danger; Assails State Patronage"

The story reads:

"Arthur L. Wiesenberger of Allentown, who resigned last fall as deputy secretary and chief engineer of the State Highways Department, agrees with the Pittsburgh Sun-Telegraph that the 'entire state road program is in jeopardy'.

"When Wiesenberger resigned in September he said it was due to differences of opinion with Joseph J. Lawler, state highways secretary."

Sub-heading: " 'Why I Resigned'

"Last night after examining an Associated Press account of the Pittsburgh news story, Wiesenberger said, 'The public is entitled to the real explanation of why I resigned. They've got it now.

" 'The story by the Pittsburgh Sun-Telegraph is justified. The situation is definitely true,' Wiesenberger said.

"The Associated Press report, published in the Sunday Call-Chronicle, quoted the Sun-Telegraph as saying, 'only radical and immediate reformation from top to bottom will save the state highway chaos. Non-qualified persons were hired to fill the places of trained engineers who were fired because of political patronage.' "

Another sub-heading is: " 'Dedicated Professionals'

"Wiesenberger, when he resigned last September, indicated that he fought job changes based on patronage. His theory is that engineers are among today's most sought-after professional personnel. Political differences should have nothing to do with whether they occupy a post as long as they are qualified, he feels.

"Last night, Wiesenberger noted that directly after his resignation the state hired a man named Harold F. Jerrold, who had been with the Ohio State Highways Department. Jerrold was made deputy secretary of Pennsylvania highways. He resigned after four weeks.

" 'Secretary Lawler and others in government must learn that dedicated professional people will not stand for political pressure. They accept work with government, at salaries lower than they can get in private industry, because they are dedicated to certain ideals. They won't be pushed around,' Wiesenberger said.

"To support his argument, the Allentown engineer observed that among persons who resigned in recent months from the State Highways Department were H. G. Van Riper, Chief Design Engineer; William Caulkins, Assistant chief of design; William Warrick, chief construction engineer, and his assistant, Fred Mason; and Al Ditmer, chief right-of-way engineer.

"In addition Wiesenberger said about five of the eleven district engineering offices in the department are functioning with 'acting engineers'.

"The Sun-Telegraph said organization within the department has 'collapsed.' It quoted the Associated Pennsylvania Constructors meeting at Atlantic City, as charging that 'the present situation in the Highways Department is deplorable and must be corrected immediately.' "

I have no further comment except to read into the record the quote from the Allentown Morning Call, of Allentown, Monday, March 18, 1957.

Mr. McMENAMIN. Mr. President, there seems to be a difference of opinion as to the charges that have been made by one of the Pittsburgh papers. I personally think they are irresponsible. I think the people of Pennsylvania are entitled to the full facts and to an immediate answer.

MOTION TO SUSPEND RULE

Mr. McMenamin, Mr. President, although it is out of order, I would now move that we suspend the rule and I offer a resolution and ask for its immmediate adoption. I ask unanimous consent to do so.

Mr. President, that resolution is introduced on behalf of myself and the entire Democratic Caucus. I believe all of the Democratic Senators have signed it:

Mr. MAHANY. I would like to see one.

Mr. President, I do not want to clutter up this record any more than it already is. Perhaps this resolution, which Senator McMenamin seeks to offer, is a good one and may be if he comes over here he might find some Republicans that would like to sign with the Demo-

crats on it. I do not think it has any place in this particular matter now before us.

I suggest to the Senator that he wait until we dispose of the matter before the Senate, which is the adoption of Senator Barr's amendments, and then we will be glad to act upon his resolution.

MOTION TO SUSPEND RULE WITHDRAWN

Mr. McMenamin. Mr. President, that is agreeable to me, and I withdraw my motion to suspend the rule.

And the question recurring,

Will the Senate agree to the motion?

Mr. McGINNIS. Mr. President, in the last couple of days I have heard a lot of rumors on this floor about hiring and firing. I was hurt yesterday to hear Senator Wade, a man whom I admired very much, get on this floor and pass out rumors. I do not object to rumors at home or over a clothes line, but on the Senate floor I abhor rumors coming from any Senator. We have heard a lot here for a couple of days about hiring and firing.

What I am about to say is not rumor; it is facts. In In all the history of Pennsylvania, there has never been a Secretary of Highways who kept more holdovers on the payroll than Joe Lawler. In all the history of Pennsylvania there has never been a Secretary of Highways who has fired less people from the payroll than Joe Lawler. In all the history of Pennsylvania, there never been a Secretary of Highways who has appointed to the payroll less members of his own Party than Joe Lawler.

Therefore, Mr. President, it would seem to me that in a case like this when a Highways Secretary has done those things and the record shows it, he should not be crucified here by rumors or newspaper articles which do not have any foundation.

Mr. HAYS. Mr. President, I hesitated to get into this when we were up in the big leagues of the Sun-Telegraph, but since Senator Van Sant got down into my league, I want to offer some evidence on this particular question.

In my District we have no big metropolitan newspapers, but we have some small, influential grass root dailies. I am unhappy to report that none of them carry the Democratic label. However, despite this fact, I want to read into the record an editorial of March 23, 1957 which bears on this particular question from the Clearfield Progress, printed in Clearfield and Curwensville, Pennsylvania. The title of the editorial is:

"Highway Probe Unwarranted Here" and I quote from the article as follows:

"Investigations by the political party in control of the State Legislature or Congress of the other party's administration always follow a change of control of power. Probably such investigations are good as a check on the party in power to keep its record clean.

"One of the latest investigations proposed will come before the State House of Representatives Monday for approval and calls for a complete investiagtion of the State Highways Department. A Republican-sponsored bill was reported out of the House Appropriations Committee and will go on the House Calendar for Monday. House passage by Wednesday so that it can be sent to the Senate is possible.

"There may be some justification for such an investigation. We can't speak with knowledge of the statewide situation. We do question the need for such an investigation if District 2, with headquarters in Clearfield, is typical of the statewide highways department administration." I think District 2, parenthetically, includes Potter County. "Here in District 2, we've had more road building, more coming up this year and more planning for the future in the past two years than we had in the previous four years by a big margin.

"The man most responsible for the heavy construction program in Clearfield County—over $5,000,000 worth in 1955-56 and more to come this year—is W. Roy Mosteller, District 2 Engineer. Mr. Mosteller was one of the targets of an article in a Pittsburgh newspaper Thursday reporting demands of the Pennsylvania Society of Professional Engineers that key positions in the Highways Department be held by registered engineers. Mr. Mosteller, it seems, is not registered as an engineer in Pennsylvania. He is a practical construction man with years of experience in road building behind him.

"If Mr. Mosteller's lack of a college degree seemed to be hampering his direction of District 2, there would be some justification for criticism. That, however, does not appear to be the case by any stretch of the imagination. In his tenure as District Engineer, Mr. Mosteller has built roads and has seen the need for and supervised the planning of additional roads in the future. That's all that can be asked of him and he's demonstrated that he can do the job without a degree or professional registration."

May I say, Mr. President, that I think this clear thinking editor, George Scott of the Clearfield Progress, is simply reflecting what the average man on the street in the city of Clearfield thinks about District 2's engineer, Roy Mosteller. He conducts his own office. He tells the citizens the plans and gives them information on the work now under construction and the work which he has planned. I feel certain that, despite the fact that he is not a registered engineer, the Secretary of Highways has shown a keen analysist to recognize ability and supports to the one hundredth degree, the work and the plans of Roy Mosteller of District 2.

Mr. WADE. Mr. President, very briefly I want to say, in answering Senator Dent, that I very much appreciate his ability to debate matters on this floor of the Senate. I have admired him over a long period of time and have enjoyed debating with him. However, in the heat of the battle tonight, he made some rather direct charges which I think he would not have made under more settled conditions.

In the first place, in the opening of his last statement, about an hour and seventy-five minutes ago, he stated that I and my colleagues, as well, did not admire and respect Pennsylvania. I am not certain that those are his identical terms, but they were terms of that kind. I know that Senator Dent would not make statements of that kind because I challenge anyone, on the floor of this Senate or off the floor of this Senate, to say that I do not admire and appreciate the great privilege and honor of being a citizen of Pennsylvania and, more particularly, a Member of this honorable Body, the Senate. I am not going to get excited or heated under this debate.

Senator DENT is very much adept at telling stories.

I will venture to tell him of an experience I had over in Carlisle with a very warm friend of mine, a colored gentleman, who is head waiter at the Molly Pitcher Hotel.

One evening while I was having dinner there, and there were very few in the dining room, this head waiter and I engaged in a conversation. He said to me, "Senator Wade, do you belong to the Elks?" I said, "Yes, I do." He said, "Do you belong to the Odd Fellows?" I said, "Yes, I do." He said, "Do you belong to the Masons?" I said, "Yes, I do." He said, "Do you belong to the Tall Cedars?" I said, "Yes, I do." He said, "Do you belong to the Consistory?" I said, "Yes." He said, "Do you belong to the Shrine?" I said, "Yes." Apparently, he could think of no other organizations and he said, "My, Senator Wade, what a funeral you will have."

Senator Dent, in the heat of battle, said that I voted for a five cent tax; I did He was a little bit confused. I am willing tonight, and hope to have the privilege of voting for a five cent tax as embodied in House Bill No. 335 and House Bill No. 336. We are not debating that. He alleges that we need a six cent tax and not a five cent tax. I hope he will stand corrected on that point.

I want to also tell Senator Dent that I am most proud of the great highway system we have in Pennsylvania. As a matter of fact, one of the early highway commissioners, if not the first highway commissioner, was Mr. Sadler of Carlisle, in my District. I, as well as many of the Members of the Senate and many of the spectators, have watched it grow to a total mileage of 41,065 miles, since 1911. With very little exception, every mile of that, except ninety-six, a total of 40,969 miles have been surfaced and improved. Practically all of it was improved under Republican administrations, at a cost of $2,024,-933,000—and I do not want to inject politics into this—up to the year 1953.

Senator Dent charged me with making direct statements which I read from the Pittsburgh Sun-Telegraph. I say to all of my colleagues on both sides of the aisle that if one-third of the charges made by the Sun-Telegraph of Pittsburgh are correct, then $100,000 for an investigation is a small amount. We should stop at no end to find out for certain that every dollar of our taxpayers' money is spent properly and that the Highways Department is conducted properly.

I want to remind Senator Dent, as the leader of the Minority Party, that I have yet to make the direct accusation on this floor of the Senate that I said those were true. I reported them simply as an article in the newspaper. If he wants additional ones, there are plenty more following. We agreed that he received two this evening and I received two similar ones.

Then, too, Senator Dent was a little confused because he read the names of engineering firms from Dauphin County. I want him to know, once and for all, that Dauphin County is not in my District; it is in Senator Taylor's District. These firms which Senator Dent recited were from Harrisburg and do not reside nor conduct their businesses in the District represented by Senator Barr and myself.

Let me conclude, Mr. President, by saying there have been many allegations made about the articles appearing in the newspaper. I repeat, if three out of the ten are in any way correct, then this Senate and the House of Representatives and the Administration should stop at no end to see whether or not they are justified accusations.

May I have the privilege, therefore, of reading a reprint of an article from a newspaper called the Scranton Tribune. It is a newspaper published in Scranton, the home town of my distinguished colleague, Senator McMenamin, and, incidentally, the home town of our Secretary of Highways, Mr. Lawler. I read from the article published on March 21, 1957, as follows:

"The proposed legislative action in Harrisburg to set up a commission to investigate conditions in the state highway department would seem only proper in the light of the rumors, reports, charges and derogatory statements involving the agency.

"Denials have been forthcoming from the administrative officials involved in these rumors and charges.

"Sec. of Highways Joseph J. Lawler, for example, has declared that accusations are politically inspired and he has indicated that he would welcome an inquiry with his full cooperation.

"Gov. Leader is also on record as welcoming an inquiry.

"So, it would seem, there should be no major objection to the proposal.

"If this is a political maneuver, if the charges and reports are false, a bipartisan, probe, as suggested, will vindicate the accused.

"If on the other hand there has been misfeasance or malfeasance in the administration of this very important branch of our state government the sooner it is laid bare the better.

"For with the proposed gigantic federal road program now being launched not only millions but billions of dollars will be involved.

"There can be no question but that complaints have been made about the administration of the highway department.

"And not a few of the complaints have originated with responsible and respected persons and organiaztions, such as non-political motor clubs.

"There has been dissatisfaction with the progress made by the department in repairing and rejuvenating highways and bridges seriously damaged by the flooods of August, 1955.

"There have been charges of undue political patronage in the department to the detriment of its efficiency. There are rumors of favoritism in the award of contracts.

"These and other things would seem to warrant an airing in public to ascertain the facts. A legislative inquiry appears to fit the situation."

With every word of that article I agree, Mr. President. I am sure that our colleagues on the other side of the aisle are just as anxious as we are to clear the record and the name of the Highways Secretary and the Highways Department.

Mr. BARR. Mr. President, you know a lie is the hardest thing in the world for a man, particularly a man in public life, to defend. A half-truth is sometimes worse.

Yesterday, I sent over to him a copy of an editorial, which I watched him read, from the New York Herald Tribune. Despite this, he stood here tonight and said that the Administration, in speaking of the highway tax, was run by the Democrats in the State of New York.

As far as his statement about those engineering firms which were named not doing business in his county, I

would like to point out that the gentleman does not do business in Cumberland County either. His office is over on Front Street here.

Again he talked about voting for the five cent tax in 1949. Does he realize that things have gone up just a wee bit since 1949? I think even the insurance rates have gone up since 1949, even though the mortality rate has gone down.

I also want to tell the gentleman that the floor bill, which he talked about tonight, was not passed until the latter part of 1956. If he does not know that, I want to acquaint him with it.

Then he talked about most of these highways being built under Republican Administrations. That I agree with, because since the turn of the century there has only been one Democratic Governor who served for four years and then George Leader was elected and he has only served two years of his term. Therefore, if we had to wait until we elected a Democratic Governor, I am afraid we would not have many highways in the State.

Secondly, I want to inform him of something about that editorial he read. Tomorrow, if he wants to take time out, I am going to read an awful lot of editorials contrary to the statements contained in the Scranton Tribune. Does he know that the Pittsburgh Sun-Telegraph called the editor of the Scranton Tribune and said, "You are in this with us. Now you have got to write an editorial because we have to print it in our paper on Sunday of this last week." Those are things you do not know. That is the reason I hope you pass this resolution. We will open your eyes, Senator Wade. We will open them good for you.

Now I am going to make a charge against Joe Lawler. I told him two years ago—

POINT OF ORDER

Mr. MAHANY. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman will state it.

Mr. MAHANY. Mr. President, I suggest to Senator Barr that he knows full well that the rules of this Senate do not permit the type of discussion he is now conducting, and certainly at no time should one Senator attack another Senator personally.

MOTION TO EXPUNGE REMARKS

Mr. MAHANY. I move, Mr. President, at this time that the remarks of the Senator be expunged from the record which he just now uttered, and also the previous derogatory remarks.

Mr. BARR. Mr. President, before you rule, I will be very happy to have those remarks expunged, but certainly the intent was there. I sent the editorial to the gentleman.

The PRESIDENT. Regarding the remarks of the gentleman from Allegheny, Mr. Barr, does the Senator from Crawford still desire the motion?

Mr. MAHANY. Mr. President, if the Senator will permit his remarks to be expunged from the record, I will not press the motion. If he will agree to it that those remarks shall be expunged, that is all right with me.

Mr. BARR. That is O. K. with me, Mr. President. My remarks may be expunged, but my feeling will still be in there and I will repeat it in another way tomorrow.

MOTION TO EXPUNGE REMARKS WITHDRAWN

Mr. MAHANY. Mr. President, I withdraw my motion that the remarks of the gentleman from Allegheny, Senator Barr, be expunged.

The PRESIDENT. The gentleman from Crawford, Senator Mahany, withdraws his motion and the gentleman from Allegheny, Senator Barr, permits his remarks to be expunged from the record.

(Remarks of the gentleman from Allegheny, Mr. BARR, expunged from the record.)

And the question recurring,

Will the Senate agree to the motion?

Mr. BARR. I ask for a roll call, Mr. President.

Mr. LANE. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. BARR and Mr. LANE, and were as follows, viz:

YEAS—22

Barr,	Hays,	McMenamin,	Schmidt,
Camiel,	Kalman,	Mullin,	Seyler,
Dent,	Lane,	Murray,	Silvert,
Derk,	McCreesh,	Ruth,	Stiefel,
DiSilvestro,	McGinnis,	Sarraf,	Weiner,
Donolow,			Yosko,

NAYS—27

Berger,	Harney,	Pechan,	Wagner,
Blass,	Kessler,	Propert,	Walker,
Chapman,	Kopriver, Jr.,	Scott,	Watkins,
Ehrgood,	Kromer,	Stevenson,	Watson,
Elliott,	Madigan,	Taylor,	Whalley,
Flack,	Mahany,	Van Sant,	Wolfe,
Fleming,	Mallery,	Wade,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, on the debate of the bill on final passage, I would like to make this remark in reply to Senator Wade's statement that he had never stated that the charges which he read from the Sun-Telepragh were true. I am wondering if that is not just a weak excuse to spread some propaganda, because I feel quite sure that Senator Wade agrees that all of us here in the Senate can read, and there was no necessity for his reading what the Sun-Telegraph had to say about our Highways Department.

They also said that $100,000 would be well spent. Well, I might say to Senator Wade that we, on the Democratic side, especially myself, feel that $100,000 is an awful lot of money. Senator Wade, you might be a big money man, and, of course, that might be a mere pittance to you, but to me to spend $100,000 on advertising the Republican Party and George Wade for Governor is certainly ridiculous.

Mr. WADE. Mr. President, very briefly and I assure you just that, I want to say that during the debate yesterday and today, many references were made as to a proposed candidacy of mine. I want to assure every Member of this Body and yourself, Mr. President, that no statements made by me during such debate were made with the intention of securing the support of Senator Barr or Senator Lane. I want to make it crystal clear that those statements were not made with the intention of securing their support.

Mr. BARR. Mr. President, I would like to know why

then he listed all those outfits be belongs to tonight if it was not for advertising them?

Mr. MAHANY. This just goes to prove, Mr. President, that no Senatorial District should have more than one Senator.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Harney,	Pechan,	Wagner,
Blass,	Kessler,	Propert,	Walker,
Chapman,	Kopriver, Jr.,	Scott,	Watkins,
Ehrgood,	Kromer,	Stevenson,	Watson,
Elliott,	Madigan,	Taylor,	Whalley,
Flack,	Mahany,	Van Sant,	Wolfe,
Fleming,	Mallery,	Wade,	

NAYS—22

Barr,	Hays,	McMenamin,	Schmidt,
Camiel,	Kalman,	Mullin,	Seyler,
Dent,	Lane,	Murray,	Silvert,
Derk,	McCreesh,	Ruth,	Stiefel,
DiSilvestro,	McGinnis,	Sarraf,	Weiner,
Donolow,			Yosko,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise to a question of parliamentary inquirp.

The PRESIDENT. The gentleman will state it.

Mr. DENT. Mr. President, did I hear the roll call being announced as 27 "yeas" and 22 "nays"?

The PRESIDENT. The gentleman is correct.

Mr. DENT. Mr. President, I did not hear any "no" votes and when I was up at the desk, I was talking to the lad about the amendments and did not intend that the recording of the vote on final passage would be on that score.

As much as we oppose dropping the one cent because we think it is direly needed in the Commonwealth, we are still not voting against the tax bill for highway purposes. We are not so callous in a political matter that we would destroy the State of Pennsylvania for political advantage. Unless the roll is corrected, I shall demand a recall of the roll.

Mr. MAHANY. Mr. President, I suggest that the Senator move to reconsider the vote.

RECONSIDERATION OF HOUSE BILL No. 335

Mr. MAHANY. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 335, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" extending the provisions of one additional tax for a limited time.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. MAHANY. Mr. President, I voted with the prevailing side.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 336 CALLED UP

Mr. MAHANY. Mr. President, I call up, from Page 2 of today's Third Reading Calendar, House Bill No. 336, Printer's No. 67, which went over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 336, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended "Fuel Use Tax Act" extending the provisions of one additional tax for a limited time.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Mullin,	Taylor,
Blass,	Kalman,	Murray,	Van Sant,
Camiel,	Kessler,	Pechan,	Wade,
Chapman,	Kopriver, Jr.,	Propert,	Wagner,
Dent,	Kromer,	Ruth,	Walker,
Derk,	Lane,	Sarraf,	Watkins,
DiSilvestro,	Madigan,	Schmidt,	Watson,
Donolow,	Mahany,	Scott,	Weiner,
Ehrgood,	Mallery,	Seyler,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I have been requested to object to the first reading of Senate Bill No. 206 which was reported from the Committee on Local Government today.

The PRESIDENT. There has been objection to Senate Bill No. 206, which was reported from the Committee on Local Government today, being read for the first time. The motion then will include all bills except Senate Bill No. 206.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 33, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law," authorizing certain political subdivisions to borrow money for improvements and equipment without the issuance of bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 66, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire land on which is located the Old Bradford House in the City of Washington, Washington County; providing for its repair; authorizing the conveyance thereof to the Washington County Historical Society; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 94, entitled:

An Act amending the act of June 6, 1907 (P. L. 417) entitled "An act to authorize all State hospitals for injured persons, and all hospitals for the care and treatment of the insane, in whole or in part maintained by State aid, to acquire lands for hospital purposes; . . ." extending the act to all hospitals in whole or in part maintained by State aid.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 98, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code," permitting the prothonotary to appoint a solicitor and prescribing a means for paying the cost of prothonotary's litigation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 125, entitled:

An Act requiring the determination of value of property taken and amount allowed for delay in payment as separate items an eminent domain proceedings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 146, entitled:

An Act amending the act of June 12, 1931 (P. L. 512) entitled "Industrial Farms and Workhouses Law," permitting any county to commit inmates to any industrial farm and workhouse in the Commonwealth; and providing for payment of their upkeep.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 165, entitled:

An Act amending the act of May 17, 1929 (P. L. 1798) entitled "Law Fixing Annual Charge on Forest Lands," fixing the time of payment of the charges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 266, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," permitting city council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 279, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law," regulating powers of the Department of Public Assistance with respect to rules, regulations and standards for eligibility for assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 299, entitled:

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law," revising basic facts and policy; changing definition of "redeveloper" and "redevelopment"; further defining the powers of Authority; and extending and changing redevelopment proposal requirements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 316, entitled:

An Act realting to the practice of ophthalmic dispensing; providing for the registration and licensure of dispensing opticians and the registration of apprentices; conferring powers and imposing duties upon the State Board of Examiners for Dispensing Opticians; providing for the revocation or suspension of licenses in certain cases and prescribing certain unlawful acts and penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 317, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," creating the State Board of Examiners for Dispensing Opticians, and defining its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 318, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code," requiring entrance of bond in appeals from board of adjustment rulings affecting zoning regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 321, entitled:

An Act amending the act of August 22, 1953 (P. L. 1344) entitled "The Marriage Law," further regulating the issuance of marriage licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 326, entitled:

An Act providing for the creation and incorporation as bodies corporate and politic of joint service districts by counties, cities of the third class, boroughs, towns and townships to perform certain functions; prescribing the powers and duties of such joint service districts, and the duties of participating counties, cities, boroughs, towns and townships; and conferring jurisdiction on courts of quarter sessions in connection therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 326, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 331, entitled:

An Act to amend the act approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1335) entitled "The Pennsylvania Hospital Survey and Construction Act," by requiring that non-Federal funds be available before application shall be made for hospital construction projects to be owned or operated by the State.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 379, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding a new route in Jefferson County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 385, entitled:

An Act amending the act of April 8, 1925 (P. L. 191) entitled "An act establishing certain public roads as State highways; . . .," changing a route in Lancaster County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 386, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," changing a route in Chester County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 395, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding a new route in Luzerne County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 396, entitled:

An Act amending the act of June 22, 1931 (P. L. 720) entitled "City State Highway Law," adding routes in Luzerne County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 423, entitled:

An Act amending the act of May 1, 1933 (P. L. 216) entitled "The Dental Law," regulating the use of dental technician services by dentists; imposing duties on dentists and dental technicians and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 425, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law," providing for the waiver of notice in certain cases when two political subdivisions impose the same tax on the same person, subject, business, transaction or privilege.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 458, entitled:

An Act validating the assessment rolls of counties from the fourth to eighth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 521, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code," further regulating ordinances opening changing or vacating roads and highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 564, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," providing penalties for violation of rules governing State Parks State Forest Picnic Areas State Forest Monuments and State Historical Parks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 734, entitled:

A Supplement to the act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929," regulating expenditures and commitments by administrative bodies boards and commissions from the General Fund during a portion of each biennium.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO INVESTIGATE CERTAIN CHARGES AGAINST THE DEPARTMENT OF HIGHWAYS

Mr. McMENAMIN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McMENAMIN, on behalf of the entire membership of the Democratic Caucus, offered the following resolution which was twice read as follows:

In the Senate, March 26, 1957.

Whereas, there appears to be a concerted effort on the part of some individuals, organiaztions, commentators and others to discredit, by unsubstantiated charges, the Pennsylvania Highway Department and its personnel; and

Whereas, said charges are of a very serious nature in that specific legislation is pending in the legislative halls may depend upon the reaction to said publicity; and

Whereas, from the statements contained in the Pittsburgh Sun-Telegraph which appears to be spearheading this campaign against the Highway Department, there are four specific individuals and groups who are making the charges, namely:

(1) Disgruntled former employes, hoping to regain favor and prsetige.

(2) Discharged employes seeking to cover up their own shortcomings, by falsely accusing others.

(3) Self-servicing officers and lobbyists of a business group more interested in contracts for highway construction than in an effort to stabilize both expenditures and construction by the Highway Secretary.

(4) Collusion between said parties, organiaztions and the high command of the Republican Party; and

Whereas, said collusion was openly admitted by the spokesman for the Constructors Association from their convention in Atlantic City, when he stated—

"This report was not supposed to have been made public—it was only given to certain members of the Republican high command;" and

Whereas, there is at present an act of the Legislature proposed in the House by the Repblican leadership to expend the sum of $100,000.00 in the period of approximately two years in an investigation of said charges; therefore be it

Resolved, (the House of Representatives concurring), that the Joint State Government Commission be instructed to immediately hold hearings into these charges, calling upon all of the aforementioned persons and groups and specifically those who have appeared in the newspapers as quoted as making specific charges to ascertain whether or not these charges are of sufficient validity to justify the expenditure of such an enormous amount of the taxpayers' money; and be it further

Resolved, that the Joint State Government Commission make a report to this General Assembly in order to guide the Assembly in their decision on the ultimate action to be taken on the Act to create an investigatory committee.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. McMENAMIN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. MAHANY. Mr. President, I object to the immediate consideration of this resolution and ask that it be referred to the proper committee.

The PRESIDENT. The Chair hears objection and refers the resolution to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I want to notify the Majority Leader that we on the Democratic side would like to have a bill of particulars in regard to the alleged mismanagement and misfeasances alleged by the Sun-Telegraph and other interested persons.

We feel that it is only just and proper that we have this preliminary information before we are going to agree on the expenditure of $100,000 to advertise the Republican Party and possibly George Wade for Governor.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, March 27, 1957, at 11:00 o'clock, a. m., Eastern Standard Time.

Mr. ELLIOTT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:55 o'clock, p. m., Eastern Standard Time, until Wednesday, March 27, 1957, at 11:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, March 26, 1957

The House met at 2:00 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend John F. Moore, Pastor of the Furnace Run Union Chapel, Kittanning, Armstrong County, guest Chaplain and guest of the gentleman from Armstrong, Mr. Guthrie, offered the following prayer:

Our Father Which art in Heaven, Hallowed be Thy name. May Thy Kingdom come and Thy will be done on earth as it is in Heaven. We pray that these men and women of the House of Representatives assembled here may be guided as to how they may directly and indirectly bring to pass Thy will here upon this part of the earth, the great state of Pennsylvania.

We recognize the life that Thou hast given us as a trust with great responsibilities. Guide we pray this body of men and women in their deliberations this day. May those things which they say and do be such as Thou can smile upon. Our human wisdom and judgment is so immature. We covet Thy Divine guidance for this day, and tomorrow and all the tomorrows that may be ours.

We are not selfish thinking only of our state of Pennsylvania, its Governor, and legislative bodies, but of other states in this land of America. We pray for our nation; for Congress and our chief executive the President of this United States as they too wrestle with great problems.

Oh Lord may we recognize our privilege to claim citizenship in another country; a better land, where none of these problems which beset us here and now shall ever come. Where we shall be residents of a City whose builder and Maker is God.

We ask this in the name of our Lord and Saviour Jesus Christ. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, March 25, 1957 will be postponed until printed.

The Chair hears none.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

PERMISSION TO ADDRESS HOUSE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session today, March 26, 1957, at three p. m.

GEORGE M. LEADER.

GOVERNOR INVITED TO ADDRESS JOINT ASSEMBLY

Mr. BREON. Mr. Speaker, I move that His Excellency the Governor of the Commonwealth, the Honorable George M. Leader, be invited to the Hall of the House of Representatives to address the General Assembly in Joint Session at a time to be fixed by Current Resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 26, 1957.

Resolved, (if the House of Representatives concur) That the Senate and House of Representatives meet in joint session Tuesday, March 26, 1957, at 3:00 P. M., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

COMMITTEE TO ESCORT GOVERNOR TO HALL OF HOUSE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 26, 1957.

Resolved, (if the House of Representatives concur) That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee on the part of the House to escort the Governor to the Hall of the House, Messrs. T. H. W. Jones, George and Amarando.

COMMITTEE TO ESCORT SENATE

Mr. KELLER offered a resolution which was read, considered and adopted as follows:

Resolved, That the Speaker appoint a committee of two Members of the House to escort the officers and the Members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly Tuesday, March 26, 1957, at 3:00 o'clock, P. M.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee to escort the Senate to the Hall of the House for the purpose of attending the Joint Session, Messrs. Keller and Kamyk.

STUDENTS OF BLAIN UNION SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Blain Union School of Perry County under the supervision of their teacher, Mr. Slopey. They are the guests of the gentleman from Perry, Mr. Barton.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate.

Senate Bills for concurrence Nos. 159 and 162.

Amended House Bills returned for concurrence Nos. 143, 333 and 334.

Resolution for concurrence Serial No. 115.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 32.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing unnaturalized foreign-born residents to own or possess dogs.

HOUSE BILL No. 250.

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsman's shows.

HOUSE BILL No. 332.

An Act amending the "Cigarette Tax Act" approved June 14, 1935 (P. L. 341) extending the provisions imposing an additional tax for a further limited period of time.

With the information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEES

Mrs. HENZEL from the Committee on Public Health and Sanitation, reported as Committed, House Bill No. 9, entitled:

An Act amending the "Vital Statistics Law of 1953" approved June 29, 1953 (P. L. 304), making it unlawful for unauthorized persons to copy, duplicate or issue certificates of birth, death or fetal death.

Mr. GROSS from the Committee on Public Health and Sanitation, reported as Committed, House Bill No. 56, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the sale or other disposal of morphine, or facilitating or conspiring to sell or otherwise dispose of morphine, to minors under eighteen years of age.

Mr. TAYLOR from the Committee on Liquor Control, reported as committed, House Bill No. 356, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) further regulating the application for an issuance of hotel, restaurant and club liquor licenses.

Mr. HAROLD G. MILLER from the Committee on Judiciary Special, reported as Committed, House Bill No. 511, entitled:

An Act amending the "Commodities Weight and Measure Law," approved July 24, 1913 (P. L. 965), regulating the sale and delivery of agricultural, horticultural and floricultural seeds.

Mr. SCHWARTZ from the Committee on Judiciary Special, reported as committed, House Bill No. 513, entitled:

An Act amending the act of May 11, 1949 (P. L. 1116), entitled "An act to regulate deliveries of light fuel oil to domestic consumers; * * *," further regulating deliveries of light fuel oil to domestic consumers.

Mr. AGNEW from the Committee on Judiciary, reported as amended, House Bill No. 558, entitled:

An Act amending the "Fictitious Name Act" approved May 24, 1945 (P. L. 967) providing for amended certificates requiring certificates of registration and of cancellation or withdrawal from the prothonotary.

Mrs. KOOKER from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 565, entitled:

An Act amending the act of June twenty-nine, one thousand nine hundred fifty-three (P. L. 304), known as the "Vital Statistics Law of 1953," by providing for the registration of children born in countries other than the United States, and the registration of foreign born children adopted in Pennsylvania.

Mr. OGILVIE from the Committee on Cities—Third Class, reported as committed, House Bill No. 636, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), further regulating the filling of vacancies in the office of controller and treasurer.

Mr. DeLONG from the Committee on Cities—Third Class, reported as committed, House Bill No. 659, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), regulating contract procedures and advertising for bids.

Mr. STRAUSSER from the Committee on Motor Vehicles, reported as committed, House Bill No. 666, entitled:

An Act amending the "Motor Vehicle Safety Responsibility Act" of June 1, 1945 (P. L. 1340), increasing the required amount of financial responsibility.

Mr. FETTEROLF from the Committee on Motor Vehicles, reported as committed, House Bill No. 737, entitled:

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), requiring the notation on certificates of title of the use of motor vehicles for rental purposes in certain cases; and prescribing penalties.

Mr. UJOBAI from the Committee on Motor Vehicles, reported as committed, House Bill No. 846, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) changing minimum net brake horsepower requirements.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. H. G. Miller for Mr. ERB because of illness.
Mr. COOPER for himself for tomorrow's session.

BILLS INTRODUCED AND REFERRED

By Messrs. GIBSON, GOODLING and ANDREWS.
HOUSE BILL No. 914.

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752) extending the provisions of the act to certain employes within the Department of Forests and Waters.

Referred to the Committee on State Government.

By Mr. GOLDSTEIN. HOUSE BILL No. 915.

An Act amending "The Vehicle Code," approved May 1, 1929, (P. L. 905), requiring physical examinations of persons holding operators' licenses and applicants for operators' license and learners' permits.

Referred to the Committee on Motor Vehicles.

By Mr. KORNICK (By Request). HOUSE BILL No. 916.

An Act to regulate the hunting, trapping, killing and taking of fur-bearing animals or predators for the issuance of licenses and permits; imposing duties on the Pennsylvania Game Commission, fixing penalties; and repealing inconsistent legislation.

Referred to the Committee on Game and Conservation.

By Mr. DUNN. HOUSE BILL No. 917.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), prohibiting the use of tubeless tires and imposing restrictions on official inspection stations.

Referred to the Committee on Motor Vehicles.

By Mr. ADAMS. HOUSE BILL No. 918.

An Act amending "The Fish Law of 1929," approved May 2, 1925 (P. L. 448), providing for the payment into the Fish Fund of taxes collected from the sale and use of liquid fuels consumed in the operation of motor boats and power craft.

Referred to the Committee on Ways and Means.

By Mr. ADAMS. HOUSE BILL No. 919.

An Act amending "The Liquid Fuels Tax Act" of May 21, 1931 (P. L. 149), appropriating taxes collected on liquid fuels sold for the operation of motor boats and power craft into "the fish fund."

Referred to the Committee on Ways and Means.

By Mr. ADAMS. HOUSE BILL No. 920.

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965) appropriating taxes collected on fuels used for the operation of motor boats and power craft into the Fish Fund.

Referred to the Committee on Ways and Means.

By Messrs. ROVANSEK and EWING.
HOUSE BILL No. 921.

An Act amending the "Bituminous Coal Mining Law," approved June 9, 1911 (P. L. 756), regulating the minimum amount of clearance space in certain mines.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. ROVANSEK and WILLIAMS.
HOUSE BILL No. 922.

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911 (P. L. 756), permitting the blasting of coal upon prior permission from Secretary of Mines and Mineral Industries.

Referred to the Committee on Mines and Mineral Industries.

By Mr. DOUGHERTY. HOUSE BILL No. 923.

An Act amending the "Pennsylvania Athletic Code," approved August 31, 1955, (P. L. 531), providing for further physical examinations.

Referred to the Committee on Law and Order.

By Messrs. ROVANSEK, WILLIAMS and EWING.
HOUSE BILL No. 924.

An Act providing for creation of an Oil and Gas Inspectors Examining Board, in the Department of Mines and Mineral Industries * * * and providing penalties.

Referred to the Committee on Mines and Mineral Industries.

By Mr. BUCHANAN. HOUSE BILL No. 925.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) providing rooms for use of the Disabled American Veterans and for their membership on the Board of Control.

Referred to the Committee on Military Affairs.

By Messrs. MULDOWNEY and HEAVEY.
HOUSE BILL No. 926.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) requiring all licensees to wear red caps while hunting and providing penalties.

Referred to the Committee on Game and Conservation.

By Messrs. WILLIAMS, KORNICK and McCANN.
HOUSE BILL No. 927.

An Act amending the act of May 26, 1949, (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," further regulating the salary of mine inspectors.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WILLIAMS and ROVANSEK.
HOUSE BILL No. 928.

An Act amending the act of May 29, 1945 (P. L. 1132), entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania; * * *" further regulating the salary of the first aid and mine rescue instructors.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WILLIAMS and McCANN.
HOUSE BILL No. 929.

An Act amending the act of April 25, 1945 (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; * * *" regulating the salary of electrical inspectors.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. GOODRICH, ZIMMERMAN, FOX and LOPRESTI. HOUSE BILL No. 930.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), defining the term "farming," and excluding certain personal property from the tax.

Referred to the Committee on Ways and Means.

By Messrs. BOWER, RIGBY, TOLL and WELSH. HOUSE BILL No. 931.

An Act creating the State Commission on Aging; an independent administrative body and defining its powers and duties.

Referred to the Committee on State Government.

By Messrs. WESCOTT and WYND. HOUSE BILL No. 932.

An Act providing for the levy and execution upon wages, debts, earnings, salary, income from trust funds or profits due and owing to a judgment debtor and the effect thereof and imposing duties upon garnishees.

Referred to the Committee on Judiciary.

By Messrs. MILLS, LOVETT and MAXWELL. HOUSE BILL No. 933.

An Act amending "The Penal Code," approved June 24, 1939, (P. L. 872), prohibiting the sale of motion picture theatre tickets without having seats available and providing penalties.

Referred to the Committee on Judiciary Special.

By Mr. LIPPINCOTT. HOUSE BILL No. 934.

An Act amending the "Sheriff's Fee Bill, Counties Second, Third and Fourth Class," approved May 23, 1945 (P. L. 870), requiring fees and commissions belonging to counties of the third class to be paid directly into the county treasury.

Referred to the Committee on Counties.

By Mr. LIPPINCOTT. HOUSE BILL No. 935.

An Act amending the act of March 29, 1805 (P. L. 183), entitled "An Act directing the Mode of selecting and returning jurors," increasing jury fees in civil actions.

Referred to the Committee on Judiciary.

By Mr. POMEROY and Mrs. BEATRICE Z. MILLER. HOUSE BILL No. 936.

An Act amending "The Juvenile Court Law" approved June 2, 1933 (P. L. 1433) permitting the court to order delinquent children to make restitution or to pay fines.

Referred to the Committee on Judiciary.

By Mr. POMEROY and Mrs. BEATRICE Z. MILLER. HOUSE BILL No. 937.

An Act amending "The Juvenile Law" approved June 2, 1933 (P. L. 1433) imposing responsibility upon parents for the theft, destruction or loss of property of another by a delinquent child.

Referred to the Committee on Judiciary.

By Messrs. VAUGHAN and STUART. HOUSE BILL No. 938.

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), authorizing beneficiaries of the fund established by the act to engage in any employment without suffering suspension of his pension or retirement benefits.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. VAUGHAN and STUART. HOUSE BILL No. 939.

An Act amending the act of Aug. 10, 1951 (P. L. 1189), entitled as amended "An act regulating the appointment, promotion, suspension, * * * of employes * * * in bureaus of police in cities of the second class; * * *" further regulating the suspension of employes for periods of ten days or less.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Messrs. BOIES and STIMMEL. HOUSE BILL No. 940.

An Act amending the "Funeral Director Law" approved January 14, 1952 (P. L. 1898) increasing compensation of members of the State Board of Funeral Directors.

Referred to the Committee on Professional Licensure.

By Messrs. STONE and LIPPINCOTT. HOUSE BILL No. 941.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the regulation and licensing of junk dealers and the regulation of junk yards and salvage yards, * * *.

Referred to the Committee on Townships.

By Messrs. BOIES and STIMMEL. HOUSE BILL No. 942.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) increasing compensation of members of certain boards and commissions.

Referred to the Committee on State Government.

By Messrs. BRAND and AMARANDO. HOUSE BILL No. 943.

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216) changing examination, licensing and revocation provisions, increasing fees and prescribing additional fees and penalties.

Referred to the Committee on Professional Licensure.

By Messrs. KELLER and HAMILTON. HOUSE BILL No. 944.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) requiring the Office of the Pennsylvania State Architect to approve school construction plans and certain building standards after consultation with State Council of Education.

Referred to the Committee on Education.

By Messrs. KELLER and HAMILTON. HOUSE BILL No. 945.

A Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372) transferring certain jurisdiction and

powers from the Department of Property and Supplies to the Office of the Pennsylvania State Architect.

Referred to the Committee on State Government.

By Messrs. KELLER and HAMILTON.

HOUSE BILL No. 946.

An Act amending the act of May 1, 1919 (P. L. 103) entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings; * * *" requiring submission to and approval by the Office of the Pennsylvania State Architect of the design and location of public monuments, memorials and buildings.

Referred to the Committee on State Government.

By Messrs. KELLER and HAMILTON.

HOUSE BILL No. 947.

An Act amending "The administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating an independent State agency known as the Office of the Pennsylvania State Architect and defining its organization, jurisdiction, powers and duties.

Referred to the Committee on State Government.

By Mr. WARGO. HOUSE BILL No. 948.

An Act making an appropriation to the Department of Mines and Mineral Industries to abate the nuisance of burning coal mine refuse banks.

Referred to the Committee on Appropriations.

By Messrs. ROVANSEK and WILLIAMS.

HOUSE BILL No. 949.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), enlarging the Coal Research Board's sphere of study and research and making an appropriation.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. McCANN and WILLIAMS.

HOUSE BILL No. 950.

An Act making an appropriation to the Department of Mines and Mineral Industries for the purpose of administering the "Gas Operations Well-Drilling Petroleum and Coal Mining Act."

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO and JUMP. HOUSE BILL No. 951.

An Act making an appropriation to the Department of Mines and Mineral Industries for expenses of supervising and administering the Anthracite Mine Drainage Program.

Referred to the Committee on Mines and Mineral Industries.

By Mrs. MUNLEY and Mr. JUMP.

HOUSE BILL No. 952.

An Act amending the Act of July 29, 1953 (P. L. 996), entitled, as amended, "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines * * *," continuing the Anthracite Mine Drainage Study Commission for an additional two years; and making an appropriation.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. ROVANSEK and WILLIAMS.

HOUSE BILL No. 953.

An Act making an appropriation to the Department of Mines and Mineral Industries for the sealing and dewatering and flushing of and extinguishment of fires in abandoned coal mines.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. AUSTIN M. LEE and EILBERG.

HOUSE BILL No. 954.

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Medicine.

Referred to the Committee on Appropriations.

By Messrs. EILBERG and AUSTIN M. LEE.

HOUSE BILL No. 955.

An Act making an appropriation to the University of Pennsylvania for the School of Veterinary Medicine.

Referred to the Committee on Appropriations.

By Messrs. EILBERG and AUSTIN M. LEE.

HOUSE BILL No. 956.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. ADAMS and WEIDNER.

(Concurrent) RESOLUTION No. 67.

In the House of Representatives, March 25, 1957.

The members of our armed forces serving abroad, their civilian component and the dependents of each, are now subject to the criminal jurisdiction of more than fifty countries in which they may be on duty by reason of the N A T O Status of Forces Treaty, the Administrative Agreement with Japan, and Executive Agreements with other nations. These agreements penalize our servicemen who are serving abroad by depriving them of many of the rights granted by our Constitution, which they have sworn to defend.

The House of Representatives deplores the arrangements now existing which make service in our armed forces abroad a hazard by depriving our servicemen, their civilian component and dependents of the rights and guarantees of our Constitution.

The General Assembly therefore expresses its belief that all United States service personnel stationed abroad shall be tried by United States military tribunals under the Uniform Code of Military Justice for offenses committed on foreign soil, therefore be it

Resolved, (the Senate concurring) That the Congress of the United States be memorialized to immediately enact legislation which will seek a modification of all agreements giving foreign nations criminal jurisdiction over United States service personnel stationed there in order that the United States may regain exclusive jurisdiction over members of its armed forces or if necessary the Congress should terminate or denounce these agreements, and be it further

Resolved, That copies of this resolution be sent to the President and Vice President of the United States; to all Senators and members of the House of Representatives and the Clerk of the Senate of the United States.

Referred to the Committee on Rules.

By Messrs. STIMMEL, DeLONG, MRS. MARKLEY and Mr. STECKEL. RESOLUTION No. 68.

In the House of Representatives, March 25, 1957.

On March 22, 1957 the basketball team of Allentown Central Catholic High School brought great honor in itself, its coaching staff, the school and the Commonwealth for it was on this day that Allentown Central Catholic won its sixth State P.C.I.A.A. championship. When they defeated Johnstown Catholic, 60 to 46, the school won its second straight State championship, a feat that no other school has been able to duplicate.

Our congratulations for this inspiring victory and record are certainly in order and we will extend them. To our best wishes for the victory we must add our heartiest congratulations to the student body of Allentown Central Catholic, Coach Emil Carazo, and school principal Rev. Father Stephen Daday for their inspiring display of good sportsmanship and good citizenship that they have evidenced throughout the entire season.

Father Daday, Coach Carazo and their entire staffs have worked hard to supply our State with good citizens a task they have fully achieved.

The Allentown Central Catholic team set an example of team play and sportsmanship which will always be remembered as one of the finest in scholastic athletic competition; therefore be it

Resolved, That the House of Representatives extends its warmest congratulations to Father Daday, Coach Emil Carazo, the student body of Allentown Central Catholic High School, and to the basketball team for its stirring victory over a fine Johnstown Catholic team; and be it further

Resolved, That copies of this resolution be forwarded to Reverend Father Stephen Daday and to coach Emil Carazo.

Referred to the Committee on Rules.

By Mr. McCANN. (Concurrent) RESOLUTION No. 69.

In the House of Representatives, March 25, 1957.

It is reported that the cost of recording certain legal papers is so exhorbitant that it tends to impede the smooth flow of legal proceedings. Recording costs imposed by the various court and county offices throughout the Commonwealth vary widely, and in many instances are not commensurate with the importance or value of the documents being recorded or with the costs involved; therefore be it

Resolved (the Senate concurring) That the Joint State Government Commission be directed to study and investigate the cost of recording legal papers throughout our Commonwealth in the various court and county offices; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Commitrtee on Rules.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 121, entitled:

A Joint Resolution proposing an amendment to Art VIII Sec. 12 of the Constitution of the Commonwealth of Pennsylvania changing provisions relating to the election of county superintendents of public schools.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 347, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system etc. . . ." by providing for additional increments for professional employes having thirty years of public school service.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 860, entitled:

An Act creating a Highway Investigation Commission for the purpose of making a study and investigation of all activities of the Pennsylvania Department of Highways and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 74, entitled:

An Act amending the "Vehicle Code" entitled "* * *" further regulating the issuance of registration plates to news photographers.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 216, entitled:

An Act amending "The Administrative Code of 1929" entitled "* * *" empowering the chairman of the Board of Finance and Revenue to appoint a secretary and make certain rules and regulations.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 262, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for attendance of school directors at National School Boards Convention.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Adams,	Eshleman,	Light,	Reidenbach,
Agnew,	Ewing,	Limper,	Rigby,
Amarando,	Fetterolf,	Lippincott,	Royer,
Anderson, M. S.,	Filo,	Lopresti,	Rudisill,
Anderson, S. A.,	Fineman,	Lovett,	Scarcelli,
Andrews,	Floyd,	Lutty,	Schwartz,
Auker,	Flynn,	Magee,	Sherman,
Barton,	Frascella,	Mahan,	Shields,
Boies,	Gelfand,	Markley,	Smith,

Boory,	George,	Marsh,	Snider,
Bower,	Gibb,	Maxwell,	Spray,
Bowman,	Gibson,	McCann,	Steckel,
Brand,	Goldstein,	McCormack,	Stevens,
Breisch,	Goodling,	McInroy,	Stimmel,
Brennan,	Goodrich,	McKeever,	Stone,
Brenninger,	Gross,	McLaughlin,	Stroup,
Breon,	Guthrie,	Metz,	Stuart,
Breth,	Hamilton,	Mikula,	Taylor,
Brucker,	Haudenshield,	Miller, B. Z.,	Thompson,
Bucchin,	Heavey,	Miller, H. G.,	Toll,
Buchanan,	Heffner,	Miller, W. H.,	Tompkins,
Capano,	Henzel,	Mills,	Trusio,
Carson,	Holt,	Moody,	Ujobai,
Cianfrani,	Horst,	Moscrip,	Varallo,
Cleveland,	Ide,	Moyer,	Varner,
Comer,	Jim,	Muldowney,	Vaughan,
Cooper,	Johnson,	Mullen,	Wargo,
Cummins,	Johnston,	Munley,	Weidner,
Dalrymple,	Jump,	Murray, H. P.,	Welsh,
Davis,	Kamyk,	Murray, P. G.,	Wescott,
DeLong,	Kehler,	Naugle,	Wheeler,
Dengler,	Keller,	Parry,	Willard,
Dennison,	Kernaghan,	Pashley,	Willaredt,
Devlin,	Knecht,	Phillips,	Williams,
Dietterick,	Kooker,	Piper,	Wilt,
Donahue,	Kornick,	Polaski,	Worley,
Donaldson,	Korns,	Pomeroy,	Wyatt,
Down,	Krakow,	Post,	Wynd,
Duffy,	Lafore,	Price,	Yatron,
Dunn,	Lee, A. M.,	Pursley,	Zimmerman,
Edwards,	Lee, K. B.,	Ragot,	Helm,
Eilberg,	Leonard,	Readinger,	Speaker

NAYS—24

Ashton,	Garlock,	O'Dell,	Snare,
Bell,	Gramlich,	Ogilvie,	Stoner,
Brown,	Hocker,	Petrosky,	Strausser,
Curwood,	Isaacs,	Renwick,	Wall,
Farabaugh,	Murphy,	Rovansek,	Walsh,
Gailey,	Musto,	Seltzer,	Whittaker,

NOT VOTING—18

Blair,	Fox,	Merry,	Schuster,
Cioffi,	Jenkins,	Mihm,	Silverman,
Dougherty,	Jones, G. E.,	Monroe,	Verona,
Erb,	Jones, T. H. W.,	O'Brien,	Wood,
Foster,	McGee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STUDENTS OF MYERSTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Senior Class of Myerstown High School of Lebanon County under the supervision of their teachers Dwight Fake and Harold Yeakley. They are the guests of the gentlemen from Lebanon, Messrs. Light and Seltzer.

REPORTS FROM COMMITTEES

Mr. FILO from the Committee on Cities—Third Class, reported as amended, House Bill No. 160, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing for audits of accounts by independent accountants appointed by council.

Mr. AUKER from the Committee on Judiciary, reported as amended, House Bill No. 601, entitled:

An Act amending the act of February 24, 1806 (P. L. 334, 4 Sm. L. 270) entitled "An act to alter the Judiciary System of this Commonwealth," requiring that certain confession of judgment proceedings be docketed in the Municipal Court of Philadelphia.

Mr. AUKER from the Committee on Judiciary, reported as amended, House Bill No. 602, entitled:

An Act amending the act of March 21, 1806 (P. L. 558, 4 Sm. L. 326) entitled "An act to regulate Arbitrations and Proceedings in Courts of Justice," requiring certain judgments in amicable actions to be filed in the Municipal Court of Philadelphia.

Mr. AUKER from the Committee on Judiciary, reported as amended, House Bill No. 603, entitled:

An Act amending the "Municipal Claim and Tax Lien Law," approved May 16, 1923, (P. L. 207) requiring the filing of certain municipal claims in the Municipal Court of Philadelphia.

Mr. AUKER from the Committee on Judiciary, reported as amended, House Bill No. 604, entitled:

An Act amending the act of July 12, 1913, (P. L. 711) entittled "An act establishing a court for the county of Philadelphia; * * * regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," further providing for the transfer of cases by and to the court of common pleas.

Mr. AUKER from the Committee on Judiciary, reported as amended, House Bill No. 757, entitled:

An Act amending the act of June 26, 1836 (P. L. 715) entitled "An act relating to Reference and Arbitration" authorizing arbitration before the Municipal Court of Philadelphia.

Mr. AUKER from the Committee on Judiciary, reported as committed, House Bill No. 758, entitled:

An Act amending the act of July 12, 1913, (P. L. 711) entitlled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; * * * and providing for the expenses thereof," enlarging the jurisdiction of the muniicpal court.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct the titles were publicly read as follows:

HOUSE BILL No. 32.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing unnaturalized foreign-born residents to own or possess dogs.

HOUSE BILL No. 250.

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsman's shows.

HOUSE BILL No. 332.

An Act amending the "Cigarette Tax Act" approved June 14, 1935 (P. L. 341) extending the provisions imposing an additional tax for a further limited period of time.

Whereupon,

The SPEAKER in the presence of the House, signed the same.

COMMITTEE REPORT

Mr. KELLER. Mr. Speaker, your committee appointed to wait upon the Senate and escort that body to the Hall of the House for the Joint Session has performed that duty. The Senate is now present.

The SPEAKER. The Committee is discharged with the thanks of the House.

The SPEAKER. The Lieutenant Governor, the Honorable Roy E. Furman, is invited to preside over the Joint Session of the General Assembly.

The President pro tempore of the Senate, the Honorable M. Harvey Taylor, Secretary of the Senate, the Honorable A. H. Letzler are invited to be seated on the rostrum.

Members of the Senate will please be seated.

JOINT SESSION OF THE GENERAL ASSEMBLY

LIEUTENANT-GOVERNOR ROY E. FURMAN PRESIDING

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President, the Committee appointed to escort the Governor to the Hall of the House.

Mr. WATSON. Mr. President, I have the honor of presenting His Excellency, George M. Leader, Governor of the Commonwealth of Pennsylvania.

The LIEUTENANT-GOVERNOR. Members of the General Assembly, I have the honor and privilege of presenting His Excellency, George M. Leader, Governor of the Commonwealth of Pennsylvania, who will now address you.

ADDRESS OF GOVERNOR GEORGE M. LEADER

GOVERNOR LEADER. Lieutenant-Governor Furman, Mr. Speaker and Members of the General Assembly:

I am grateful to the members of the General Assembly and to its presiding officers for their courtesy in permitting me to interrupt your sessions and to address you today.

I would not do so, of course, except on a matter of grave importance to the Commonwealth.

To get immediately to my purpose, it is to ask you to recall from my desk House Bill No. 337, which is the legal instrument through which the three per cent sales tax is to be re-enacted.

I suggest its recall because I am sure that this General Assembly can write—if it has a mind to—a better bill than the one you have sent to me. House Bill No. 337 is full of loopholes. It is difficult if not impossible to enforce. It is of doubtful constitutionality in certain clauses. It is destructive of the State's revenues. It is conspicuous in its special privileges to certain favored interests.

Surely, it is not the General Assembly's intent to make our State's finances dependent upon a bill so poorly drawn and so unmindful of the Commonwealth's best interests.

I said to you at the opening of this session, and again in my budget message, that as Governor, I had no desire to impose my philosophy of taxation upon you. I said further that I hoped that we could take the issue of State taxes out of the area of partisan debate and rancor. Still further, I appointed a committee of citizens of Pennsylvania to help us accomplish that objective, and, as a result, representatives of labor and of management were able for the first time in our State's recent history to agree upon a tax program.

It is in no way, then, my purpose to challenge at this date the use of the sales tax as a major element in our State's finance.

That battle is over.

I lost it; the Republican leadership in this General Assembly won it.

But I would be failing most abjectly in my duties as Chief Executive of this Commonwealth, if I did not urge you most strongly to make sure that, if we must have a sales tax, it is a good one.

That can only be accomplished in the fundamental legislation which establishes the tax.

House Bill No. 337 fails in that accomplishment.

I will transmit to the General Assembly this week a detailed and lengthy analysis of deficiencies in the bill prepared by the Attorney General. This analysis will make hard reading for those of us who are not tax laywers and tax accountants, but certainly, the question raised by the Department of Justice will furnish sufficient warning that many things in House Bill No. 337 are very wrong.

I will not take the time of the Assembly in reading such a lawyer's brief as to the errors in House Bill No. 337.

We properly can take a few minutes to make the general case against the bill as you have sent it to me.

The sales tax legislation which became law at the last session was not technically a good bill.

The State's tax consultants, McKinsey and Company, listed as the first major problem in the collection of the sales tax what they called politely the "distinctive" characteristics of the law itself. These experts said that the existing sales tax law's provisions "make difficult general understanding by taxpayers and the establishment of efficient administration."

Unfortunately, the labors of this General Assembly to date, as exhibited in House Bill No. 337, have made a bad bill worse.

Amendments to improve the bill, prepared with great care by the Department of Justice on the basis of its experience, were rejected; I am afraid with little consideration.

Amendments prepared by others were accepted, with what must seem again all to little consideration.

Public utilities and shipbuilding are given special tax concessions denied to the public at large, the ordinary consumer, and all other industry. There is so much overeagerness to accommodate such special interests, who are so forcefully represented here at Harrisburg, that the exemptions rendered are much broader than even their strongest champions could have hoped to get.

For instance, in the exemption granted to public utilities, it was possibly intended to clarify the definition as to what is public utility real estate and what is not. Instead, the exemption written into the bill exempts not only all improvements to public utility real estate from the sales tax, but goes further to exempt all equipment used by independent construction contractors who engage in substantial public utility construction work.

I am addressing my next remarks to taxpayers everywhere in this Commonwealth.

If you buy paint to paint your house, your furniture or your barn you pay the tax.

But if you are a utility and you buy paint for your real estate you DON'T pay the tax.

If you're a small business man and you buy a truck to use in your business, you pay the tax.

But if you're a big shipbuilding company and you buy a truck, you don't pay the tax.

Those are only two small obvious examples.

It's the big examples that will cause the real trouble.

No one has more strongly advocated than I have the need for making our tax system in Pennsylvania competi-

tive with that of other states for the attraction and expansion of industry.

In too many of its features, however, House Bill No. 337 goes beyond such a praiseworthy purpose. It begins to smack of greed and tax-dodging. Nothing could be more harmful to the cause of genuine reform and improvement in our tax structure.

In my budget message I said that I will approve any tax program which this General Assembly enacts which "will support the services to which the State is committed, be fair in its application to the people of this State, contain a basic measure of adjustment to the inflationary economy in which we live, and be stimulating to the economic development of Pennsylvania." Clearly House Bill No. 337 fails to meet at least one of these tests. It is not "fair in its application to the people of this State." A selected few enjoy special tax advantage; while millions of our housewives and working men and women feel its full impact.

I recognize that the prerogative of choosing what shall be taxed and what shall be exempt is the Legislature's, so long as it observes the uniformity clause of our Constitution. I may think you are in error, and I may say so, but you have the undoubted right to set the objects of taxation.

But the General Assembly has no right, and I am sure that you cannot truly intend, to enact an unworkable and unenforceable bill.

House Bill No. 337 contains many new restrictive and crippling provisions in its enforecment sections. Many new technical defenses and impediments to enforcement are provided. House Bill No. 337 is a tax attorney's dream. and a tax collector's nightmare.

This failure to provide the proper means of enforcement is exemplified by the provisions in House Bill No. 337 as to the notice of reassessment, the reduction in penalties, and the removal of the requirement of a reassessment bond.

Normal tax practice in other states permits the state to require a taxpayer to post bond before he petitions for a reassessment of his tax. Normally, also, such bond is set at twice the amount of the state's claim. Under the existing sales tax practice, the Department of Revenue has, perhaps too generously, required a bond of only 10 per cent more than the claim. House Bill No. 337 eliminates the bond altogether, leaving the state naked to complete loss should the petitioning taxpayer fail in business during the long period of dispute and litigation.

At best, a sales tax is difficult to assess and to collect.

House Bill No. 337 makes it still more difficult because, contrary to the practice in almost every other state, it removes all penalties for an understatement of the amount due except where the state can show negligence or deliberate disregard.

House Bill No. 337, to give it its due, attempts a useful reform in tax procedures by providing a statutory method for testing the validity of a particular attempt to impose a tax. Unfortunately, the method selected in House Bill No. 337 is completely unworkable, placing an impossible burden on the Board of Finance and Revenue which, under the bill, receives the initial petition for refund.

House Bill No. 337 completely fails to recognize and cure many difficulties now existing in the present sales tax legislation. The Administration is naturally anxious to simplify and make explicit the existing law; sadly enough, House Bill No. 337 injects new confusion and ambiguities almost without limit.

I am quite sure that this was not done with malice.

I am afraid that it was done without sufficient thought and without sufficient tax and legal craftsmanship.

And I am entirely certain that House Bill No. 337 will diminish, not increase, the yield from the sales tax which we are so painfully building up.

It will divert millions of dollars from the State Treasury.

Today, I come to you to appeal to your sober second thought, to your good sense, to your belief in this Commonwealth and your desire to serve it. I ask you to set aside your pride of authorship in this House Bill No. 337, as you have asked me to set aside my fundamental beliefs as to the proper incidence of taxation in Pennsylvania.

I have the same feeling today, in spite of many things that have been said in the Assembly, that I had in January—that we must submerge our party feelings in the interest of the Commonwealth if this session is to serve our people well.

I ask you, therefore, most respectfully to recall House Bill No. 337 from my desk, to consider its shortcomings, amend them, and write an honorable and workable tax bill that will raise its due portion of the revenue that this Legislature will appropriate for the use of our people.

The LIEUTENANT-GOVERNOR. Governor Leader. on behalf of the Members of the General Assembly, I want to thank you for your message this afternoon.

The Committee of the Senate and the House will now escort His Excellency, the Governor, to his chambers.

The business for which the Joint Session was assembled having been transacted, the Joint Session is now declared adjourned.

The Senators will please reassemble immediately in the Senate Chamber.

The Chair now turns over the gavel to the Speaker of the House.

The SPEAKER (W. Stuart Helm) IN THE CHAIR.

PROCEEDINGS OF JOINT SESSION PRINTED IN JOURNAL

Mr. HEFFNER. Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House be printed in full in this day's Legislative Journal.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, today we have witnessed an unusual and precedent-breaking appearance of our Governor before a Joint Session of the General Assembly.

The appearance was made for the sole purpose of hammering us over the head with pending legislation. His performance marks a new low for the dignity of his office.

The Governor asked to come to speak to us and out of courtesy we have consented. Now we know that he came before us only to make a pure political speech.

It is fundamental in our state Constitution that the Governor can only come before us with our permission. Our democratic process contemplates for the Governor to appear with messages on the state of the Commonwealth and to outline a prospective program.

I would say the Governor has been indiscreet in appearing here in an attempt to force his will upon us—the people's elected representatives. That makes a mockery of the House of Representatives.

Behind his fine oratory and professed fears for the plight of what he calls "the little people" is an outline of political fakery.

I might say, departing from my remarks, it is fundamental in our Constitution, it has come down from Colonial times that the Governor shall not appear before us without our consent. As you know in the Colonial Legislatures the early Governors would sit with the Assemblies and would impress their will upon those Assemblies. When the Colonists freed themselves from Mother England and adopted state constitutions, all constitutions up and down the Atlantic Seaboard provided the Governor could not appear before the General Assembly or in the chamber without our consent. I say that a Governor should only come before us to give us a speech on the state of the Commonwealth or to outline a prospective program. I do not believe he should come before us to give us, urge us, and impress his will upon us, with respect to legislation either before him or before us.

Yesterday on the floor of the House I pointed out in a detailed and simple manner what the present sales tax provides. I pointed to the indisputable truth, that it had been administered unfairly and unreasonably. I explained how our amendments inserted into the bill corrected these unfair and capricious rulings.

In yesterday's final discussion of the bill, which is even now lying on the Governor's desk, the Democratic arguments were weak and feeble. Only in rare instances were they directed to any of the amendments.

The weak arguments on this floor came on the heels of an entire morning conference between the Governor and the Democratic leadership in the General Assembly.

If the Governor's political performance today contains any points of merit, then he certainly had them in his possession yesterday and he should have allowed his leadership in the House to point them out in specific detail for the record.

But, no, it was apparently decided in the front office yesterday that the Governor would come parading before us today and, in a great arena for political grandstanding, lay the groundwork for continued political ambitions.

I say the Governor is resorting to pure political fakery in coming before us as he has. I also point out that so far in this session, neither the Senate or House majority leadership has been invited by the Governor for any conference of any kind, except I might say we have met with him once with the combined leadership when we determined a policy with respect to administration bills, those that are controversial and noncontroversial, and so forth, and we have never been invited to discuss anything with Governor Leader this session.

If this House Bill 337 is as bad as the Governor paints it, why did he not call the various leaders in for a meeting and go over the matters?

Instead of this common sense and friendly approach, he has chosen to use the rostrum of the House of Representatives to spread a lot of untruths and innuendos about a fair and reasonable revenue bill.

I say that the sales tax bill as now amended will be a very fair sales tax bill. Maybe the Governor is peeved because we did not accept his recommendation that we tax clothing and other consumer items. The Governor spoke of this bill with a political tongue. He charges that it favors big business. Is it not strange that we did not hear him charge that it benefits the farmer? The same exemptions apply to the farmer that apply to the manufacturing plant which provides our bread earners with jobs. He speaks of little people and common people. He calls them that because he apparently judges them by their pocketbooks.

We dispute that. We believe that there is no "little man" or "common man" in Pennsylvania—or in America. We all stand equal in the dignity of man.

In this tax bill, we Republicans have given the average person the same exemptions on food, on clothing, and on medicine as is presently in the present sales tax law. We have added exemptions for false teeth and other devices.

All that these amendments do in House Bill 337, as I stated yesterday, is to correct unfair regulations of the Department. These amendments make clearer the original fair intents of the sales tax law. These amendments are a great step toward encouraging economic growth in Pennsylvania. Economic growth means just one simple thing to us—better job opportunity for every citizen of this state.

If we are to be judged by public opinion for trying to bring more and better jobs to Pennsylvania, then I am sure we are well prepared to stand before the people who elected us to represent them here. We can leave this House tomorrow and return home with our heads in the air. Our people are behind us.

The Governor's speech is pure political fakery. Additional fakery will be heaped upon us when he gets the biased report from his Attorney General and delivers that to us also.

The Governor has issued a lot of broad statements of a serious nature. I suppose that we are now to remain completely in the dark until we get the details.

The whole thing smacks of politics, and the taxpayers and the people have not been told the truth by our Governor.

I feel that yesterday when the bill was before us, as I said sincerely and as honestly as I could, in as small and less detailed way as possible, to explain to you the amendments to the bill. I certainly cannot go along with the Governor's reiteration here today that House Bill 337 as amended is a bad bill. I say that it gives everybody a break. It gives to the common man the same exemptions we gave him before, the exemption on food, on clothing, on shelter, on his insurance premium, on his dry cleaning, on all of the things he presently enjoys an exemption.

Today it is a rarity where an average man with a large family pays any sales tax under the exemptions in this bill. I say that is true. Food, clothing, shelter,

shoes, everything that a man needs, is exempt under the present sales tax law, and that was true in the 1953 Act and is true now in the 1957 Act. The framers of the tax Act have gone overboard to give the man in the street, the average guy, the man with a family, the small wage earner, a good break in that bill. In effect the way the exemptions are, it amounts to a graduated income tax as far as the average man with four or five children is concerned. I say it is a fair tax bill; and as amended on the Governor's desk, industry will now say, "Well, here is a bill that is fair for us and fair for the Commonwealth, one that we can live under." And for the Governor to come here today and tell us what a terrible piece of legislation it is, I say again it is nothing but political fakery.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, I resent the statement just made by the Majority Floor Leader that the Governor's speech before us today was pure political fakery.

This bill was passed yesterday and is now on the Governor's desk, and he has ten days within which to decide whether to sign it, to veto it, or to let it become law without his signature.

A good Governor should come before this body if he thinks it is making a fundamental mistake and ask that a bill be recalled and given further consideration. That is all the Governor did today.

He must make the decision as to whether it shall become law or shall not, and I, for one, resent the type of remarks made by the Majority Leader in connection with the Governor coming before us today.

We have every right, as the gentleman has said, to allow the Governor to come before us. We need not grant that privilege if we do not wish to do so. We did it in this case and I think rightly so. The gentleman has every right to defend the bill as passed and to reiterate, as he has done today, that he thinks it is a good bill. By the same token, the man who must make the decision as to whether to strike it down has the same right to request us to listen to him.

The Majority Leader has said the Governor obviously had these remarks in mind before the bill finally passed yesterday and that he should have called in the leadership on this side of the House in order to give us those arguments. I say this side did have those arguments. We knew all about them. But as it became obvious yesterday that whatever we said was going to fall on deaf ears, it did not appear to be sensible to go into every detail of the bill and go over it section by section.

You will recall I did point out certain defects in the way the bill was drawn and passed, and mentioned several others in passing. So they were called to your attention. The very things which the Governor referred to in his speech today were mentioned yesterday, not in as great detail, but they were certainly called to your attention.

The Majority Leader complains that the Governor did not call in anybody on the Republican side of the House or the Senate to confer on the matter of the defects he now speaks about in Bill 337.

I ask you, when would he have had a chance to do that? We did not get a copy of these Senate amendments until Wednesday of last week. We hardly had time to study them before you insisted that the bill be voted upon yesterday, and the Governor's office was in the same position. Until those amendments were adopted he could not know what was in them. He had to have time to analyze them, also. So there would not be time for a conference if the Governor had decided to call one.

The gentleman also mentioned in his remarks a minute ago that the Governor is probably peeved because the bill does not recommend the taxing of clothing and items of that kind. That is a deliberate misstatement. The Governor at no time recommended that a tax bill of this kind should include clothing. The Tax Advisory Commission which he appointed did make a report and, among other things, suggested if further revenue was needed clothing might be added and trade-ins might be disallowed, but the gentleman would now have us believe that the Governor made such a recommendation, and nothing is further from the truth.

I say that I think the Governor was right in coming before us today and giving us the benefit of the arguments which he has advanced and politely asking us to recall the bill for further consideration. I say the same thing I said yesterday, it was a bad bill then and it is a bad bill now as it is on his desk.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I am sorry for the way in which the Majority Leader bleeds. Time will doubtless heal his wounds. But he is far too amiable a gentleman, too kindly in his disposition really, to emulate the style and method of my very good friend, Charlie Smith. The gentleman from McKean just cannot do it. He cannot rise to the occasion of being spiteful and mean, talking about fakery in the way it has been done in classical fashion on the floor of this House.

There is one way in which the Majority Leader can clarify this situation. This bill we have been talking about and the bill we have outlined by categories. The Majority Leader, doubtless with the aid of the gentlemen who have been so prolific in framing the various sections of the bill we have before us, could give him, or should be able to give him, the return, the yield of the tax bill we have enacted category by category—category by category—and he could tabulate the categories and see what the bill would yield.

Yesterday the gentleman said he had taken guesses and synthesized them and then took an average and a guess of $480 million.

Let the gentleman take the bill now in effect and by categories say what that bill will yield. It is, Mr. Speaker, simply inexplicable, not to be explained, that we should have a tax bill and the Majority Leader should not have stated the returns, the possible yield, of the measure. All the gentleman has to do is frame a report, category by category, which will compare the bill we have with the bill the House has passed. Then we will resolve the matter not upon the basis of opinion, not upon the basis of rancor, not upon the basis of charges of fakery, but we will have acted like responsible Legislators who, with knowledge of the facts and without rancor and with no desire to secure partisan advantage, have enacted a bill and, unless the

Majority Leader does that, he confesses he does not know what he has been talking about and has no foundation in fact upon which to base his figures.

The SPEAKER. The gentleman from Philadelphia, Mr. O'Brien, yields to the gentleman from Cambria, Mr. Andrews. The gentleman will proceed.

Mr. ANDREWS. I very much regret, Mr. Speaker, that upon our side of the House there should have been an unkindly reception of the remarks made by the Majority Leader. If we are to maintain the integrity and dignity of this body, it is not the place even faintly to 'boo.' I detected on the other side a faint echo of the prejudiced booing that I detected when the Majority Leader was speaking, and I hope, I sincerely hope, the Members of the minority will accord to the majority and the majority will accord to the minority that consideration to which persons in our responsible positions are entitled.

PERMISSION TO ADDRESS HOUSE

Mr. O'BRIEN asked and obtained unanimous consent to address the House.

Mr. Speaker, the Majority Leader would have you believe the Governor's presence at this Joint Session this afternoon was an insult to our intelligence. I think, Mr. Speaker, the Majority Leader's attack on the Governor was a bigger insult. Good taste would have suggested to him that he possibly wait and give the idea he had sufficient consideration and time before making this vicious attack on the Governor. But here he was with a prepared speech which he even read, very unwisely. To me, that is the greatest insult. This is probably indicative of the great consideration which the majority side gave to this particular bill No. 337. Here he was with a prepared speech which he could not even read very well.

PERMISSION TO ADDRESS HOUSE

Mr. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, consideration of House Bill No. 337 is of great import to every taxpayer and to every citizen in the Commonwealth of Pennsylvania. I may disagree with the gentlemen in the minority, but I respect their opinions, nevertheless.

I am compelled to challenge one statement the Governor of this Commonwealth made to this body, and that statement in part is as follows: "Ship building is given special concession." I was interested in learning the facts, and I was interested in learning the facts because Pennsylvania is a great industrial state concerning which our Governor issues statements from time to time and says we must save industry, and yet when he appears and discusses a bill he is trying to destroy industry.

What concession is given the shipbuilding industry of this state, the greater part of which is in the Delaware Valley and some of which is in Allegheny County? It is given the privilege of building boats and barges for the benefit of people who buy them on contract.

We know we are engaged in a great struggle in every state of the Union to attract industry. Do the gentlemen on the other side deny that a boat can be built in New Jersey without a sales tax? Do they deny it can be built in Delaware without a sales tax? Of course, they cannot deny that, because my study of the Commerce Clearing Houses this morning indicated there is no sales tax in those states.

Let me point out for your serious consideration, if you are interested in the citizens and the working men of Pennsylvania and not interested in driving industry away, what some other maritime states say regarding the taxing of ships and barges.

In the state of Alabama barges of more than 50 tons are exempt under the sales tax.

In the state of Kansas, of course, they have no shipbuilding industry, but that state is very greatly interested in airplanes, the big factories of the United States are located in Kansas, and under its sales tax all aircraft and parts are exempt.

Maine is a great shipbuilding area, it exempts ship's stores.

Michigan exempts vessels of 500 tons or more, if made for somebody especially, practically identical with the state of Pennsylvania.

To show how much interested the legislature of Michigan is in obtaining business, there is a provision in the sales tax of Michigan that if you enter the state of Michigan and buy an automobile and are a non-resident you buy your car tax free.

New Jersey has no sales tax.

Ohio, with which Pennsylvania is in great competition, provides that the sales of ships used principally in interstate commerce are exempt from the sales tax.

You will certainly agree with me that most of the ships made on the Delaware are used in interstate commerce.

South Carolina exempts vessels and barges of more than 50 tons.

In Washington floating equipment, labor and services for construction and repair for use in interstate or foreign commerce or commercial fishing are exempt.

In the State of California, which has one of the most drastic sales taxes according to my analysis, all vessels are exempt.

We are not asking to give the shipbuilding industry special privileges in Pennsylvania, we are asking to give the taxpayers and the citizens who work and accomplish a job a special privilege in Pennsylvania.

PERMISSION TO ADDRESS HOUSE

Mr. SCHWARTZ asked and obtained unanimous consent to address the House.

Mr. Speaker, the previous speaker was very interesting. The gentleman took one word out of the Governor's message, "shipbuilding." He neglected, however, to give any statistics on public utilities. It was public utilities, I believe, on which the Governor spent a great deal of time and gave several drastic examples of what these amendments did.

I think it might be enlightening if we hear similarly from the gentlemen on the other side as to what effect these amendments have on public utilities rather than merely on shipbuilding.

PERMISSION TO ADDRESS HOUSE

Mr. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, I recognize that the other side has been using the shipbuilding industry as a whipping boy. I anticipated remarks concerning that industry. Accordingly I made a study at the source available and came up with the facts and figures indicated heretofore.

For the benefit of the gentleman from Philadelphia, next week I will have a study concerning public utilities.

PERMISSION TO ADDRESS HOUSE

Mr. SHERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, I was pleased to hear that suddenly Pennsylvania became so greatly interest in the great shipbuilding state.

I was also suddenly pleased to hear we become so suddenly and greatly interested in our railroads. What efforts, may I ask the majority party in this House, have they considered in making this bill beneficial not so much to our so-called great shipbuilding industry or to our great railroads, but to those people who are on relief, to those people who are purchasing or will purchase during the entire time this bill is in existence on installments, those people who represent the majority of this Commonwealth of Pennsylvania?

Where are those Republicans who, during the last session of the General Assembly, spoke so strongly on the matter of those people who live on their savings, on their installments, on their stock dividends and similar income? Has the gentleman provided for them or has he thought only of those people of great wealth, the shipbuilding industry and the railroads?

PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, I was very much interested in the last statement made by the gentleman from Allegheny, Mr. Golstein. That was the crux of the argument propounded by this side of the House in our deliberations and discussions of House Bill No. 337: What do you know about the amendments that were inserted by the Senate into House Bill No. 337?

The gentleman was asked a question today as to the impact of this bill on public utilities and the exemptions provided for them, and he stated to you, wait until next week and we will get the data and material on that.

I do not know how you have been herded together and how you were corralled into pushing this legislation through when you did not know the facts and what was contained within the amendments inserted by the Senate.

Certainly we did not vote intelligently in the passage of that tax bill when we did not have the facts before us.

I am trankful to the gentleman from Allegheny when he proves the point of the minority leadership here when they suggested we get all the data that would be available and then discuss intelligently the legislation.

By the same taken I say the Governor has all the right in the world to ask us to recall that bill so that we can remedy the defects which are contained therein.

PERMISSION TO ADDRESS HOUSE

Mr. POMEROY asked and obtained unanimous consent to address the House and interrogate the gentleman from Philadelphia, Mr. Sherman.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sherman, permit himself to be interrogated?

Mr. SHERMAN. I shall, Mr. Speaker.

Mr. POMEROY. I am delighted to hear of this interest of the three eminent Representatives from Philadelphia who have already spoken on the sales tax bill. It, of course, provides the major bulk of the income for the state or certainly one of the major bulks.

I think secondly we recognize that the entire responsibility of this House is to provide funds for the Commonwealth.

I would simply like to ask this particular gentleman from Philadelphia, or one of the other two who have already spoken, how many Democrats of the 34 Members from Philadelphia accepted their responsibiilty in these tax matters and voted for the bill in the first place?

Mr. SHERMAN. Is that a question or a political speech, Mr. Speaker?

Mr. POMEROY. That is a question.

Mr. SHERMAN. If it is a question, I am afraid you will have to break it up, but I will answer it for you anyhow.

We believe, and still believe, the sales tax program is obnoxious to the people of our city and to the entire districts of the City of Philadelphia, not only in the 34 representative wards or districts but in every other district in the City of Philadelphia.

Mr. POMEROY. The fact is, Mr. Speaker, that all 34 Democratic Representatives from the city of Philadelphia voted against this bill?

Mr. SHERMAN. Positively.

Mr. POMEROY. Thank you.

PERMISSION TO ADDRESS HOUSE

Mr. SCHWARTZ asked and obtained unanimous consent to address the House.

Mr. Speaker, the gentleman asked a very pointed question as to whether or not any of the 34 Members from Philadelphia voted in favor of the bill. He may as well have asked if any Democratic Members of this House voted for the bill because I believe the record is very clear that none of them did.

I do not know whether the gentleman is referring to the vote yesterday or whether he is referring to the original sales tax bill. It was not quite clear, but certainly if he is referring to the vote yesterday, I think those who voted against it were extremely intelligent in what they did.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 269, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) further providing for the employment of a certified public accountant the duties of the township auditors and further regulating appropriations

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adams,	Farabaugh,	Limper,	Rigby,
Agnew,	Fetterolf,	Lippincott,	Rovansek,
Amarando,	Filo,	Lopresti,	Royer,
Anderson, M. S.,	Fineman,	Lutty,	Rudisill,
Anderson, S. A.,	Floyd,	Magee,	Scarcelli,
Andrews,	Flynn,	Mahan,	Schuster,
Ashton,	Fox,	Markley,	Schwartz,

Auker,	Frascella,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Smith,
Boies,	George,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman,	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Guthrie,	Miller, H. G.,	Strausser,
Breth,	Hamilton,	Miller, W. H.,	Stroup,
Brown,	Haudenshield,	Mills,	Stuart,
Brucker,	Heavey,	Moody,	Taylor,
Bucchin,	Heffner,	Moscrip,	Thompson,
Buchanan,	Henzel,	Moyer,	Toll,
Capano,	Hocker,	Muldowney,	Tompkins,
Carson,	Holt,	Mullen,	Trusio,
Cianfrani,	Horst,	Munley,	Ujobai,
Cioffi,	Ide,	Murphy,	Varallo,
Cleveland,	Isaacs,	Murray, H. P.,	Varner,
Comer,	Jenkins,	Murray, P. G.,	Vaughan,
Cooper,	Johnson,	Musto,	Verona,
Cummins,	Johnston,	Naugle,	Wall,
Curwood,	Jones, G. E.,	O'Brien,	Walsh,
Dalrymple,	Jones, T. H. W.,	O'Dell,	Wargo,
Davis,	Jump,	Ogilvie,	Weidner,
DeLong,	Kamyk,	Parry,	Welsh,
Dengler,	Kehler,	Pashley,	Wescott,
Dennison,	Keller,	Petrosky,	Wheeler,
Devlin,	Kernaghan,	Phillips,	Whittaker,
Dietterick,	Knecht,	Piper,	Willard,
Donahue,	Kooker,	Polaski,	Willaredt,
Donaldson,	Kornick,	Pomeroy,	Williams,
Down,	Korns,	Post,	Wilt,
Duffy,	Krakow,	Price,	Worley,
Dunn,	Lafore,	Pursley,	Wyatt,
Edwards,	Lee, A. M.,	Ragot,	Wynd,
Eilberg,	Lee, K. B.,	Readinger,	Yatron,
Eshleman,	Leonard,	Reidenbach,	Zimmerman,
Ewing,	Light,	Renwick,	Helm, Speaker

NAYS—2

Jim,	Lovett,

NOT VOTING—7

Dougherty,	Foster,	Monroe,	Wood,
Erb,	Mihm,	Silverman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 579, entitled:

An Act requiring the Pennsylvania Turnpike Commission to change the names of certain interchanges on the Pennsylvania Turnpike

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I rise to oppose the passage of this bill. It provides for changing the names of, I believe, five or six of the Turnpike interchanges. It should not be passed, in my opinion, for the reason that each one of these changes would require putting up new signs, removing the old ones, and so forth, and would cost approximately $23,500 per interchange.

I have on my desk a letter from Merritt A. Williamson, Vice Chairman of the Pennsylvania Turnpike Commission, and I would like to read to you a part of it in connection with this bill.

> At the time of construction of each of the various Extensions of the Pennsylvania Turnpike, careful planning and consideration was given to the naming of the interchanges. Signing of the Turnpike, including signing of the interchanges, was provided by capital funds from the Bond Issues. The Commission each year includes in its maintenance and operation budget provision for only the maintenance of these signs. Based on present Commission standards and present plans, the cost of replacing those signs made obsolete by the change of an interchange name, is estimated at $23,500 per interchange. The Commsision is presently without capital funds for the purpose of replacing those signs with new ones designating new names for interchanges.
>
> The Commission has, over the years, used the presently-designated names of the interchanges in all promotional literature which has been distributed through motor clubs and hotels, and carried by patrons, to every State in the Union.
>
> The Commission has included the names of all interchanges as part of the printing on toll tickets issued to and carried by patrons of the Pennsylvania Turnpike. During 1956 over twenty-one million toll tickets were issued to and used by patrons. The minimum cost to the Commission—being the cost of new electroplates for the printing of new tickets, and the minimum number of tickets which the Commission can have on hand immediately prior to a change of tickets—is estimated at approximately $4,000.
>
> The Commission believes that changing names of interchanges could lead to much confusion, because of the prominence the existing names have gained over the years of operation of the Turnpike System. The Commission believes that the changing of names of interchanges on the Pennsylvania Turnpike System, by the Legislature, would establish a precedent which could easily lead to such proposed changes at every Session of the Legislature.
>
> For these reasons, the Commission believes that this legislation is ill-advised. However, if the Legislature is insistent, certainly it ought to appropriate sufficient funds to provide for the new signing, the change of promotional literature and tickets, and all other costs incident thereto, for the Commission is without funds to do these things.

I am asking the membership of the House to vote against this bill even though certain Members from the areas affected might think it is highly desirable that we change these names. This is something we should not start to do. I think these matters should be entrusted to the Turnpike Commission. When it opens a new Interchange and when the decision is finally made as to what to call it, we ought to stand by it.

I have no doubt there are 10 or 12 other interchanges at which a change in name might be desired by various Members, but I say this is something that should not be done because of the cost involved and the confusion which would follow.

Mr. WYATT. Mr. Speaker, although I am not one of the sponsors of this bill, I am very vitally interested in it, having had an amendment added to the bill in Committee. I am interested in the name of an interchange being changed, if this bill passes, from Mahoning Valley Interchange to Lehighton Interchange.

The gentleman from Berks said the cost is prohibitive. However, the interchange referred to is not yet opened, it is scheduled to open April 1st. For the past two and a

half years all civic, social, fraternal and service organizations in my area have been contacting the proper officials requesting a change in name, and have met with no success. The only alternative is to bring it before the Legislature in the form of a bill.

I do not know how much it costs to change the name not having gone to the Commission to find out. However, I do know the name of the tunnel about three and a half miles from the Mahoning Valley Interchange was changed about three or four months ago, but nothing was said about economy at that time. It seems strange to me that the Commission can change names and it is economical, but when this Legislature desires to make a change it then becomes uneconomical. I do not see any sense to that, Mr. Speaker.

Mr. GARLOCK. Mr. Speaker, I have no interest in the change of name of the interchange, no direct interest in our locality, but I think it is rather ridiculous to have an interchange named "Blue Mountain" when we have the Blue Mountain out there about five miles north of Harrisburg and it runs clear up and down across the state, north and south.

You have people traveling the Turnpike coming to an interchange called "Blue Mountain." I do not think they have any knowledge of where they are going when they see that interchange or have any reason to believe they should get off at that interchange designated "Blue Mountain."

The suggestion is made to change that to Chambersburg-Shippensburg Interchange, which would have a meaning. People going to those communities would know that is the interchange at which they should get off.

The statement that the cost of changing these signs would run $23,500 an interchange I think is utterly ridiculous. I am sure if it cost that much to have them changed they still must be hiring the Republican painters whom they had on the payroll before. In the case of the Everett maintenance shed they had five painters doing the work and today they have one employed. So I am quite sure they are counting on changing those signs with that type of labor and painters if it is going to cost that much money.

Another thing, the tickets were mentioned. They have the right to finish using what tickets they have on hand before any other tickets would be required.

Therefore, I say that is a cost or an expense which is also utterly ridiculous to consider in connection with this bill.

Mr. HORST. I would like to interrogate the Minority Leader, Mr. Speaker.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. HORST. Mr. Speaker, how many signs are there at each interchange?

Mr. READINGER. I would not be able to advise the gentleman, although I have traveled on the Turnpike occasionally. I was usually going at 65 miles an hour and I did not bother to stop and count them. I wanted to keep on living.

Mr. HORST. For your information and the information of the House, there are six signs at each interchange, three coming in to the interchange and three leaving the interchange.

The next question I would like to ask the gentleman, what is the size of those signs approximately?

Mr. READINGER. I would advise the gentleman that any questions he asks me concerning details of the number, the size, the location, and so on, is futile because I do not know the answers. I was trying to impart to this House information which comes directly from the Vice Chairman of the Commission and I assume he knows what he is talking about.

Mr. HORST. That is all, Mr. Speaker.

Last Tuesday I was informed that the Majority Leader had received a letter from the Turnpike Commission and that there was a fantastic figure of a cost of $21,000 to $23,000 to change the signs on the interchanges.

About twelve o'clock on Wednesday, I took it upon myself to call the Turnpike Commission. Dr. Williamson was not there. I spoke to a gentleman by the name of Mr. Gilbert, J. B. Gilbert. He gave me practically the same story as Mr. Readinger gave us.

I said, "Mr. Gilbert, how large are these signs? What kind of signs do you intend to erect?"

"Well," he said, "the signs are from 16 to 24 feet long."

I said, "Sixteen to 24 feet?"

"Yes."

I wrote that down very carefully.

I said, "How wide are they?"

"They are from 10 to 12 to 14 feet high."

"They are not billboards?"

"Yes, that's the size of them."

The next question I asked him was, "What are these signs made of?" He informed me the signs on the old section of the Turnpike were made of porcelain with a bull's-eye on each letter so they would shine at night. But he said "Now we are making new type signs out of plywood."

I said, "What size plywood?"

He said, "Three-quarter inch thick. We paint them green and paint the letters white with bull's-eyes and dots in the letter, or we use iredescent paint."

I said, "What are these signs going to cost?" "$21,000 or $23,000 per interchange."

Then he said, "The next item is the printing. The printing will cost $2,000 to change the plate for the tickets."

I said, "How many plates do you have made?"

"A couple plates."

I said, "You mean the engraving on those plates? The plates for the tickets they give you at the Turnpike interchanges cost $2,000?"

"Yes," he said. "The tickets will cost about $3,000 and the printing of the maps would be an outlay of about $5,000."

After I left here on Wednesday afternoon I drove over to Mechanicsburg and I got my yardstick out of the back of the automobile and I started to do some measuring. I found that the Gettysburg Pike sign is six feet four inches wide, seven feet high and made out of porcelain. I discovered the porcelain is in pretty bad shape. It has been up there for sime 15 or 16 years and it ought to be replaced before too long. Below I find the U. S. Navy-Mechanicsburg sign is two feet six inches by five feet six inches, made out of one-half inch plywood, painted white with sort of an iridescent light paint for the letters.

I journeyed down to the next sign, which said, "Gettys-

burg Pike." That is a two foot sign with the word "Gettysburg," eight feet long. The sign underneath it said "Exit Pa.-U.S. 15 1 mile." Next Exit Carlisle 11 Miles." That sign is five feet wide and 12 feet long.

The next sign coming in says, "One-half Mile Gettysburg Pike." That sign is four by six feet and two feet by six feet, with the words "Gettysburg Pike" on top of it. I measured the sign at Carlisle and went on through to Blue Mountain. The largest sign in those three interchanges is 12 feet by five feet and 16 inches by eight inches for the word "Carlisle." Blue Mountain is practically the same type of sign.

If it is going to cost $21,000 per interchange, ladies and gentlemen of this House, I am in the wrong business.

Getting off at Blue Mountain, I paid my toll, and I said to the gentleman, "Would you kindly give me a ticket?"

"Yes sir," he said. "I can give you a ticket, Representative." This ticket has 41 lines on it. There it is, Exhibit "A." If that costs $3,000 or $2,000 to have engraved, then I say I am still in the wrong business.

I also secured from the gentleman a map. There are five or six names appearing on this map—five or six names to be changed on this map right here. Over on this page it gives you the numbers. There are no names on the big print of the map. This has to be changed and this up here has to be changed. It may cost $50 to $60 to change. Also, I would estimate it would cost about $100 to $150 to change the plate for this ticket.

Mr. Readinger made the statement that last year there were 21 million—is that right, sir—21 million people who entered the gates of the Turnpike and secured these tickets. If you take 21 million and divide it into $21,000, that is a very small cost per any one person for this change.

I would like to stress upon the members of this House that we owe the people of this Commonwealth as well as the people in this nation who travel our Turnpike names that mean something on the maps. Just as my good friend and colleague, Mr. Garlock, stated, Blue Mountain starts out here on the other side of the river. It runs 45 miles to a gap called Upper Strasburg. If you ask 98 percent of the people in the historical Cumberland Valley from Harrisburg to Winchester where Blue Mountain is, they do not know.

The Turnpike Commission some 18 years ago decided that is what it was. The automobile associations in the Cumberland Valley, the service clubs and everybody else objected very strenuously to that name, but they went ahead and gave it that name. Now it is up to us to try to make it simple for the people who travel our highway.

Mr. Readinger made the statement he traveled 65 miles an hour and did not notice the size of the signs, nor did he notice where the names were. When you travel 60 to 70 miles an hour down a highway and you go past a sign at an interchange, until you get the map out you can be past the interchange. When you get past that interchange the next interchange is about 35 miles to Carlisle, and you find you should have gotten off at Blue Mountain. Then you have to drive south on U.S. 11 approximately 33 to 34 miles before you come to Shippensburg, when Shippensburg is only 11 miles from the Blue Mountain Interchange.

If you want to travel through to Baltimore and Washington, you have to drive 11 miles farther to Chambersburg from Shippensburg, a total of approximately 46 miles from the Carlisle Interchange to Chambersburg, where 11 miles would have brought you into Shippensburg, or 17½ miles would take you from Blue Mountain into Chambersburg and from there to Hagerstown, Baltimore and Washington.

So I would appreciate your support of this bill.

Mr. GARLOCK. Mr. Speaker, I would like to interrogate Mr. Horst.

The SPEAKER. Will the gentleman from Franklin, Mr. Horst, permit himself to be interrogated?

Mr. HORST. I shall, Mr. Speaker.

Mr. GARLOCK. Mr. Speaker, I would like to ask the gentleman what the name of the first interchange he mentioned was?

Mr. HORST. Blue Mountain.

Mr. GARLOCK. No, the one where the gentleman said he measured the sign.

Mr. HORST. I measured the sign first at Mechanicsburg. It is called Gettysburg Pike.

Mr. GARLOCK. Did I understand the gentleman to say that sign was about 15 years old and in rather bad condition?

Mr. HORST. Yes sir. It was made out of porcelain and it has cut-outs for the letters, and there is a back plate with the letters bolted to the main plate.

Mr. GARLOCK. Porcelain enamel is rather durable, is it not?

Mr. HORST. It is sir, but I have discovered at Blue Mountain there is a bullet hole in that sign approximately three inches in diameter.

Mr. GARLOCK. I am particularly interested in the Gettysburg Pike sign.

Mr. HORST. All right, we will go back to the Gettysburg Pike. You will find there are stoned spots in there that are starting to rust.

Mr. GARLOCK. The sign at Gettysburg Pike, I believe, is only a few years old. I do not believe the Pike has been opened for anywhere near 15 years in that location.

The point I wanted to bring out is the fact that I think probably there was very poor inspection on some of these signs which the Turnpike Commission has received and which I believe is an indication that some of the personnel hired by the Commonwealth in past years has not been quite as efficient as some of the people and some of the newspapers would have us believe they have been. And I think they justly deserve to be fired.

Mr. HORST. Mr. Speaker, in reply to the gentleman's statements as to whether the signs are poorly made up, porcelain is a highly glazed material which is sprayed onto metal, and with the least damage or pressure applied, such as stones or BB gun shots, a crack developes in the porcelain. Add to that freezing weather and expension, it is not long until it is opened up.

Mr. Gilbert of the Turnpike Commission told me they discovered over the years that for what it cost to put the porcelain up, it did not stand up as good as the plywood. He went into great detail to tell me that the plywood was oil-dipped.

Ladies and gentlemen, that will cost about 50 to 60 cents a square foot, approximately 75 to 80 cents per square foot installed, where the porcelain would cost approximately three to three and one-half dollars a square foot for the same sign with the same lettering on it.

Mr. READINGER. Mr. Speaker, I want to compliment the gentleman from Franklin, Mr. Horst, on the thoroughness of his investigation of this matter. However since there seems to be quite a discrepancy between the Vice Chairman of the Turnpike Commission and the Members of this House on the estimates of the cost, and since we are all interested in economy, I suggest that the gentleman from Franklin now make a motion that we lay this bill on the table and hold it there until we pass a bill on page 5, Senate Bill No. 140, by which we would make an appropriation to a committee which is to investigate the activities of the Pennsylvania Turnpike Commission. Perhaps they could make this part of their investigation and either reveal to us that we are spending too much money on something, or that this is a very reasonable request. I suggest that the gentleman make such a motion.

Mr. GOODLING. Mr. Speaker, I would like to interrogate the Minority Leader, Mr. Readinger.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. GOODLING. Mr. Speaker, in order that I may be absolutely clear, I would like to hear what the gentleman said in his opening remarks. Will he tell this House again what it would cost to change these signs.

Mr READINGER. It is not what I say. It is what the Vice Chairman of the Turnpike Commission says, and he says they estimate it would cost $23,500 per interchange to re-sign the interchanges.

Mr. GOODLING. Thank you. I was not sure whether the gentleman said "per interchange" or all the interchanges affected.

If the figures had come from the gentleman from Berks, Mr. Readinger, I would take them and believe every word of them. Coming from somebody other than Mr. Readinger, I must say it is ridiculous to assume—and I realize that I am saying this against the Vice Chairman of the Turnpike Commission—as I see it or to think it would cost $23,000 per interchange to change a few little signs.

I agree with the gentleman from Franklin, Mr. Horst, that I am in the wrong business, as he is. I should be in the outdoor advertising business rather than trying to raise apples and peaches.

I will tell you my particular interest in this bill as the Director of the three A's in York, Pennsylvania. We have had complaints down there on numerous occasions that the West Shore Interchange means absolutely nothing, and I think you can realize that is true. How many people know what the West Shore Interchange means? I happen to know because I pass it every time I come to Harrisburg. People coming east or west on the Turnpike, wanting to come to York, do not know where to get off because the West Shore Interchange means absolutely nothing. It is not on the map. I do not think you can find it on any map.

For that particular reason I think it is important that all the names be changed so that they will mean something to the general public.

Mr. READINGER. I would like to interrogate the gentleman from York, Mr. Goodling.

The SPEAKER. Will the gentleman from York, Mr. Goodling, permit himself to be interrogated?

Mr. GOODLING. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I would like to ask the gentleman whether most of these names, if not all of them, which are being sought to be changed by this bill were names given to the interchanges at a time when the Republicans were in control of the Turnpike Commission?

Mr. GOODLING. I do not believe that makes any difference, Mr. Readinger.

Mr. READINGER. The question is, were they or were they not in control at that moment?

Mr. GOODLING. The Republicans were in control at that time, yes.

Mr. READINGER. Would the gentleman not agree, then, before we rush in and spend a hundred and some thousand dollars, if that figure is accurate in making these changes that we should at least wait long enough to find out what the actual cost is?

Mr. GOODLING. I am not so sure we will ever get the actual cost. We have to take the word of the man whom you quoted, I think. This bill has been on this calendar for two or three weeks, and I see no reason to prolong it any longer on that calendar.

Mr. READINGER. The gentleman would be willing to spend $125,000 to change the names of these signs which he admits were put there by people at that time in control.

Mr. GOODLING. I think we would not be willing to spend that amount of money, but I still insist it would not cost that amount of money to change the signs in spite of what we have heard from your letter.

Mr. READINGER. Would the gentleman state what he thinks the cost would be per interchange?

Mr. GOODLING. I have absolutely no idea what the cost might be.

Mr. READINGER. Then the cost might be, as stated in this letter, $23,500.

Mr. GOODLING. No, by no stretch of the imagination would I ever agree to thinking it would cost that amount of money.

Mr. READINGER. Would the gentleman admit it might cost $20,000 per interchange?

Mr. GOODLING. No, I do not.

Mr. READINGER. Would the gentleman admit it might cost $15,000?

Mr. GOODLING. No, I would not say it would cost $100.

Mr. READINGER. Would the gentleman admit it might cost $10,000 per interchange?

Mr. GOODLING. If we were to spend a few hundred dollars per interchange—and I sincerely believe it could be done for a few hundred dollars per interchange—I think the money would be well spent.

Mr. READINGER. Would the gentleman wait long enough, or agree with us that we should wait long enough, to offer amendments to this bill to put a limit of $1,000 per interchange to represent the cost of this?

Mr. GOODLING. No. If we were going to do that, I think we should have done that long ago.

Mr. READINGER. I thank the gentleman.

Mr. HORST. Mr. Speaker, I would like to interrogate Mr. Readinger.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. HORST. When was the Turnpike started? In whose administration?

Mr. READINGER. Approximately 1937, as I recall, the first legislation was created.

Mr. HORST. Governor Earle was Governor?

Mr. READINGER. I think that is correct.

Mr. HORST. The original Turnpike Commission, at that time, if I am not mistaken, was under the Democrats?

Mr. READINGER. The legislation was passed when Governor Earle was still Governor, but as I recall, the original operations of the Turnpike Commission did not start until after Governor Earle had departed from these parts.

Mr. HORST. You asked me to recall this bill. On the contrary I am going to ask the Speaker to have a slow roll call.

Mr. LOPRESTI. Mr. Speaker, I did not realize at the time this bill hit the calendar that we were going to devote so much time to a bill which I thought had so little merit. However, since we have, I want to support the motion to lay it on the table so that I may offer amendments.

I too have a Chamber of Commerce in Johnstown and I believe the gentleman from Blair has a Chamber of Commerce in Altoona. We have two interchanges, one at Somerset and one at Bedford and both of those areas, perhaps, serve the community of Altoona and the community of Johnstown even more effectively than they serve the communities in which they are located. If we are going to make this change, and if we are going to try to show the public how to get to places of importance and places of business, one thing and another, then I think that Johnstown and Altoona should be named on the Turnpike somewhere. I think particularly people going east who live in Altoona, or people who want to go to Altoona, should have some notice that the Bedford Interchange is the proper interchange to get off. If people are coming west, perhaps at Somerset they should be told that is the place to get off if you want to go to Johnstown. If we are going to make these changes, at least let us do it right and give the people all the information they need.

There has been a lot of talk here making light of the cost to change these different outlets. I do not believe the men who have spoken so lightly about the cost realize how much it costs to make a colored plate of a map of Pennsylvania showing the Turnpike and showing the various entrances or outlets of the Turnpike.

Our official Pennsylvania map, printed every couple of years, which all the Members get, show that Turnpike and show entrances and different things. There are many, many documents of this Commonwealth that are made in colors, made of plates, and those things will have to be done over again. In fact, all of the literature dealing with the Turnpike will have to be remade. When you get an artist to have those things drawn in the first place and then have to have plates etched out and made, the cost can conceivably amount to the twenty-some thousand dollar figure mentioned here.

I do not think we ought to make light of these things. Since they have been called to our attention by responsible people, I would state I consider the Vice Chairman of the Turnpike Commission a responsible individual, I presume he has his information from a reliable source, and I certainly would not make light of it on the floor of this House. It behooves us, as Legislators, to give the other fellow credit for some intelligence. I think we are only kidding ourselves when we close our eyes and are unwilling to admit that somebody can be honest outside of ourselves.

Mr. ANDREWS. Mr. Speaker, I am very much pleased that this House should return to the mature consideration of legislation. There has been more interest, more elocution, about this bill than there was about the matter yesterday involving some $480 million.

I do not know whether the Vice Chairman of the Turnpike Commission is proceeding as recklessly with his facts and figures as the Majority Leader proceeded yesterday. I do not know whether Williamson is playing a Majority Leader role or the Majority Leader was playing a Williamson role.

I do want to point out seriously, we are following a pattern. Every Member who has spoken has, with the exception of the Minority Leader, voiced an opinion, and even the Minority Leader has not checked on his authority. We are proceeding on the basis of opinion. It would be so very, very easy for this House to ascertain exactly how much this would cost, and for what and where the cost items would be.

It could be possible within two days to get all the facts. Why should this House become suddenly so abhorrent to obtaining facts?

It is the figures that should govern, not the opinion of the gentleman from Franklin, not the opinion of the gentleman from York, not even the opinion, on check, of the Vice Chairman of the Turnpike Commission because these things are matters of fact and matters of figures which can be ascertained.

I submit this House at this time should end the era of legisla'ing by unsupported opinion and get down to a basis of facts. The place for this measure is on the table until next Monday, by which time we should be able to know exactly what we are talking about and legislate in the light of exact information.

I would suggest to the gentleman from Franklin or the gentleman from York to place this bill on the table or on the postponed calendar un'il next Monday, and then bring it up for definite consideration with the facts in hand.

Mr. LOVETT. Mr. Speaker, since we have spent so much time on this piece of legislation this afternoon, let's be fair about it.

I have been reminded of a little story I heard one time about a boy who was sitting along the road at a crossroads.

A gentleman drove down and stopped. He said to the boy, "Young man, if I turned right here where will I go?"

The boy said, "I don't know."

He said, "Young man, if I turned left here, where will I go?"

The boy said, "I don't know."

He said, "Young man, if I keep on going straight here, where will I go?"

The boy said, "I don't know."

He said, "Young man, you don't seem to know much."

The young man said, "No, but I am not lost."

Now let's be fair about it. If you get on the Turnpike and you do not know where you are going, we have men there at the gate who will tell you where you are going. They will possibly tell you, you are going crazy. If you do know where you are going and you tell the gentleman at the gate, he will tell you the proper interchange where to get off the Turnpike so that you may get to your destination.

Rather than spend all this time on this bill, we have a very wide-awake Governor in this state and he proved to you today he is very wide awake. I am sure when you send this bill to the Governor of Pennsylvania he will tell you whether or not it should become law in Pennsylvania.

Mr. READINGER. Mr. Speaker, just one short final word. I have been trying for a couple of years to break the political solidity of the opposition. While I do not often give political tips, I would like to give you this one.

You know elections are oftentimes won on little things instead of the big things. If you are going to vote for an undetermined amount of money to be spent—and it is certainly undetermined at the moment—to correct past Republican mistakes, remember you will be liable to be faced with this by a Democratic opponent at your next election. If it is only peanuts in money, it is going to sound awfully big in the campaign.

Mr. HEAVEY. Mr. Speaker, I think it is entirely within the province of the Turnpike Commission to make these signs and what to put on them, when to change them and when to repair them. I cannot see why that subject should be brought into this General Assembly.

As the gentleman from Berks, Mr. Readinger, says, it costs $23,000. Another man on the other side says it is only going to cost a few thousand dollars. Nevertheless I do not see where this falls within the province of this Legislature. It should be entirely the job of the Turnpike Commission.

Mr. STECKEL. Mr. Speaker, the gentleman has just asked why it was in the province of this body. The Pennsylvania Turnpike Commission is a creature of this very legislative body, created originally and theoretically to serve the convenience of the traveling public of this Commonwealth in any way.

In cases such as those cited by the gentleman from Carbon County where the creature of this representative body chooses to ignore his local sentiment and desire, then it become the duty of this representative body to voice what the desire of the local people is. If that is the only way to enforce it, then that is the way it has to be done.

Mr. LOPRESTI. Mr. Speaker, I have only one remark to make on the question of local desires. Had local desires prevailed, there would be no Turnpike in Bedford, or Somerset, or anywhere close along the Lincoln Highway because at the time the Turnpike was authorized, all of those communities were bitterly opposed to it. So local desire sometimes is not very good.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—115

Adams,	Garlock,	Lee, K. B.,	Rudisill,
Agnew,	George,	Light,	Seltzer,
Andrews,	Gibb,	Lippincott,	Snare,
Auker,	Gibson,	Magee,	Spray,
Barton,	Goldstein,	Mahan,	Steckel,
Bell,	Goodling,	Markley,	Stevens,
Blair,	Goodrich,	Marsh,	Stimmel,
Bower,	Gramlich,	McInroy,	Stoner,
Bowman,	Gross,	Merry,	Stroup,
Brand,	Guthrie,	Metz,	Stuart,
Breisch,	Haudenshield,	Miller, B. Z.,	Thompson,
Brenninger,	Heffner,	Miller, H. G.,	Tompkins,
Breon,	Henzel,	Miller, W. H.,	Ujobai,
Brucker,	Hocker,	Moody,	Varner,
Carson,	Horst,	Moscrip,	Vaughan,
Cleveland,	Ide,	Moyer,	Wall,
Curwood,	Isaacs,	Murphy,	Weidner,
Dalrymple,	Jenkins,	Murray, H. P.,	Wescott,
Davis,	Johnson,	Murray, P. G.,	Whittaker,
DeLong,	Johnston,	Naugle,	Willard,
Dennison,	Jump,	O'Dell,	Willaredt,
Donahue,	Kehler,	Ogilvie,	Williams,
Donaldson,	Keller,	Phillips,	Wilt,
Down,	Kernaghan,	Piper,	Worley,
Edwards,	Knecht,	Pomeroy,	Wyatt,
Eshleman,	Kooker,	Price,	Wynd,
Ewing,	Korns,	Pursley,	Zimmerman,
Fetterolf,	Lafore,	Ragot,	Helm,
Fox,	Lee, A. M.,	Royer,	Speaker

NAYS—74

Anderson, M. S.,	Filo,	Lutty,	Rovansek,
Boles,	Fineman,	McCann,	Scarcelli,
Brennan,	Floyd,	McCormack,	Schuster,
Breth,	Flynn,	McGee,	Schwartz,
Brown,	Gailey,	McKeever,	Sherman,
Bucchin,	Gelfand,	McLaughlin,	Shields,
Buchanan,	Hamilton,	Mikula,	Smith,
Capano,	Heavey,	Mullen,	Snider,
Cianfrani,	Holt,	Munley,	Stone,
Cioffi,	Jim,	Musto,	Taylor,
Comer,	Jones, G. E.,	O'Brien,	Toll,
Cummins,	Kamyk,	Pashley,	Trusio,
Devlin,	Kornick,	Petrosky,	Varallo,
Dietterick,	Krakow,	Polaski,	Verona,
Dougherty,	Leonard,	Post,	Walsh,
Duffy,	Limper,	Readinger,	Wargo,
Dunn,	Lopresti,	Reidenbach,	Welsh,
Eilberg,	Lovett,	Renwick,	Wheeler,
Farabaugh,			Yatron,

NOT VOTING—20

Amarando,	Dengler,	Maxwell,	Parry,
Anderson, S. A.,	Erb,	Mihm,	Rigby,
Ashton,	Foster,	Mills,	Silverman,
Boory,	Frascella,	Monroe,	Strausser,
Cooper,	Jones, T. H. W.,	Muldowney,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 319, Printer's No. 169, and

House Bill No. 395, Printer's No. 171,

were passed over at the request of the Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 400, entitled as follows:

An Act amending the "Uniform Acknowledgement Act" approved July 24, 1941 (P. L. 490) deleting the reference to "Philippine Islands" the reference to "homestead" and the requirement that certain acknowledgements taken without the State be authenticated

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Adams,	Fetterolf,	Lippincott,	Rovansek,
Agnew,	Filo,	Lopresti,	Royer,
Auker,	Fineman,	Lovett,	Rudisill,
Amarando,	Floyd,	Lutty,	Scarcelli,
Anderson, M. S.,	Flynn,	Magee,	Schuster,
Anderson, S. A.,	Fox,	Mahan,	Schwartz,
Andrews,	Frascella,	Markley,	Seltzer,
Ashton,	Gailey,	Marsh,	Sherman,
Barton,	Garlock,	Maxwell,	Shields,
Bell,	Gelfand,	McCann,	Smith,
Blair,	George,	McCormack,	Snare,
Boies,	Gibb,	McGee,	Snider,
Boory,	Gibson,	McInroy,	Spray,
Bower,	Goldstein,	McKeever,	Steckel,
Bowman,	Goodling,	McLaughlin,	Stevens,
Brand,	Goodrich,	Merry,	Stimmel,
Breisch,	Gramlich,	Metz,	Stone,
Brennan,	Gross,	Mikula,	Stoner,
Brenninger,	Guthrie,	Miller, B. Z.,	Strausser,
Breon,	Hamilton,	Miller, H. G.,	Stroup,
Breth,	Haudenshield,	Miller, W. H.,	Stuart,
Brown,	Heavey,	Mills,	Taylor,
Brucker,	Heffner,	Moody,	Thompson,
Bucchin,	Henzel,	Moscrip,	Toll,
Buchanan,	Hocker,	Moyer,	Tompkins,
Capano,	Holt,	Muldowney,	Trusio,
Carson,	Horst,	Mullen,	Ujobai,
Cianfrani,	Ide,	Munley,	Varallo,
Cioffi,	Isaacs,	Murphy,	Varner,
Cleveland,	Jenkins,	Murray, H. P.,	Vaughan,
Comer,	Jim,	Murray, P. G.,	Verona,
Cooper,	Johnson,	Musto,	Wall,
Cummins,	Johnston,	Naugle,	Walsh,
Curwood,	Jones, G. E.	O'Brien,	Wargo,
Dalrymple,	Jones, T. H.,	O'Dell,	Weidner,
Davis,	Jump,	Ogilvie,	Welsh,
DeLong,	Kamyk,	Parry,	Wescott,
Dengler,	Kernaghan,	Pashley,	Wheeler,
Dennison,	Korns,	Petrosky,	Whittaker,
Devlin,	Krakow,	Phillips,	Willard,
Dietterick,	Kehler,	Piper,	Williams,
Donahue,	Keller,	Polaski,	Willaredt,
Down,	Knecht,	Pomeroy,	Wilt,
Donaldson,	Kooker,	Post,	Worley,
Dunn,	Kornick,	Price,	Wyatt,
Dougherty,	Lafore,	Pursley,	Wynd,
Edwards,	Lee, A. M.,	Ragot,	Yatron,
Eilberg,	Lee, K. B.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
Ewing,	Light,	Renwick,	Speaker
Farabaugh,	Limper,	Rigby,	

NAYS—1

Duffy,

NOT VOTING—6

Erb,	Mihm,	Silverman,	Wood,
Foster,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the quetion was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 402, entitled as follows:

An Act amending the act of December 14, 1854 (1855 P. L. 724) entitled "An act relating to the authentication of Letters of Attorney Protests of Notaries Public * * *" authorizing deeds executed and acknowledged out of State to be recorded * * *

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adams,	Fetterolf,	Limper,	Rigby,
Agnew,	Filo,	Lippincott,	Royer,
Amarando,	Fineman,	Lovett,	Rudisill,
Anderson, M. S.,	Floyd,	Lutty,	Scarcelli,
Anderson, S. A.,	Flynn,	Magee,	Schuster,
Andrews,	Fox,	Mahan,	Schwartz,
Ashton,	Frascella,	Markley,	Seltzer,
Auker,	Gailey,	Marsh,	Sherman,
Barton,	Garlock,	Maxwell,	Shields,
Bell,	Gelfand,	McCann,	Smith,
Blair,	George,	McCormack,	Snare,
Boies,	Gibb,	McGee,	Snider,
Boory,	Gibson,	McInroy,	Spray,
Bower,	Goldstein,	McKeever,	Steckel,
Bowman,	Goodling,	McLaughlin,	Stevens,
Brand,	Goodrich,	Merry,	Stimmel,
Breisch,	Gramlich,	Metz,	Stone,
Brennan,	Gross,	Mikula,	Stoner,
Brenninger,	Guthrie,	Miller, B. Z.,	Strausser,
Breon,	Hamilton,	Miller, H. G.,	Stroup,
Breth,	Haudenshield,	Miller, W. H.,	Stuart,
Brown,	Heavey,	Mills,	Taylor,
Bucchin,	Heffner,	Moody,	Thompson,
Brucker,	Henzel,	Moscrip,	Toll,
Buchanan,	Hocker,	Moyer,	Tompkins,
Capano,	Holt,	Muldowney,	Trusio,
Carson,	Horst,	Mullen,	Ujobai,
Cianfrani,	Ide,	Murphy,	Varallo,
Cioffi,	Isaacs,	Munley,	Varner,
Cleveland,	Jenkins,	Murray, H. P.,	Vaughan,
Comer,	Jim,	Murray, P. G.,	Verona,
Cooper,	Johnson,	Musto,	Wall,
Cummins,	Johnston,	Naugle,	Walsh,
Curwood,	Jones, G. E.,	O'Brien,	Wargo,
Dalrymple,	Jones, T. H. W.,	O'Dell,	Weidner,
Davis,	Jump,	Ogilvie,	Welsh,
DeLong,	Kamyk,	Parry,	Wescott,
Dengler,	Kehler,	Pashley,	Wheeler,
Dennison,	Keller,	Petrosky,	Whittaker,
Devlin,	Kernaghan,	Phillips,	Willard,
Dietterick,	Knecht,	Piper,	Williams,
Donahue,	Kooker,	Polaski,	Willaredt,
Donaldson,	Kornick,	Pomeroy,	Wilt,
Dougherty,	Korns,	Post,	Worley,
Down,	Krakow,	Price,	Wyatt,
Dunn,	Lafore,	Pursley,	Wynd,
Edwards,	Lee, A. M.,	Ragot,	Yatron,
Eilberg,	Lee, K. B.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
Ewing,	Light,	Renwick,	Speaker
Farabaugh,			

NAYS—3

Duffy,	Lopresti,	Rovansek,

NOT VOTING—6

Erb,	Mihm,	Silverman,	Wood,
Foster,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 403, entitled as follows:

An Act to validate certain acknowledgements and to regulate the effect thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Farabaugh,	Limper,	Rigby,
Agnew,	Fetterolf,	Lippincott,	Rovansek,
Amarando,	Filo,	Lopresti,	Royer,
Anderson, M. S.,	Fineman,	Lovett,	Rudisill,
Anderson, S. A.,	Floyd,	Lutty,	Scarcelli,
Andrews,	Flynn,	Magee,	Schuster,
Ashton,	Fox,	Mahan,	Schwartz,
Auker,	Frascella,	Marsh,	Seltzer,
Barton,	Gailey,	Markley,	Sherman,
Bell,	Garlock,	Maxwell,	Shields,
Blair,	Gelfand,	McCann,	Smith,
Boles,	George,	McCormack,	Snare,
Boory,	Gibb,	McGee,	Snider,
Bower,	Gibson,	McInroy,	Spray,
Bowman,	Goldstein,	McKeever,	Steckel,
Brand,	Goodling,	McLaughlin,	Stevens,
Breisch,	Goodrich,	Merry,	Stimmel,
Breon,	Gramlich,	Metz,	Stone,
Brennan,	Gross,	Mikula,	Stoner,
Brenninger,	Guthrie,	Miller, B. Z.,	Strausser,
Breth,	Hamilton,	Miller, H. G.,	Stroup,
Brown,	Haudenshield,	Miller, W. H.,	Stuart,
Brucker,	Heavey,	Mills,	Taylor,
Bucchin,	Heffner,	Moody,	Thompson,
Buchanan,	Henzel,	Moscrip,	Toll,
Capano,	Hocker,	Moyer,	Tompkins,
Carson,	Holt,	Muldowney,	Trusio,
Cianfrani,	Horst,	Mullen,	Ujobai,
Cioffi,	Ide,	Munley,	Varallo,
Cleveland,	Isaacs,	Murphy,	Varner,
Comer,	Jenkins,	Murray, H. P.,	Vaughan,
Cooper,	Jim,	Murray, P. G.,	Verona,
Cummins,	Johnson,	Musto,	Wall,
Curwood,	Johnston,	Naugle,	Walsh,
Dalrymple,	Jones, G. E.,	O'Brien,	Wargo,
Davis,	Jones, T. H. W.,	O'Dell,	Weidner,
DeLong,	Jump,	Ogilvie,	Welsh,
Dengler,	Kamyk,	Parry,	Wescott,
Dennison,	Kehler,	Pashley,	Wheeler,
Devlin,	Keller,	Petrosky,	Whittaker,
Dietterick,	Kernaghan,	Phillips,	Willard,
Donahue,	Knecht,	Piper,	Willaredt,
Donaldson,	Kooker,	Polaski,	Williams,
Dougherty,	Kornick,	Pomeroy,	Wilt,
Down,	Korns,	Post,	Worley,
Duffy,	Krakow,	Pursley,	Wyatt,
Dunn,	Lafore,	Price,	Wynd,
Edwards,	Lee, A. M.,	Ragot,	Yatron,
Eilberg,	Lee, K. B.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
Ewing,	Light,	Renwick,	Speaker

NAYS—0

NOT VOTING—6

Erb,	Mihm,	Silverman,	Wood,
Foster,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 454, Printer's No. 173,

was passed over at the request of the SPEAKER.

The SPEAKER. The Chair calls to the attention of the House that the next bill on the Calendar, House Bill No. 582, Printer's No. 123, has been placed on the Third Reading Calendar in error. It should be on the Third Reading Postponed Calendar by action of the House yesterday.

Also on page 5 of today's Calendar the next bill to be considered should be House Bill 391, Printer's No. 187, which should be on the Third Reading Calendar rather than the Third Reading Postponed Calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 391, entitled as follows:

An Act amending the act of July 11, 1917 (P. L. 802) entitled "An act authorizing county commissioners to repay moneys collected on forfeited recognizances in certain cases" providing for the return of forfeited recognizances upon application therefor.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, I would like to interrogate one of the sponsors of the bill.

The SPEAKER. Will the gentleman from Delaware, Mr. Isaacs, permit himself to be interrogated?

Mr. ISAACS. I shall, Mr. Speaker.

Mr. McCORMACK. Would the gentleman briefly explain the purpose of this bill?

Mr. ISAACS. Mr. Speaker, the purpose of the bill is fairly clearly stated in the bill. I might say that in my county we have had no trouble in this connection. If the gentleman from Philadelphia, Mr. McCormack, has any serious questions about the bill, I shall be glad to yield to the gentleman from Philadelphia, Mr. Fineman, who informed me that Philadelphia County was having trouble with these recognizances being forfeited and possibly Mr. Fineman could answer these questions.

However, if he has any particular question, I think I can answer it.

Mr. McCORMACK. Mr. Speaker, I will put my same question to the gentleman from Philadelphia, Mr. Fineman, and ask him if he would briefly explain the purpose of this bill?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. McCORMACK. The question was to explain the purpose of this bill, just what it does, in summary form?

Mr. FINEMAN. Mr. Speaker, as I understand the bill, in the event there has been a forfeiture of a bond, where bond money has been estreated into the county treasurer's office and the defendant is returned to the jurisdiction of the court through the efforts of the bondsman, or through information supplied by the bondsman, the court now has the obligation—this is a "shall" bill—to order the money returned to the bondsman, less the cost to the Commonwealth of bringing the defendant back to the jurisdiction of the court.

As the law presently stands this is purely a matter which rests in the discretion of the court and is not a mandatory situation. So each case is considered on its individual merits and, if the judge should so decide, the application for refund can be rejected or refused.

Under the provisions of this bill and within the provisions of the bill when all of the conditions precedent are complied with, the court has to order the repayment of the bond money, less, as I said, the cost of bringing the defendant back to the jurisdiction of the court.

Mr. McCORMACK. As I understand it, this bill applies to criminal proceedings where a bondsman has posted bond for a defendant in order to obtain his release on bail pending a criminal trial, is that correct?

Mr. FINEMAN. Yes.

Mr. McCORMACK. Now, under the present law, if the defendant fails, after notice, to appear in court on the day set for his trial, the court under the present law can order the recognizance forfeited and the bail sued out, is that correct?

Mr. FINEMAN. Yes. As I understand the situation—and I want to preface my comment with the observation that I do not practice criminal law extensively—if a defendant should leave the jurisdiction at a time when the case is called for trial, within 60 days thereafter the district attorney's office will order a judgment entered of record on the recognizance and the bail bondsman has 60 days after the entry of judgment within which to bring the defendant back to the jurisdiction of the court. If during a four-month period the defendant is not returned to the jurisdiction of the court, then the money is estreated into the county treasurer's office.

Mr. McCORMACK. Does this bill, Mr. Speaker, distinguish between professional bondsmen and individual persons?

Mr. FINEMAN. The bill makes no distinction between professional bondsmen and individuals who might post bond.

Mr. McCORMACK. What is the necessity for this bill? Is there a hardship now on the professional bondsmen?

Mr. FINEMAN. There is unquestionably, as I see the situation, a hardship on a professional bondsman in these particular situations where, for instance, a defendant might be returned to the jurisdiction of the court one week after the expiration of the four-month period which I mentioned previously and where the court has adopted by rule the procedure that it will not refund the bail bond money to the bondsman who put it up.

Mr. McCORMACK. Under the present law can you not always file a petition?

Mr. FINEMAN. You can file a petition, but the courts have refused the petition where the period within which the defendant is returned to the jurisdiction exceeds four months.

Mr. McCORMACK. In other words, after the court's determination that under the facts of the particular case it would not be acting in the interest of the people to refund the money?

Mr. FINEMAN. The court does not make a decision that is based on considerations concerning what is to the welfare or not to the welfare of the people where the period of four months has elapsed. The court has automatically taken the position that since four months have elapsed the money will be estreated and that is the end of it.

Mr. McCORMACK. I do not like to disagree with the gentleman, but I have known instances where even as much as a year afterwards the court has returned the money, after a petition, to the bondsman.

Mr. FINEMAN. As is true with any rule, there are exceptions to it. But in the prevailing situation, at least in Philadelphia County, 99 percent of all applications for refunds where the period exceeds four months have been refused.

Mr. McCORMACK. I see. Thank you.

Mr. Speaker, I do not think I have heard enough at this stage to warrant my voting for this bill. There might be some good features to it, but as of now I have not heard them. I think one bad feature of the bill is that it makes it mandatory that the forfeited recognizance be returned to the bondsman if the defendant is returned to the jurisdiction within two years. I think it is going to affect the calendar of criminal cases, especially in Philadelphia, because the bondsman, knowing that he has two years within which to produce a defendant, might be a little lax in his efforts to produce him on the day set for trial in the original case.

I think for that reason we ought to give some consideration to see whether it would be wise at this time to pass such a bill.

Mr. FINEMAN. Mr. Speaker, it seems hardly likely, to me, if the bondsman who puts up his own funds has to forfeit those funds, that he is going to be dilatory in doing whatever he can to ensure the return of those moneys to him as quickly as possible. I am certain no individual bondsman is going to allow a great sum of money to lie out without his making every endeavor to see to its return. Moreover, as I understand the theory of bail bond, it is to ensure the presence of the defendant in court. If that situation is complied with, if a defendant is present in court and if the Commonwealth has been reimbursed for any out-of-pocket expense in returning a defendant to its jurisdiction, I can see no reason for not returning these funds to the bondsman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Filo,	Limper,	Rigby,
Agnew,	Fineman,	Lippincott,	Rovansek,
Amarando,	Floyd,	Lopresti,	Royer,
Anderson, M. S.,	Flynn,	Lutty,	Rudisill,
Anderson, S. A.,	Fox,	Magee,	Scarcelli,
Ashton,	Frascella,	Mahan,	Schuster,
Auker,	Gailey,	Markley,	Schwartz,
Barton,	Garlock,	Marsh,	Seltzer,
Bell,	Gelfand,	Maxwell,	Sherman,
Blair,	George,	McCann,	Shields,
Boies,	Gibb,	McGee,	Smith,
Boory,	Gibson,	McInroy,	Snare,
Bower,	Goldstein,	McKeever,	Snider,
Bowman,	Goodling,	McLaughlin,	Spray,
Brand,	Goodrich,	Merry,	Steckel,
Breisch,	Gramlich,	Metz,	Stevens,
Brennan,	Gross,	Mikula,	Stimmel,
Brenninger,	Guthrie,	Miller, B. Z.,	Stone,
Breon,	Hamilton,	Miller, H. G.,	Stoner,
Breth,	Haudenshield,	Miller, W. H.,	Strausser,
Brown,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Moody,	Taylor,
Brucker,	Henzel,	Moscrip,	Thompson,
Buchanan,	Hocker,	Moyer,	Toll,
Carson,	Holt,	Muldowney,	Tompkins,
Cianfrani,	Horst,	Mullen,	Trusio,
Cioffi,	Ide,	Murphy,	Ujobai,
Cleveland,	Isaacs,	Murray, H. P.,	Varallo,
Comer,	Jenkins,	Murray, P. G.,	Varner,
Cooper,	Jim,	Musto,	Verona,
Curwood,	Johnson,	Naugle,	Wall,
Dalrymple,	Johnston,	O'Brien,	Walsh,
Davis,	Jones, G. E.,	O'Dell,	Wargo,
DeLong,	Jones, T. H. W.,	Ogilvie,	Weidner,
Dengler,	Jump,	Parry,	Welsh,
Dennison,	Kamyk,	Pashley,	Wescott,
Devlin,	Kehler,	Petrosky,	Wheeler,
Dietterick,	Keller,	Phillips,	Whittaker,

Donahue,	Kernaghan,	Piper,	Willard,
Donaldson,	Knecht,	Polaski,	Willaredt,
Dougherty,	Kooker,	Pomeroy,	Williams,
Down,	Kornick,	Post,	Wilt,
Duffy,	Korns,	Price,	Worley,
Dunn,	Krakow,	Pursley,	Wyatt,
Edwards,	Lee, A. M.,	Ragot,	Wynd,
Eilberg,	Lee, K. B.,	Readinger,	Yatron,
Eshleman,	Leonard,	Reidenbach,	Zimmerman,
Ewing,	Light,	Renwick,	Helm
Fetterolf,			Speaker

NAYS—10

Andrews,	Farabaugh,	Lovett,	Munley,
Capano,	Lafore.	McCormack,	Stroup,
Cummins,			Vaughan,

NOT VOTING—6

Erb,	Mihm,	Silverman,	Wood,
Foster,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration Bill No. 738, entitled as follows:

An Act repealing the act of May 1, 1907 (P. L. 147) entitled "An act to require corporations owning leasing or operating steam or electric railways and engaged in the business of carrying freight or passengers within this State to report to the Secretary of Internal Affairs the number statute miles of lines so operated * * *"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Adams,	Farabaugh,	Limper,	Rigby,
Agnew,	Fetterolf,	Lippincott,	Rovansek,
Amarando,	Filo,	Lopresti,	Royer,
Anderson, M. S.,	Fineman,	Lovett,	Rudisill,
Anderson, S. A.,	Floyd,	Lutty,	Scarcelli,
Andrews,	Flynn,	Magee,	Schuster.
Ashton,	Fox,	Mahan,	Schwartz,
Auker,	Frascella,	Markley,	Seltzer,
Barton,	Gailey,	Marsh,	Sherman,
Bell,	Garlock,	Maxwell,	Shields,
Blair,	Gelfand,	McCann,	Smith,
Boies,	George,	McCormack,	Snare,
Boory,	Gibb,	McGee,	Snider,
Bower,	Gibson,	McInroy,	Spray,
Bowman,	Goldstein,	McKeever,	Steckel,
Brand,	Goodling,	McLaughlin,	Stevens,
Breisch,	Goodrich,	Merry,	Stimmel,
Brennan,	Gramlich,	Metz,	Stone,
Brenninger,	Gross,	Mikula,	Stoner,
Breon,	Guthrie,	Miller, B. Z.,	Strausser,
Breth,	Hamilton,	Miller, H. G.,	Stroup,
Brown,	Haudenshield,	Miller, W. H.,	Stuart,
Brucker,	Heavey,	Mills,	Taylor,
Bucchin,	Heffner,	Moody,	Thompson,
Buchanan,	Henzel,	Moscrip,	Toll,
Capano,	Hocker,	Moyer,	Tompkins,
Carson,	Holt,	Muldowney,	Trusio,
Cianfrani,	Horst,	Mullen,	Ujobai,
Cioffi,	Ide,	Munley,	Varallo,
Cleveland,	Isaacs,	Murphy,	Varner,
Comer,	Jenkins,	Murray, H. P.,	Vaughan,
Cooper,	Jim,	Murray, P. G.,	Verona,
Cummins,	Johnson,	Musto,	Wall,
Curwood,	Johnston,	Naugle,	Walsh,
Dalrymple,	Jones, G. E.	O'Brien,	Wargo,
Davis,	Jones, T. H.,	O'Dell,	Weidner,
DeLong,	Jump,	Ogilvie,	Welsh,
Dengler,	Kamyk,	Parry,	Wescott,
Dennison,	Kehler,	Pashley,	Wheeler,
Devlin,	Keller,	Petrosky,	Whittaker,
Dietterick,	Kernaghan,	Phillips,	Willard,
Donahue,	Knecht,	Piper,	Willaredt,
Donaldson,	Kooker,	Polaski,	Williams,
Dougherty,	Kornick,	Pomeroy,	Wilt,
Down,	Korns,	Post,	Worley,
Duffy,	Krakow,	Price,	Wyatt,
Dunn,	Lafore,	Pursley,	Wynd,
Edwards,	Lee, A. M.,	Ragot,	Yatron,
Eilberg,	Lee, K. B.,	Readinger,	Zimmerman,
Eshleman,	Leonard,	Reidenbach,	Helm,
Ewing,	Light,	Renwick,	Speaker

NAYS—0

NOT VOTING—6

Erb,	Mihm,	Silverman,	Wood,
Foster,	Monroe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

Senate Bill No. 277 Printer's No. 82

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 280, entitled as follows:

An Act transferring money from the Special Disaster Relief Fund to the General Fund.

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend the title, page 1, line 2 of the title, by inserting after "Fund" and disposing of certain tax collections

Amend the bill, page 2, by inserting between lines 2 and 3 Section 2. From and after the effective date of this act the proceeds of the additional tax imposed, collected and payable into the Special Diaster Relief Fund by virtue of the act of September 3, 1955 (P. L. 561) shall be paid into the General Fund.

Amend Section 2, page 2, line 3, by striking out "2" and inserting "3."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection

Senate Bill No. 281 Printer's No. 87

was passed over at the request of the SPEAKER.

BILLS ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. TOMPKINS.

The House resumed the consideration on third reading of House Bill No. 57, entitled:

An Act ameding "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting sales by publishers or distributors of magazines, newspapers, periodicals or other publications which require purchase of other such publications.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS. Mr. Speaker, in view of the conference which the Atorney General had last Thursday with district attorneys of this Commonwealth, this bill was considered and it was unanimously approved by them with certain amendments.

A committee of five district attorneys was appointed and are preparing those amendments, and it may be a couple of weeks before they will be here.

I am going to ask at this time this bill be re-committed to Judiciary for the purpose of receiving those amendments and to put the bill in final form for further reporting back to the House.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of amendment.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, We have in the Judiciary Committee bill No. 680, relating to the garnishment of wages for the payment of debts.

We have received a tremendous amount of correspondence on this piece of legislation. For that purpose the Judiciary Committee will hold a public hearing in the new House Caucus Room next Tuesday, April 2, 1957, at 10:00 a. m. for the purpose of hearing the views of the public on this bill.

I make this announcement in order that those who have been contacting me about this bill may inform their people back home in the event they care to appear at this hearing, they are perfectly at liberty to do so.

PERMISSION GRANTED PARDON BOARD INVESTIGATING COMMITTEE TO MEET DURING SESSION

Mr. TOMPKINS. Mr. Speaker, at this time I would like to ask unanimous consent of the House to hold a meeting of the Pardon Board Investigating Committee beginning at 9:30 a. m. tomorrow morning in the Senate Caucus Room. There are three Members of this House who are members of that Committee.

The SPEAKER. The Chair hears no objection and consent is granted.

REPORT FROM COMMITTEE

Mr. JOHNSON from the Committee on Rules, reported as committed, Senate Resolution Serial No. 107.

SENATE RESOLUTION SERIAL No. 107

Mr. JOHNSON asked and obtained unanimous consent for the immediate consideration of Senate Resolution Serial No. 107.

The resolution was read, considered and adopted as follows:

In the Senate, February 11, 1957.

The increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvania's industries, is a constant menace to the State's continuing economic stability.

The lower wages paid abroad make it impossible for many of our smaller and medium-sized producers to compete with imports without resorting to ruinous price cutting, which in turn would result either in financial losses or heavy pressure for wage reductions and outright unemployment.

Our National obligations have reached such extreme proportions that the National income must be maintained at its present unprecedented high level, or close thereto, lest we become insolvent.

Unemployment caused by the imports of residual oil, which represented 3.43 times the average of 45 million barrels imported in 1946, to approximately 154 million barrels in 1956, or the yearly equivalent of 36,640,000 tons of coal; and unemployment caused by imports of crude oil; various types of glass, steel, aluminum, brass and zinc products; pottery and chinaware; granite, tiles, cement, hardboard, plywood, hardware, plumbing, flat glass and other building supplies, lace, carpets and all kinds of woolen, cotton and synthetic fibre manufactured goods; leather and fabric gloves; bicycles; hydraulic turbines; machine tools and other machinery; heavy electrical equipment and other electrical industry products and electronics; watches, clocks and parts; optical industry products; cutlery; scientific apparatus; pencils and pens; pins, clips and fasteners; soft fibre; insulation board and manufactured cork products; chemicals; toys; mushrooms; farm, dairy and dried milk products, wallpaper, hats and millinery, printing industry products; ladies hand bags and leather goods; nails, wire, screws, bolts and nuts and many other commodities; will render the upholding of the economy at its high levels cost uncertain and difficult unless all import trade is placed on a fair competitive basis and the potential injury therefrom thus eliminated.

Agricultural products such as wheat, wheat flour, cotton, butter, cheese and peanuts enjoy the protection of import quotas.

A maximum of satisfactory trade results from a prosperous domestic economy freed from the threat of a breakdown resulting from unfair import competition: therefore be it

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to provide adequate safeguards in tariff and trade legislation, including import quotas and an effective prohibition against dumping of imports in the United States; against the destruction or lowering of our American standard of living, the labor standard of our workmen, and the stability of our economy by unfair import competition and that the existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the Speaker of the House of Representatives and each Senator and Representative from Pennsylvania in the Congress of the United States.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 25, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, April 1, 1957 at three o'clock p. m., EST.; and when the House of Representatives adjourns this week, it reconvene Monday, April 1, 1957 at three o'clock p. m. EST.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. GIBSON. Mr. Speaker, I move that this Resolution be amended by striking out in the last line the word "three' and inserting in lieu thereof the words "four-thirty."

The motion was agreed to.

Ordered, That the Clerk return the same to the Senate with the information that the House has adopted the same with amendment in which the concurrence of the Senate is requested.

REPUBLICAN CAUCUS

Mr. JOHNSON. For the information of the Members on the Republican side, the Caucus will be held at 3:00 p. m. on Monday as heretofore instead of 2:00 p. m. as we set it last week.

DEMOCRATIC CAUCUS

Mr. ANDREWS. Mr. Speaker, the Minority Leader has requested me to say the Democratic Caucus next Monday will be at 3:00 o'clock.

ADJOURNMENT

Mr. YATRON. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 27, 1957 at 10:00 a. m.

The motion was agreed to, and (at 5:25 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., WEDNESDAY, MARCH 27, 1957. No. 30.

SENATE

WEDNESDAY, March 27, 1957.

The Senate met at 11:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

In the absence of the Chaplain, the following prayer was offered by the gentleman from Berks, Mr. RUTH:

Almighty God, our Heavenly Father, this morning we come to Thee and pray that Thou wilt help us to understand that in the storm and strees of life we cannot hear Thee, but in the quietness of meditation, we can hear Thy still small voice speaking to us.

We pray that we may hear and in this blessed season of Lent, as we look forward to the week and the day when Thou didst make the great sacrafice for us, that we may lend our ear to Thy voice and be guided by it so that our work here or at home, wherever it may be, shall be to Thy honor and glory in a world without end. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. WAGNER, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1957.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

I am grateful to the members of the General Assembly and to its presiding officers for your courtesy in permitting me to interrupt your sessions and to address you today.

I would not do so, of course, except on a matter of grave importance to the Comonwealth.

To get immediately to my purpose, it is to ask you to recall from my desk House Bill No. 337, which is the legal instrument through which the three per cent sales tax is to be re-enacted.

I suggest its recall because I am sure that this General Assembly can write—if it has a mind to—a better bill than the one you have sent to me. House Bill No. 337 is full of loopholes. It is difficult if not impossible to enforce. It is a doubtful constitutionality in certain clauses. It is destructive of the State's revenues. It is conspicuous in its special privileges to certain favored interests.

Surely, it is not the General Assembly's intent to make our State's finances dependent upon a bill so poorly drawn and so unimindful of the Commonwealth's best interests.

I said to you at the opening of this session, and again in my budget message, that as Governor, I had no desire to impose my philosophy of taxation upon you. I said further that I hoped that we could take the issue of State taxes out of the area of partisan debate and rancor. Still further, I appointed a committee of citizens of Pennsylvania to help us acomplish that objective, and, as a result, representatives of labor and of management were able for the first time in our State's recent history to agree upon a tax program.

It is in no way, then, my purpose to challenge at this date the use of the sales tax as a major element in our State's finance.

That battle is over.

I lost it; the Republican leadership in this General Assembly won it.

But I would be failing most abjectly in my duties as Chief Executive of this Commonwealth, if I did not urge you most strongly to make sure that, if we must have a sales tax, it is a good one.

That can only be accomplished in the fundamental legislation which establishes the tax.

House Bill No. 337 fails in that accomplishment.

I will transmit to the General Assembly this week a detailed and lengthy analysis of deficiencies in the bill prepared by the Attorney General. This analysis will make hard reading for those of us who are not tax lawyers and tax accountants, but certainly, the questions raised by the Department of Justice will furnish sufficient warning that many things in House Bill No. 337 are very wrong.

I will not take the time of the Assembly in reading such a lawyer's brief as to the errors in House Bill No. 337.

We properly can take a few minutes to make the general case against the bill as you have sent it to me.

The sales tax legislation which became law at the last session was not technically a good bill.

The State's tax consultants, McKinsey and Company, listed as the first major problem in the collection of the sales tax what they called politely the "distinctive" characteristics of the law itself. These experts said that the existing sales tax law's provisions "make difficult general understanding by taxpayers and the establishment of officient administration."

Unfortunately, the labors of this General Assembly to date, as exhibited in House Bill No. 337, have made a bad bill worse.

Amendments to improve the bill, prepared with great care by the Department of Justice on the basis of its experience, were rejected; I am afraid with little consideration.

Amendments prepared by others were accepted, with what must seem again all too little consideration.

Public utilities and shipbuilding are given special tax concessions denied to the public at large, the ordinary consumer, and all other industry. There is so much overeagerness to accommodate such special interests, who are so forcefully represented here at Harrisburg, that the exemptions rendered are much broader than even their strongest champions could have hoped to get.

For instance, in the exemption granted to public utitlities, it was possibly intended to clarify the definition as to what is public utility real estate and what is not. Instead, the exemption written into the bill exempts not only all improvements to public utility real estate from the sales tax, but goes further to exempt all equipment used by independent construction contractors who engage in substantial public utility construction work.

I am addressing my next remarks to taxpayers everywhere in this Commonwealth.

If you buy paint to paint your house, your furniture or your barn you pay the tax.

But if you are a utility and you buy paint for your real estate you DON'T pay the tax.

If you're a small business man and you buy a truck to use in your business you pay the tax.

But if you're a big shipbuilding company and you buy a truck, you don't pay the tax.

Those are only two small obvious examples.

It's the big examples that will cause the real trouble.

No one has more strongly advocated than I have the need for making our tax system in Pennsylvania competitive with that of other states for the attraction and expansion of industry.

In too many of its features, however, House Bill No. 337 goes beyond such a praiseworthy purpose. It begins to smack of greed and tax-dodging. Nothing could be more harmful to the cause of genuine reform and improvement in our tax structure.

In my budget message I said that I will approve any tax program which this General Assembly enacts which "will support the services to which the State is committed, be fair in its application to the people of this State, contain a basic measure of adjustment to the inflationary economy in which we live, and be stimulating to the economic development of Pennsylvania." Clearly House Bill No. 337 fails to meet at least one of these tests. It is not "fair in its application to the people of this State." A selected few enjoy special tax advantage; while millions of our housewives and working men and women feel its full impact.

I recognize that the prerogative of choosing what shall be taxed and what shall be exempt is the Legislature's, so long as it observes the uniformity clause of our Constitution. I may think you are in error, and I may say so, but you have the undoubted right to set the objects of taxation.

But the General Assembly has no right, and I am sure that you cannot truly intend, to enact an unworkable and unenforceable bill.

House Bill No. 337 contains many new restrictive and crippling provisions in its enforcement sections. Many new technical defenses and impediments to enforcement are provided. House Bill No. 337 is a tax attorney's dream, and a tax collector's nightmare.

This failure to provide the proper means of enforcement is exemplified by the provisions in House Bill No. 337 as to the notice of reassessment, the reduction in penalties, and the removal of the requirement of a reassessment bond.

Normal tax practice in other states permits the state to require a taxpayer to post bond before he petitions for a reassessment of his tax. Normally, also, such bond is set at twice the amount of the state's claim. Under the existing sales tax practice, the Department of Revenue has, perhaps too generously, required a bond of only 10 per cent more than the claim. House Bill No. 337 eliminates the bond altogether, leaving the state naked to complete loss should the petitioning taxpayer fail in business during the long period of dispute and litigation.

At best, a sales tax is difficult to assess and to collect.

House Bill No. 337 makes it still more difficult because, contrary to the practice in almost every other state, it removes all penalties for an understatement of the amount due except where the state can show negligence or deliberate disregard.

House Bill No. 337, to give it its due, attempts a useful reform in tax procedures by providing a statutory method for testing the validity of a particular attempt to impose a tax. Unfortunately, the method selected in House Bill No. 337 is completely unworkable, placing an impossible burden on the Board of Finance and Revenue which, under the bill, receives the initial petition for refund.

House Bill No. 337 completely fails to recognize and cure many difficulties now existing in the present sales tax legislation. The Administration is naturally anxious to simplify and make explicit the existing law; sadly enough, House Bill No. 337 injects new confusion and ambiguities almost without limit.

I am quite sure that this was not done with malice.

I am afraid that it was done without sufficient thought and without sufficient tax and legal craftsmanship.

And I am entirely certain that House Bill No. 337 will diminish, not increase, the yield from the sales tax which we are so painfully building up.

It will divert millions of dollars from the State Treasury.

Today, I come to you to appeal to your sober second thought, to your good sence, to your belief in this Commonwealth and your desire to serve it. I ask you to set aside your pride of authorship in this House Bill No. 337, as you have asked me to set aside my fundamental beliefs as to the proper incidence of taxation in Pennsylvania.

I have the same feeling today, in spite of many things that have been said in the Assembly, that I had in January—that we must submerge our party feelings in the interest of the Commonwealth if this session is to serve our people well.

I ask you, therefore, most respectfully to recall House Bill No. 337 from my desk, to consider its shortcomings, amend them, and write an honorable and workable tax bill that will raise its due portion of the revenue that this Legislature will appropriate for the use of our people.

GEORGE M. LEADER.

The PRESIDENT pro tempore. This address of the governor will be printed in the Legislative Journal. Copies of the same are on the Members' desks.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 29, 36, 100 and 122

MARCH 26, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 29, Printer's No. 67, entitled "An Act amending the act of May 9, 1949 (P. L. 908) entitled 'An act relating to public records of political subdivisions other than cities and counties of the first class authorizing the recording and copying of documents plats papers and instruments of writing by photostatic photographic microfilm or other mechanical process and the admissibility thereof and enlargements thereof in evidence providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless and providing for the services of the Department of Property and Supplies to political subdivisions' authorizing county controllers to destroy or dispose of certain records and papers."

GEORGE M. LEADER.

MARCH 26, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 36, Printer's No. 66, entitled "An Act amending the act of May 21, 1943 (P. L. 571) entitled as amended 'An act relating to assessment for taxation in counties of the four fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and counties institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment' providing for and regulating appeals from valuations and assessments of real property made by any county the first year the new assessment system is in effect and validating appeals heretofore heard."

GEORGE M. LEADER.

MARCH 26, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 100, Printer's No. 73, entitled "An act amending the act of May 9, 1949 (P. L. 908) entitled 'An act relating to public records of political subdivisions other than cities and counties of the first class authorizing the recording and copying of documents plats papers and instruments of writing by photostatic photographic microfilm or other mechanical process and the admissibility thereof and enlargements thereof in evidence providing for the storage of duplicates and sale of microfilm copies of official records and for the destruction of other records deemed valueless and providing for the services of the Department of Property and Supplies to political subdivisions' authorizing county commissioners to destroy or dispose of certain records and papers."

GEORGE M. LEADER.

MARCH 26, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 122, Printer's No. 65, entitled "An Act amending the act of May 4, 1927 (P. L. 519) entitled 'An act concerning borough and revising amending and consolidating the law relating to boroughs' permitting borough council to hold its organization meeting on first day after a holiday."

GEORGE M. LEADER.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 32, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," authorizing unnaturalized foreign-born residents to own or possess dogs.

House Bill No. 250, entitled:

An Act amending the act of May 2, 1925 (P. L. 448)

entitled "The Fish Law of 1925," excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsmen's show.

House Bill No. 332, entitled:

An Act amending the act of June 14, 1935 (P. L. 341) entitled as amended "Cigarette Tax Act" extending the provisions imposing an additional tax for a further limited period of time.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

GENERAL COMMUNICATION

REPORT OF THE COMMISSION ON GOVERNMENTAL REORGANIZATION, DEALING WITH PUBLIC HEALTH

The PRESIDENT pro tempore laid before the Senate the following communication, which was read by the Clerk as follows:

27 March 1957

To The Honorable
The President of the Senate
and Speaker of the House of
Representatives:

Gentlemen:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Public Health.

Respectfully,

/s/ A. J. Drexel Biddle, Jr.
A. J. DREXEL BIDDLE, JR.
Major General
Chairman
Governmental Reorganization Commission

encl.

The PRESIDENT pro tempore. This communication will be noted in the Legislative Journal, and the Report will be printed in the Appendix.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Allegheny, Mr. Fleming, to the rostrum to preside.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

REPORT FROM COMMITTEE

Mr. VAN SANT, from the Committee on State Government, re-reported as amended, Senate Bill No. 11, entitled:

An Act relating to and regulating atomic development activities within the Commonwealth providing for the appointment of a Coordinator of Atomic Development Activities and fixing his duties and salary and requiring certain departments and agencies to make continuing studies and recommendations relative to atomic industrial development.

BILLS INTRODUCED AND REFERRED

Messrs. MURRAY, McMENAMIN and DENT read in place and presented to the Chair, Senate Bill No. 488, entitled:

An Act relating to motion picture films, reels or stereopticon views or slides; providing a system of listing the first showing of each film, reel or view; and a system of registration of exhibitors, sellers, lessors and users of films, reels or views; disapproval of films, reels or views which are obscene or incite to crime, and of the banners, posters and other like advertising matter used in connection therewith; imposing powers and duties upon the Pennsylvania State Board of Censors; and providing penalties for the violation of this act.

Which was committed to the Committee on Law and Order.

Mr. McGINNIS read in his place and presented to the Chair Senate Bill No. 489, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," changing the tax levy provisions in school districts of the first class and first class A.

Which was committed to the Committee on Education.

THIRD READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 70, Printers' No. 84;
Senate Bill No. 71, Printer's No. 85;
Senate Bill No. 97, Printer's No. 92; and
Senate Bill No. 157, Printer's No. 56.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 257, entitled:

An Act amending the act of May 3, 1909 (P. L. 408) entitled as amended "An act authorizing the merger or consolidation of certain corporations" providing for the merger of a domestic corporation into a foreign corporation and for the merger into a holding company of a subsidiary corporation incorporated under or subject to the Business Corporation Law and eliminating any requirement of stockholder approval and any right of objecting stockholders to payment for their stock if the holding company is the owner of all the outstanding stock of the subsidiary corporation.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Harney,	McMenamin,	Van Sant,
Berger,	Hays,	Mullin,	Wade,
Blass,	Kalman,	Murray,	Wagner,
Camiel,	Kessler,	Pechan,	Walker,
Chapman,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Kromer,	Ruth,	Watson,
Derk,	Lane,	Sarraf,	Weiner,
DiSilvestro,	Madigan,	Scott,	Whalley,
Donolow,	Mahany,	Silvert,	Wolfe,
Ehrgood,	Mallery,	Stevenson,	Yosko,
Elliott,	McCreesh,	Stiefel,	Fleming,
Flack,	McGinnis,	Taylor,	Presiding Officer

NAYS—2

Schmidt, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 258, entitled:

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" permitting corporate affidavits to be made by persons duly authorized by a board of directors and excluding certain days from the computation of certain tax periods.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Harney,	Mullin,	Van Sant,
Berger,	Kalman,	Murray,	Wade,
Blass,	Kessler,	Pechan,	Wagner,
Camiel,	Kopriver, Jr.,	Propert,	Walker,
Chapman,	Kromer,	Ruth,	Watkins,
Dent,	Lane,	Sarraf,	Watson,
Derk,	Madigan,	Schmidt,	Weiner,
DiSilvestro,	Mahany,	Scott,	Whalley,
Donolow,	Mallery,	Silvert,	Wolfe,
Ehrgood,	McCreesh,	Stevenson,	Yosko,
Elliott,	McGinnis,	Stiefel,	Fleming,
Flack,	McMenamin,	Taylor,	Presiding Officer

NAYS—2

Hays, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 327, entitled:

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Hays,	Mullin,	Van Sant,
Berger,	Kalman,	Murray,	Wade,
Blass,	Kessler,	Pechan,	Wagner,
Camiel,	Kopriver, Jr.,	Propert,	Walker,
Chapman,	Kromer,	Ruth,	Watkins,
Dent,	Lane,	Sarraf,	Watson,
Derk,	Madigan,	Scott,	Weiner,
DiSilvestro,	Mahany,	Seyler,	Whalley,
Donolow,	Mallery,	Silvert,	Wolfe,
Ehrgood,	McCreesh,	Stevenson,	Yosko,
Elliott,	McGinnis,	Stiefel,	Fleming,
Flack,	McMenamin,	Taylor,	Presiding Officer
Harney,			

NAYS—1

Schmidt,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 479, entitled:

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. YOSKO. Mr. President, before presenting an amendment to this bill, I desire to make a brief statement in support of it.

Mr. President, if you will take a look at the budget as submitted by the Governor, under the title "Deficiency Appropriations," you will find that $1,600,000 was requested to take care of cases involving occupational diseases.

I understand that subsequently the Committee on Labor and Industry held a hearing, if I am correct, with the officials from the Department of Labor and Industry for the purpose of having the Department justify the request. I am informed by Senator Berger that the officials of the Department said that they could get along with $1,100,000. I am assuming the appropriation, as originally submitted, was amended to decrease the sum from $1,600,000 to $1,100,000. However, after the hearing was conducted by the Committee on Labor and Industry, I attended a budget hearing which was held by the Joint Committee on Appropriations.

The Department of Labor and Industry appeared before that committee. Senator Propert and Senator Stevenson attended that meeting, as I recall, and we went into the matter of this deficiency appropriation at some length. It appeared to me that the officials from the Department were convincing enough to compel me to prepare the amendment that I am going to submit today to put the appropriation back to $1,600,000.

They tell me that the cases that have already been audited and are ready for payment will require the total amount requested. However, they also told us at this committee hearing that there were about 1,600 cases which developed during this biennium that will have to be financed as soon as they are ready for final disposition. That will require an aditional sum of money.

In a talk with Senator Berger the other day on the subject, I told him that I was going to contact the Department of Labor and Industry relative to the discrepancy between what they apparently told his committee and what they said at the Appropriations Committee meeting. While talking to the officials on the telephone, I was again told that the Department would require the full sum of $1,600,000. I then asked them to send me a letter to that effect, which I will be pleased to read.

The letter is dated March 20, 1957, and it is from

William L. Batt, Jr., Secretary of Labor and Industry. The letter reads as follows:

"Dear Senator Yosko:

"I earnestly request that H-479, the deficiency appropriation bill for the Occupational Disease Fund, be amended from $1,100,000 to $1,600,000.

"The request of the Department of Labor and Industry for $1,600,000 deficiency appropriation for Occupational Disease claims has the effect of being mandated moneys provided for in the amendments passed by the Occupational Disease Bill in the last session of the Legislature.

"When the budget figures for the current biennium were arrived at, it was almost impossible to determine, in advance, the amount of money which would be needed for these claims, since there was no accurate barometer for determining how many cases there would be. At the present time there are 3,350 active cases on the pay rolls, 703 cases fully processed on which no payments have been made, and 1,600 petitions pending.

"These occupational disease claims are claims of individuals who are totally disabled as a result of silicosis and other occupational diseases. As a result of the passage of the amended legislation in the last session of the Legislature, the Legislature undertook this obligation to these people. The following is the information regarding the present status of the Occupational Disease Fund:

"Appropriation 1955-57, $7,000,000; Deficiency Appropriation 1955-57, $1,600,000; Total Funds to be Available, $8,600,000.

"Expenditures 6/1/55—2/28/57, $6,628,940; Biweekly payments for 3/19/57, $163,717; Biweekly payments for 4/2/57—5/28/57, 5 payments @ $178,017, $893,585; Initial and biweekly payments for 543 cases awarded and 160 cases awarded and in the legal department, 703 cases @ $1,300, $913,900."

That balances out the $8,600,142.

"We hope this appropriation, as passed by the House, will be amended so that the deficiency appropriation will amount to $1,600,000. There is absolutely no possibility, on the basis of the Department of Labor and Industry's estimates that $1,100,000 will be sufficient to complete the biennium on May 31, 1957.

"What we have involved in this deficiency appropriation is the promise of the Legislature that silicosis and other occupational diseases will be taken care of. If this appropriation is cut to $1,100,000, the claimants can conceivably have a long period of waiting for their compensation to be paid, and, because these are 100 per cent disability cases, we may be depriving them of the very basic needs for existence."

That is the end of the letter from the Department of Labor and Industry.

Mr. President, I do not believe that any of us in this Senate or in the House want those who are entitled to be compensated because of occupational diseases to be forced to unduly wait for their money. I think, in accordance with the mandate of the law, we should provide the funds to finance the applications which are on file.

Mr. President, I now ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend House Bill No. 479, Printer's No. 92, Section 1, Line 1 by striking out after the word million the word: "One" and inserting in lieu thereof the word: "Six."

On the question,

Will the Senate agree to the amendment?

MOTION TO ADOPT AMENDMENT

Mr. YOSKO. Mr. President, I move that the Senate adopt the amendment just read by the Clerk.

Mr. RUTH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, this matter is simply one of degree, I believe.

Senator Yosko misunderstood me when I told him that the meeting at which this subject was under discussion was at the deficiency appropriation hearing of the Department of Labor and Industry. It was not at a meeting of the Committee on Labor and Industry.

Now at that time, the Acting Secretary of Labor and Industry had made application for a $1,600,000 deficiency appropriation for the purpose of paying these occupational disease claims. However, it developed in the discussion at the hearing that the process claims and the number of claims which reasonably might be expected to be processed between now and the end of the biennium would require a deficiency appropriation of $1,100,000.

Mr. President, we do not want to shortchange this fund in any way, but this was at the hearing on the application for the deficiency and that was the figure that was developed. I think it probably is a correct figure. The meeting at which Senator Yosko was present, I believe, was the regular appropriation hearing for the department, at which the entire appropriation was discussed and this matter came up collaterally.

The hearing, where the figure of $1,100,000 was determined, was upon this particular bill in which they requested $1,600,000 but at which hearing it was determined that $1,100,000 would very likely be ample to take care of these claims which are already in process and also those which probably would be processed between now and the end of the biennium.

Therefore, Mr. President, I do not believe that the extra $500,000 called for in this amendment is necessary for this purpose.

Mr. YOSKO. Mr. President, I was not mistaken, and I am sorry I did not make myself clear. When I talked about the meeting that Senator Berger had with the Department of Labor and Industry, I was referring to the meeting that was held solely on the deficiency appropriation request. The meeting that I attended was the regular budget hearing held by the Joint Appropriations Committee and, as I said before, Senator Propert was there and Senator Stevenson was there. I am sure they will recall that the representatives of the Department of Labor and Industry said that they would require the full $1,600,000 to be able to take care of the claims that were processed and that would be processed and ready for payment between now and the end of this biennium.

If there was any conflicting testimony—and believe me when I say I do not want to see the Department get any more than they are entitled to or than they can use—on what was said at the meeting with Senator Berger and the Appropriations Committee, I would certainly be willing to have this bill go over until we can review the

testimony that was given at the budget hearing or call in the officials of the Department of Labor and Industry once more and get their real views on the situation as it exists today and will exist at the end of this biennium. I suggest that for the same reasons I gave before. There are claims already filed. The people that filed the claims are entitled to the money, if the claims are approved, under laws passed by this Legislature. If the Department does not have the money, it will mean that these poor unfortunates will not be able to be paid on time and, subsequently, will have to suffer by a delay in the payments.

Mr. BERGER. Mr. President, I do not think this bill ought to go over. I think it ought to be passed. If there are some of these payments that are being held up because of the lack of funds in this particular area and this $1,100,000 will enable payments to be made, then I think they ought to have the money.

If there is any variance in the testimony of the two hearings, we can pick up the $500,000, if needed, by a later deficiency. I understand that it is not needed, however, because the Department, on February 27, had a balance in cash of $371,000, and they show that their needed amounts will be about $1,471,000 and with this deficiency appropriation of $1,100,000, it will enable them to take care of the claims that they have already processed and they ought to be taken care of.

Mr. YOSKO. Do I understand from you, Senator Berger, that we should go ahead and approve this $1,100,000 and if, between now and May 31 or between now and the time this Legislature is ready to adjourn, the Department of Labor and Industry can prove that it needs additional money to pay claims that have been processed and are ready for payment, a supplemental deficiency appropriation bill will be prepared to take care of the difference between the $1,100,000 and whatever the needs are?

Mr. BERGER. Mr. President, yes, that is exactly my position. I mean it is just a matter of paying these proper claims, and if they need this money now, as I understand they do and are anxious to have this bill passed, and if there is an actual need for additional moneys shown, certainly we will put in another bill for the additional $500,000.

Mr. YOSKO. My only interest, Mr. President, and I am sure the only interest of everybody here, is seeing that there is sufficient money provided to take care of the claims that originated during this biennium and are payable during this biennium. If Senator Berger agrees to that, that is agreeable to me.

AMENDMENT WITHDRAWN

The PRESIDING OFFICER. Would Senator Yosko withdraw his amendment at this time or does he want it voted on?

Mr. YOSKO. Yes, I will withdraw the amendment, Mr. President.

The PRESIDING OFFICER. Senator Yosko withdraws his amendment to House Bill No. 479.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

SENATORS

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORTS FROM COMMITTEE

Mr. KESSLER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KESSLER, from the Committee on Education, reported as committed, Senate Bill No. 145, entitled:

An Act amending the act of June 19, 1931 (P. L. 589) entitled as amended "Barbers License Law," changing the required number of hours for schools of barbering.

He also, from the Committee on Education, reported as committed, Senate Bill No. 164, entitled:

An Act to further amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," further providing for sabbatical leaves of absence and harmonizing the language of existing amendments.

He also, from the Committee on Education, reported as committed, Senate Bill No. 246, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing for records, compensation of teachers, penalties for failure to attend and audits and reports where in-service education programs replace teachers' meetings; and imposing the expenses thereof on counties.

SENATE CONCURRENT RESOLUTION, SERIAL No. 112, REPORTED FROM COMMITTEE AND LAID ON THE TABLE

Mr. KESSLER, from the Committee on Education, to which was referred resolution offered by Messrs. Harney and Madigan on March 11, 1957, reported the same without amendment as follows:

JOINT COMMITTEE TO STUDY CONSTRUCTION PROJECTS OF STATE TEACHERS COLLEGES AND RECOMMENDATIONS MADE BY OUT OF STATE CONSULTANTS

In the Senate, March 11, 1957.

Whereas, the General State Authority has adopted construction projects at several of the State Teachers Colleges of the Commonwealth, and

Whereas, the Department of Public Instruction has employed consultants from outside the Commonwealth to survey said State Teachers Colleges, and

Whereas, recommendations are being made to the Superintendent of Public Instruction which are impractical and impossible of accomplishment, and

Whereas, this has resulted in unnecessary delay in making critically needed repairs and expansions for a long period of time after money has been made available for this purpose, therefore be it

Resolved, (if the House of Representatives concur) that a committee be appointed, three by the President Pro Tempore of the Senate and three by the Speaker of the House, to make a study of this matter and report to the Legislative not later than May 1, 1957, in order that this unfortunate situation may be corrected.

Laid over for one day under the Rules.

BILL INTRODUCED AND REFERRED

Mr. HARNEY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARNEY read in place and presented to the Chair Senate Bill No. 490, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," changing a route in Chester County.

Which was committed to the Committee on Highways.

HOUSE MESSAGES

SENATE CONCURRENT RESOLUTION RETURNED WITH AMENDMENT

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Concurrent Resolution, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The Clerk read the amended resolution as follows:

TIME OF NEXT MEETING

In the Senate, March 25, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, April 1, 1957 at three o'clock, p. m., E.S.T., and when the House of Representatives adjourns this week, it reconvene Monday, April 1, 1957 at four-thirty o'clock, p. m., E.S.T.

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE CONCURRENT RESOLUTION

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to the resolution just read by the Clerk.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION, SERIAL No. 107.

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

MEMORIALIZING CONGRESS TO PROVIDE ADEQUATE SAFEGUARDS IN TARRIFF AND TRADE LEGISLATION

In the Senate, February 11, 1957.

The increased importation of numerous products that come into competition with the output of factories, farms and mines of Pennsylvania, replacing the products of Pennsylvanias' industries, is a constant menace to the State's continuing economic stability.

The lower wages paid abroad make it impossible for many of our smaller and medium-sized producers to compete with imports without resorting to ruinous price cutting, which in turn would result either in financial losses or heavy pressure for wage reductions and outright unemployment.

Our National obligations have reached such extreme proportions that the National income must be maintained at its present unprecedented high level, or close thereto, lest we become insolvent.

Unemployment caused by the imports of residual oil, which represented 3.43 times the average of 45 million barrels imported in 1946, approximately 154 million barrels in 1956, or the yearly equivalent of 36,640,000 tons of coal; and unemployment caused by imports of crude oil; various types of glass, steel, aluminum, brass and zinc products; pottery and chinaware; granite, tiles, cement, hardboard, plywood, hardware, plumbing, flat glass and other building supplies, lace, carpets and all kinds of woolens, cotton and synthetic fibre manufactured goods; leather and fabric gloves; bicycles; hydraulic turbines; machine tools and other machinery; heavy electrical equipment and other electrical industry products and electronics; watches, clocks and parts; optical industry products; cutlery; scientific apparatus; pencils and pens; pins, clips and fasteners; soft fibre; insulation board and manufactured cork products; chemicals; toys; mushrooms; farm, dairy and dried milk products. wallpaper, hats and millinery, printing industry products; ladies hand bags and leather goods; nails, wire, screws, bolt and nuts and many other commodities; will render the upholding of the economy at its high levels most uncertain and difficult unless all import trade is placed on a fair competitive basis and the potential injury therefrom thus eliminated.

Agricultural products such as wheat, wheat flour, cotton, butter, cheese and peanuts enjoy the protection of import quotas.

A maximum of satisfactory trade results from a prosperous domestic economy freed from the threat of a breakdown resulting from unfair import competition; therefore be it

Resolved (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to provide adequate safeguards in tariff and trade legislation, including import quotas and an effective prohibition against dumping of imports in the United States; against the destruction or lowering of our American standard of living, the labor standard of our workmen, and the stabliity of our economy by unfair import competition and that the existing trade agreements legislation be amended accordingly; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the Speaker of the House of Representatives and each Senator and Representative from Pennsylvania in the Congress of the United States.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 262, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for attendance of school directors at National School Boards Convention.

Which was committed to the Committee on Education.

House Bill No. 269, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) further providing for the employment of a certified public accountant the duties of the township auditors and further regulating appropriations.

Which was committed to the Committee on Local Government.

House Bill No. 391, entitled:

An Act amending the act of July 11, 1917 (P. L. 802) entitled "An act authorizing county commissioners to repay moneys collected or forfeited recognizances in certain cases" providing for the return of forfeited recognizances upon application therefor .

Which was committed to the Committee on Local Government.

House Bill No. 400, entitled:

An Act amending the "Uniform Acknowledgement Act" approved July 24, 1941 (P. L. 490) deleting the reference to "Philippine Islands" the reference to "homestead" and the requirement that certain asknowledgements taken without the State be authenticated.

Which was committed to the Committee on Judiciary General.

House Bill No. 402, entitled:

An Act amending the act of December 14, 1854 (1855 P. L. 724) entitled "An act relating to the authentication of Letters of Attorney Protests of Notaries Public * * *" authorizing deeds executed and acknowledged out of State to be recorded.

Which was committed to the Committee on Judiciary General.

House Bill No. 403, entitled:

An Act to validate certain acknowledgements and to regulate the effect thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 579, entitled:

An Act requiring the Pennsylvania Turnpike Commission to change the names of certain interchanges on the Pennsylvania Turnpike.

Which was committed to the Committee on Highways.

House Bill No. 738, entitled:

An Act repealing the act of May 1, 1907 (P. L. 147) entitled "An act to require corporations owning leasing or operating steam or electric railways and engaged in the business of carrying freight or passengers within this State to report to the Secretary of Internal Affairs the number of statute miles of lines so opearted * * *"

Which was committed to the Committee on Corporations.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 33, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" authorizing certain political subdivisions to borrow money for improvements and equipment without the issuance of bonds.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 66, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire land on which is located the Old Bradford House in the City of Washington Washington County providing for its repair authorizing the conveyance thereof to the Washington County Historical Society and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 66, the bill just read, be re-referred to the Committee on Appropriations.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 68, Printer's No. 83; and

Senate Bill No. 69, Printer's No. 88.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 94, entitled:

An Act amending the act of June 6, 1907 (P. L. 417) entitled "An act to authorize all State hospitals for injured persons and all hospitals for the care and treatment of the insane in whole or in part maintained by State aid to acquire lands for hospital purposes . . ." extending the act to all hospitals in whole or in part maintained by State aid.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 98, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" permitting the prothonotary to appoint a solicitor and prescribing a means for paying the cost of prothonotary's litigation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 125, entitled:

An Act requiring the determination of value of property taken and amount allowed for delay in payment as separate items an eminent domain proceedings.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 146, entitled:

An Act amending the act of June 12, 1931 (P. L. 512) entitled "Industrial Farms and Workhouses Law" permitting any county to commit inmates to any industrial farm and workhouse in the Commonwealth and providing for payment of their upkeep.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 165, entitled:

An Act amending the act of May 17, 1929 (P. L. 1798) entitled "Law Fixing Annual Charge on Forest Lands" fixing the time of payment of the charges.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 204, Printer's No. 135;

House Bill No. 205, Printer's No. 104; and

Senate Bill No. 265, Printer's No. 96.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 266, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" permitting city council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 279 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, I would like to call to the attention of the Majority Leader, the Minority Leader, the President pro tempore of the Senate and any other Members of the Rules Committee within my hearing, that the working out of the rule which said we should not reprint bills unless there was some amendment seems to me to have merit and seems to be working out all right except in one particular, and that is that we do not have on the desks of the Members a copy of those bills which come from committee and which are not reprinted.

Now I realize that up here in the front corners of this Chamber someone has thoughtfully provided for that. However, Mr. President, I would maintain that as I am at my desk, particularly when we are going through the calendar, I have frequently in the course of the last several weeks had need to look at a bill which was on the calendar and not reprinted and, therefore was in the pink and I could not do it.

I would like to make the following suggestion for the consideration of the Rules Committee. I would like to suggest that if one more of these binders can be secured for each Member, not necessarily ones with our names on or fancy, but that we have one of those for the pink bills and that the staff be instructed to put them in in the order of the numbers of the bills. In this way, each Member would have on his desk all bills under consideration at all times.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, each Senator receives the pink bills that are on the calendar and they are delivered to the respective Caucuses. I understand that the Senator could be supplied with one of those packages each day which contain all the bills that we are discussing on the calendar.

It would take a considerable amount of time and help here for us to put these pink bills in their proper numerical order in a binder. Consequently I would suggest that the Senator, while he is listening to Senator Dent and myself and others, busy himself putting his bills in the binder if he wants to do that. That will keep us all busy then.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, I have no desire to go into a long discussion on this, but I would demur from what the gentleman says on two counts.

First of all, we also get copies of the white bills in Caucus. However, we do have a file of them on our desks

also. That has been the procedure from time immemorial in the Senate. We have had them available here in a file so that if they are not brought up from Caucus or if the Member is unfortunate and not able to atend the Caucus, we do have the bills placed here.

Now we have not had a Caucus, I would remind the gentleman, on House Bill No. 279 or on many of the other bills on this present calendar. We have not had such a Caucus, Senator Mahany, and we do not have copies of this bill. I am unable to see what this bill says unless I take a trip up to the front of this Chamber and pick up the pink copy. If I do that, by the time I get back to my desk you are on the next bill. Therefore, I miss having the opportunity to look the bill over before passage.

I do not think what I am asking for is unreasonable. It would not take the staff any more time to put the pink bills in this folder than it used to take them to put the white bills, which were reprinted, in this folder. It would be precisely the same amount of work. If you can just supply us with one of these folders for this purpose, it will not take your staff any more time to put them in.

I am serious because I have always maintained that a Member who comes up to Harrisburg or maybe it is down in your case, Senator, who desires to do a good, a conscientious job and keep abreast of what is going on and read the bills, should have the facilities for doing it. To the extent that that has been limited by the passing of this new rule, I think we should do something about it.

I do not object to the rule. I think the saving of money is desirable, provided it does not handicap the Members in doing a conscientious job for their constituents of the Commonwealth.

Therefore, I would ask the gentleman to reconsider and use his undoubtedly magnificent influence with the Rules Committee to help effect this reform for the benefit of us poor individual Members.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I certainly will be glad to discuss this with the Rules Committee. I do differ with the Senator, Senator Seyler, when he says it would not take any longer to put the pink bills in than it does to put the white bills in the respective binders.

First, when the white bills are printed, they come out with printer's numbers which then follow numerically as each bill is printed, and the staff is able to put those white bills in according to the printer's numbers at the end of the bills that are already in the binder. If they tried to put the pink bills in in numerical order, they would have to rip the whole thing apart each day so that they might be able to put those pink bills in in their proper numerical order. That is the reason, Senator, that the House did not adopt our policy. They found that they did not have enough staff over there to rip apart all of the bills in the binder so that they might put these pink bills in in numerical order.

We will try to work out something though, Senator, so that you will be apprised of the contents of the bills as we act upon them.

The reason that we are moving these bills up today, before we have had any discussion of them in Caucus, is because Senator Dent and I had an understanding that we will have Caucus action or we will discuss them in our respective Caucuses before we act upon them finally on Monday. At that time on Monday, first, if there are any amendments which anyone has to offer, they may offer them on third reading and, secondly, if on Monday they have not had an opportunity at that time of studying the bill, the bill will then be passed over in order until Tuesday. When Tuesday comes if they still have not had time, then we will pass it over until Wednesday and so on, until such time as every Senator has had sufficient opportunity to study the contents of each bill on which he is called upon to vote.

Mr. SEYLER. Thank you.

BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that Senate Bill No. 292 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 299, entitled:

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law" revising basic facts and policy changing definition of "redeveloper" and redevelopment" further defining the powers of an Authority and extending and changing redevelopment proposal requirements

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 316 (Pink); and

Senate Bill No. 317 (Pink).

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 318, entitled:

An Act amending the act of June 24 1931 (P. L. 1206) entitled "The First Class Township Code" requiring entrance of bond in appeals from board of adjustment rulings affecting zoning regulations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent

that Senate Bill No. 319 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 321, entitled:

An Act amending the act of August 22, 1953 (P. L. 1344) entitled "The Marriage Law" further regulating the issuance of marriage licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 326, entitled:

An Act providing for the creation and incorporation as bodies corporate and politic of joint service districts by counties cities of the third class boroughs towns and townships to perform certain functions prescribing the powers and duties of such joint service districts and the duties of participating counties cities boroughs towns and townships and conferring jurisdiction on courts of quarter sessions in connection therewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 326, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 331, entitled:

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1335) entitled "The Pennsylvania Hospital Survey and Construction Act" by requiring that non-Federal funds be available before application shall be made for hospital construction projects to be owned or operated by the State.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 379, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding a new route in Jefferson County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 385, entitled:

An Act amending the act of April 8, 1925 (P. L. 191) entitled "An act establishing certain public roads as State highways . . ." changing a route in Lancaster County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 386, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" changing a route in Chester County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 395, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding a new route in Luzerne County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 396, entitled:

An Act amending the act of June 22, 1931 (P. L. 720) entitled "City State Highway Law" adding routes in Luzerne County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 423, entitled:

An Act amending the act of May 1, 1933 (P. L. 216) entitled "The Dental Law" regulating the use of dental technician services by dentists imposing duties on dentists and dental technicians and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 425, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" providing for the waiver of notice in certain cases when two political subdivisions impose the same tax on the same person subject business transaction or privilege.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 458, entitled:

An Act validating the assessment rolls of counties from the fourth to eighth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 521, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" further regulating ordinances opening changing or vacating roads and highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 564, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" providing penalties for violation of rules governing State Parks State Forest Picnic Areas State Forest Monuments and State Historical Parks.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 734, entitled:

A Supplement to the act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" regulating expenditures and commitments by administrative bodies boards and commissions from the General Fund during a portion of each biennium.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

FIRST READING CALENDAR

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 206 ,entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," increasing the sum of money county commissioners may pay to the county historical society.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 145, entitled:

An Act amending the act of June 19, 1931 (P. L. 589) entitled as amended "Barbers License Law," changing the required number of hours for schools of barbering.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 164, entitled:

An Act to further amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," further providing for sabbatical leaves of absence and harmonizing the language of existing amendments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 246, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for records, compensation of teachers, penalties for failure to attend and audits and reports where in-service education programs replace teachers' meetings; and imposing the expenses thereof on counites.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

Mr. MAHANY. Mr. President, I ask unanimous consent to introduce a bill at this time .

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. MAHANY and DENT read in place and presented to the Chair Senate Bill No. 491, entitled:

An Act amending the act of July 21, 1941 (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, regulating the amount, payment and taxation as costs thereof, and repealing inconsistent legislation," providing for the compensation of witnesses subpoenaed by defense counsel.

Which was committed to the Committee on Judiciary General.

Mr. DENT. Mr. President, I ask unanimous consent to introduce a bill at this time .

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. DENT, MAHANY and PECHAN read in place and presented to the Chair Senate Bill No. 492, entitled:

An Act amending the act of April 6, 1951 (P. L. 69) entitled "The Landlord and Tenant Act of 1951," exempting additional property from execution by landlord for nonpayment of rent.

Which was committed to the Committee on Judiciary General.

LEGISLATIVE SCHEDULE

Mr. MAHANY. Mr. President, in order for the Members of the Senate to plan their week for next week, I would like to announce that we plan to have a four day Session next week. I would like to have all Senate Committees meet on Tuesday and Wednesday of next week to clear their desks of all bills which have been referred to them.

We also plan to have a vacation the week preceding Easter. If you folks want to make some plans to go somewhere that week, I think you can be free to make your plans.

Also, on the Monday after Easter, we plan not to come in on that day, but we will convene on the Tuesday after Easter Sunday.

In order for us to make further plans, I wish to also announce that on May 6, the Knights of Columbus are planning to have a convention in Harrisburg and they need hotel space on that evening. Therefore, regarding the week of May 6, we will not come in on Monday, but will come in on Tuesday. We will notify the hotels that they may have the hotel space for Monday and Monday night for the benefit of the members of the Knights of Columbus.

I would suggest that the Secretary enter these announcements in his bulletin to the Members, so that those who do not happen to be present in their seats at the present time may have notice of it.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, April 1, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:09 o'clock, p. m., Eastern Standard Time, until Monday, April 1, 1957, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 27, 1957.

The House met at 10:00 a. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend John F. Moore, Pastor of the Furnace Run Chapel, Kittanning, Armstrong County guest Chaplain and guest of the gentleman from Armstrong, Mr. Guthrie, offered the following prayer:

Our Father in Heaven, we recognize this as the day Thou hast made, in which we will rejoice and be glad. We approach or Lord as a prayer hearing and a prayer answering God. Thou dost never weary of our coming. Our faith and confidence in Thee is expressed in the words of an inspired poet:

"If radio's slim fingers can pluck a melody
From night and toss it over continent and sea;
If petaled white notes of a violin
Are blown across the mountains or city's din;
If song like crimson roses are culled from thin blue air,
Why should mortals wonder if God hears and answers PRAYER."

We do not wonder, oh Lord for we live in America, and in Pennsylvania where their God is the Lord. We are appreciative indeed for what Thou hast done for us both Spiritually and materially. For the blessings of the yesterdays; for today, and we are equally confident of tomorrow.

We pray that guidance will be given every one in this legislative hall as they make important decisions today; that the deliberations of the hour may have the smile and approval of Heaven.

Our Father in Heaven we realize how important are the decisions made here to the men and women, boys and girls of Pennsylvania; how they effect not only the great cities but the most remote hamlet and home. Human wisdom will fail us. We need Divine instruction. Thou hast never left us in darkness from the dawn of Creation until now.

We can say great is Thy faithfulness! Morning by morning new mercies I see; All I have needed Thy hand hath provided. Great is thy faithfulness, oh Lord to us.

May the Love of God our Father; the grace of the Lord Jesus Christ; the fellowship of His Spirit be with us now and for ever more. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, March 18, 1957 If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, March 26, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. JENKINS and DEVLIN.

HOUSE BILL No. 957.

An Act amending the "'Commodities Weight and Measure Law," approved July 24, 1913 (P. L. 965) regulating the transportation, sale and delivery of top soil.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. WARGO and STONER.

HOUSE BILL No. 958.

An Act authorizing the Department of Property and Supplies to sell and convey two tracts of land consisting of 60.755 acres and 16.394 acres, respectively, situate in the Township of Penn, County of Cumberland, Commonwealth of Pennsylvania, with the approval of the Governor.

Referred to the Committe on State Government.

By Messrs. MOODY, WHITTAKER, DOUGHERTY and McGEE. HOUSE BILL No. 959.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the registration and licensure of applicants for professions, trades and occupations for which registration or licenses are required.

Referred to the Committee on Professional Licensure.

By Mr. MOODY. HOUSE BILL No. 960.

An Act amending the act of May 21, 1943 (P. L. 349), entitled "An act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; * * *," further providing for refunds of certain taxes, license fees, penalties, fines and moneys by political subdivisions and providing procedure for obtaining such refunds.

Referred to the Committee on Municipal Corporations.

By Mr. LIPPINCOTT. HOUSE BILL No. 961.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), changing the period for which vacancies in election boards are filled.

Referred to the Committee on Elections and Apportionment.

By Mr. McCORMACK. HOUSE BILL No. 962.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), giving the board discretionary powers to refuse licenses in certain cases.

Referred to the Committe on Liquor Control.

By Messrs. YATRON and ZIMMERMAN.

HOUSE BILL No. 963.

An Act amending "The County Code," approved Aug. 9, 1955 (P. L. 323) clarifying the duties of the district attorney.

Referred to the Committee on Judiciary.

By Messrs. GOLDSTEIN and AGNEW.

HOUSE BILL No. 964.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), changing limitations upon granting, renewal and transfer of distributor's and importing distributor's licenses.

Referred to the Committee on Liquor Control.

By Mrs. VARALLO and Mr. JOHNSTON.

HOUSE BILL No. 965.

An Act reenacting and amending the "Private Trade Schools Law" approved May 2, 1945 (P. L. 401) extending its provisions to charm schools, music schools and studios and dance schools.

Referred to the Committee on Professional Licensure.

By Messrs. STRAUSSER and HOCKER.
HOUSE BILL No. 966.

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships for their road, street and bridge purposes; * * *

Referred to the Committee on Ways and Means.

By Messrs. BUCHANAN, STONER, VARNER and UJOBAI. HOUSE BILL No. 967.

An Act changing "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing names of State Teachers' Colleges.

Referred to the Committee on Education.

By Messrs. AGNEW, GOLDSTEIN, COOPER and LEONARD. HOUSE BILL No. 968.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing the county court for the County of Allegheny to appoint minute clerks.

Referred to the Committee on Judiciary.

By Mr. PETROSKY. HOUSE BILL No. 969.

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053) requiring railroads to maintain watchmen or automatic crossing signals at certain highway grade crossings.

Referred to the Committee on Public Utilities.

By Mr. PETROSKY. HOUSE BILL No. 970.

An act amending the "Municipality Authorities Act of 1945" approved May 2, 1945 (P. L. 382) requiring certain utility rates to be approved by the Pennsylvania Public Utility Commission.

Referred to the Committee on Public Utilities.

By Messrs. WILLIAMS and McCANN.
HOUSE BILL No. 971.

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911 (P. L. 756) requiring the designation of a person to act as mine foreman.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. McCANN and WILLIAMS.
HOUSE BILL No. 972.

An Act amending the act of April 14, 1903 (P. L. 180), entitled "An act to establish a Department of Mines in Pennsylvania; defining its purposes and authority; * * *," providing for reproduction of reports.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WILLIAMS and McCANN.
HOUSE BILL No. 973.

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911 (P. L. 756), providing for the recording and preservation of examinations, questions and answers and establishing a period of time during which such records must be kept.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WILLIAMS and McCANN.
HOUSE BILL No. 974.

An Act amending the act of May 31, 1923 (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, * * * in the bituminous coal mines of this Commonwealth; * * *," establishing a period of time during which certain records must be kept.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WILLIAMS and McCANN.
HOUSE BILL No. 975.

An Act requiring the operator or owner of any coal mine to notify the officials of townships, boroughs, and cities of specific and imminent danger of surface subsidence to improved lands within the township, borough and cities, and providing penalties for failure therefore.

Referred to the Committee on Mines and Mineral Industries.

By Mrs. BEATRICE Z. MILLER, Messrs. BRUCKER, CARSON and AUSTIN M. LEE. HOUSE BILL No. 976.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) enlarging the jurisdiction of magistrates in cities of the first class for violation of summary provisions of the act.

Referred to the Committee on Judiciary.

By Messrs. BREON, GOODLING, GOODRICH and BREISCH. HOUSE BILL No. 977.

An Act amending the "Fiduciaries Investment Act of 1949" approved May 26, 1949 (P. L. 1828) declaring first mortgage bonds of The Pennsylvania State University to be legal investments for fiduciaries.

Referred to the Committee on Judiciary.

By Messrs. MUSTO, REIDENBACH, WARGO and Mrs. MUNLEY. HOUSE BILL No. 978.

An Act amending the act of June 2, 1891 (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," providing for the ventilation of electrical substations.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, REIDENBACH, WARGO and Mrs. MUNLEY. HOUSE BILL No. 979.

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176) regulating blasting and providing for certain safety measures.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, WARGO and Mrs. MUNLEY.
HOUSE BILL No. 980.

An Act amending the act of July 1, 1937 (P. L. 2461), entitled "An act providing for the qualifications, examination, appointment, term of office, and removal of Anthracite Mine Inspectors; * * *" establishing a period of time during which certain records must be kept.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MUSTO, WARGO and Mrs. MUNLEY.
HOUSE BILL No. 981.

An Act amending the act of June 2, 1891 (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith, limiting the use of acetylene burners and other similar devices and imposing duties on the district mine inspector.

Referred to the Committee on Mines and Mineral Industries.

By Mr. POMEROY. HOUSE BILL No. 982.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) providing for free evening schools for the instruction of the English language to immigrants and refugees of foreign countries in certain school districts for a limited time.

Referred to the Committee on Education.

By Messrs. ISAACS, PIPER and BELL.
HOUSE BILL No. 983.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), providing for payments to magistrates for filing of abstracts or reports.

Referred to the Committee on Motor Vehicles.

By Messrs. AUSTIN M. LEE and REIDENBACH.
HOUSE BILL No. 984.

An Act providing for the relocation of certain facilities to accommodate Federal-aid highway projects; for certain powers and duties of the Secretary of Highways relating thereto; * * *.

Referred to the Committee on Public Utilities.

By Messrs. DENGLER, PIPER and WILT.
HOUSE BILL No. 985.

An Act relating to the education certification and jurisdiction of justices of the peace and aldermen; conferring powers and imposing duties on State departments, the president judge of the various courts of common pleas and county commissioners.

Referred to the Committee on Judiciary.

By Messrs. ISAACS and MOODY. HOUSE BILL No. 986.

An Act amending the act of May 19 1887 (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county," providing for payments to constables.

Referred to the Committee on Judiciary.

By Messrs. ISAACS and MOODY. HOUSE BILL No. 987.

An Act amending the act of May 11, 1874 (P. L. 132), entitled "An act relating to payment of costs in cases of felony," providing for payments to constables.

Referred to the Committee on Judiciary.

By Messrs. PIPER and BELL. HOUSE BILL No. 988.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), changing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. ROVANSEK and WILLIAMS.
HOUSE BILL No. 989.

An Act amending the "Bituminous Coal Mining Law," approved June 9, 1911 (P. L. 756) changing provisions for safety catches.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. ROVANSEK and WILLIAMS.
HOUSE BILL No. 990.

An Act amending the act of April 14, 1903 (P. L. 180) entitled "An act to establish a Department of Mines in Pennsylvania; * * *" establishing a time during which certain records must be maintained.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. BRUCKER, POMEROY and TOLL.
HOUSE BILL No. 991.

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207) providing for the revesting and reattaching of unpaid taxes and municipal claims and charges on and estates in land sold at public sale and thereafter redeemed.

Referred to the Committee on Municipal Corporations.

By Messrs. TOMPKINS and LOPRESTI.
HOUSE BILL No. 992.

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), making technical changes to clarify existing law.

Referred to the Committee on Welfare.

By Mr. DUNN. HOUSE BILL No. 993.

An Act making an appropriation to the Department of Property and Supplies for use at the Shamokin State Hospital for the construction of a wing to the present buildings and purchase of equipment, and for the payment of costs incident thereto.

Referred to the Committee on Appropriations.

By Mr. AUSTIN M. LEE and Mrs. BEATRICE Z. MILLER. HOUSE BILL No. 994.

An Act making an appropriation to the Temple University Medical School at Philadelphia, Penna.

Referred to the Committee on Appropriations.

By Messrs. SMITH, PIPER and GIBSON.
HOUSE BILL No. 995.

An Act repealing the act of May 29, 1956 (P. L. 1865) entitled "An act authorizing the Department of Property and Supplies to sell and convey 57.8 acres, more or less, of land situate in Hanover Township, Beaver County, Pennsylvania, with the approval of the Governor."

Referred to the Committee on State Government.

By Messrs. LUTY and BARTON.
HOUSE BILL No. 996.

An Act amending "The Administrative Code of 1929," approved April 9, 1929, (P. L. 177), further regulating State publications.

Referred to the Committee on State Government.

By Messrs. McGEE and KORNS.
HOUSE BILL No. 997.

An Act providing for the certification of operators in charge of water supply systems and water treatment plants; specifying the classifications of water supply systems and water treatment plants and the grades of certificates for operators thereof requiring that water purveyors employ certified operators and requiring that only certified operators may operate certain plants and systems; providing for revocation and suspension of certificates; and providing for penalties and civil relief.

Referred to the Committee on Game and Conservation.

By Messrs. TOMPKINS and DAVIS.
HOUSE BILL No. 998.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating the possession and use of bows and arrows in, on and from vehicles and conveyances.

Referred to the Committee on Game and Conservation.

By Mr. STIMMEL. HOUSE BILL No. 999.

An Act amending the act of May 17, 1921 (P. L. 682), known as "The Insurance Company Law of 1921," prohibiting certain government owned or controlled companies associations or exchanges from doing business.

Referred to the Committee on Insurance.

By Messrs. DAVIS, GIBSON, JOHNSON and GRAMLICH. HOUSE BILL No. 1000.

An Act amending the "Gas Operations Well-Drilling Petroleum and Coal Mining Act" of November 30, 1956 (P. L. 756), excluding wells farther than five miles from an area underlain by a workable coal seam from certain provisions of this act.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. DAVIS, GIBSON, JOHNSON and GRAMLICH. HOUSE BILL No. 1001.

An Act amending the act of May 5, 1927 (P. L. 817), entitled as amended "An act authorizing and regulating the growth, sale, and distributing of forest tree seedlings, * * * by the Department of Forests and Waters * * *, "authorizing certain farmers to remove trees * * * if done in the observance of good forestry practices.

Referred to the Committee on Game and Conservation.

By Messrs. TOMPKINS, LOPRESTI and TOLL.
HOUSE BILL No. 1002.

An Act for the improvements of the judicial system by providing for an administrator for the courts and for an annual conference of judges.

Referred to the Committee on Judiciary.

By Messrs. TOMPKINS, LOPRESTI and TOLL.
HOUSE BILL No. 1003.

An Act authorizing the Supreme Court of Pennsylvania to prescribe general rules of practice and procedure in all criminal actions in certain courts of this Commonwealth; * * * imposing duties on judges and other officers of every court of record; fixing penalties.

Referred to the Committee on Judiciary.

By Messrs. TOMPKINS, LOPRESTI and TOLL.
HOUSE BILL No. 1004.

An Act providing for the assignment of certain judges to other judicial districts by the Supreme Court of the Commonwealth.

Referred to the Committee on Judiciary.

By Messrs. CIANFRANI and GRANVILLE E. JONES. HOUSE BILL No. 1005.

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. CARSON, AUSTIN M. LEE, TOLL and WELSH. HOUSE BILL No. 1006.

An Act amending the act of April 19, 1883 (P. L. 9) entitled, "An act to abolish the office of the collector of all outstanding or delinquent taxes, * * *" providing for the distraint of rent money for the purpose of making necessary repairs to real property certified to be in violation of the Housing Code.

Referred to the Committee on Judiciary.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. BRETH and FARABAUGH.
(Concurrent) RESOLUTION No. 70.

In the House of Representatives, March 26, 1957.

Practically all nations of the world number among their exemplifying national symbols a floral emblem, a choice founded on gratitude.

The United States, a land of flowers, has never made such a choice.

The United States is endowed with a rare gift which has its roots deep in the history, legends and lore of the western hemisphere.

This rare gift was anciently revered by calling it maize, a name meaning mother, that which sustain us, and which sustained countless generations of original Americans through more than ten thousand years.

This "mother" was waiting on the bleak shores of the New World to sustain the freedom-seeking Pilgrims, who came empty-handed into the wilderness.

It was Massasoit's gifts of maize, Indian corn, which mothered the Pilgrims through their first agonizing winter.

The first harvest gave the Pilgrims food for their second winter, seed for their second sowing, plus a supply to send to London as payment on their debt for the Mayflower crossing and to purchase a few desperately needed supplies.

This shipment of golden seed became the first export from the present United States, bullion soon to become greater in value than all the gold and emeralds wrested by the Conquistadors from the Incans.

This same golden fruitage from our native plant traveled in saddle bags, in prairie schooners, in ox-carts, in hollowed log boats as the Pioneers moved ever westward, building settlements that became colonies, and colonies that became this mighty nation.

Today, from early spring until the end of harvest days each year, corn marches in regimental rows, mile on mile, across plains, down into valleys, up mountain sides, from the eastern ocean to the western coast, providing for the nation.

Dedicated scientists have converted corn into myriad uses so that it is with us all our waking hours—in cream in the morning coffee, the bacon, ham, eggs, butter, many cereals, corn syrup for cakes and waffles at breakfast, through the entire day, reigning at every dinner and banquet throughout the country; in the pages in ledgers in business offices, in the ink used on the pages, in candy kitchens, bakeries, in apothecary shops, laundries, ice cream parlors, in expansive dairies, factories, meat pack-

ing plants, and in military supplies for the defense of its native land.

Astronomical statistics testify to the fabulous value of corn in the economy of our Nation.

With the shrinking of the world through the rapid multiplying of its people, corn will become increasingly needful, increasingly priceless.

Our native grain is as characteristic of our land, as significant and distinctive, as our remarkable flag.

Corn is not only American, it is America, having become as necessary to and as much a part of our Nation, our people, and our high standard of living, as the air we breathe, the good earth, the bountiful sunshine; therefore be it

Resolved, (the Senate Concurring) That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States in profound gratitude, to honor this rare gift and its Giver by adopting its flower, the tassel of corn, as our national floral emblem, and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Messrs. DENNISON and GUTHRIE.

(Concurrent) RESOLUTION No. 71.

In the House of Representatives, March 26, 1957.

Resolved, (the Senate concurring), That the Speaker of the House of Representatives designate one member of the House and the President Pro Tempore designate one member of the Senate as representatives of the General Assembly in matters of highway safety; and be it further

Resolved, That the members of the General Assembly respectfully request the Governor to appoint their representatives so designated as members of the Governor's Safety Council.

Referred to the Committee on Rules.

By Messrs. READINGER, PETROSKY, Mrs. MUNLEY and Mr. WARGO. RESOLUTION No. 72

Whereas, there appears to be a concerted effort on the part of some individuals, organizations, commentators, and others to discredit by unsubstantiated charges, the Pennsylvania Highway Department and its personnel, and

Whereas, said charges are of a very serious nature in that specific legislation pending in the legislative halls may depend upon the reaction to said publicity, and

Whereas, from the statements contained in the Pittsburgh Sun Telegraph which appears to be spearheading this campaign against the Highway Department, there are four specific individuals and groups who are making the charges, namely:

(1) Disgruntled former employes, hoping to regain favor and prestige.

(2) Discharged employes seeking to cover up their own shortcomings by falsely accusing others.

(3) Self servicing officers and lobbyists of a business group more interested in contracts for highway construction than in an effort to stabilize both expenditures and construction by the Highway Secretary.

(4) Collusion between said parties, organizations and the high command of the Republican Party, and

Whereas, said collusion was openly admitted by the spokesman for the Constructors Association from their Convention in Atlantic City, when he stated—

"This report was not supposed to have been made public—it was only given to certain members of the Republican high command." and

Whereas, there is at present an act of the legislature proposed in the House by the Republican leadership to expend the sum of $100,000.00 in the period of approximately two years in an investigation of said charges, therefore be it

Resolved, that the Joint State Government Commission be instructed to immediately hold hearings into these charges, calling upon all of the aforementioned persons and groups and specifically those who have appeared in the newspaper as quoted as making specific charges to ascertain, whether or not, these charges are of sufficient validity to justify the expenditure of such an enormous amount of the taxpayers money, and be it further

Resolved, that if the House concur, that the Joint State Government Commission make a report to this General Assembly in order to guide the Assembly in their decision on the ultimate action to be taken on the Act to create an investigatory committee.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 159.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" prohibiting the use of electric shavers while operating a motor vehicle.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 162.

An Act amending the act of March 31, 1949 (P. L. 372) entitled "The General State Authority Act of 1949" requiring that contractors' bonds cover equipment rentals.

Referred to the Committee on State Government.

SENATE RESOLUTION SERIAL No. 115.

Referred to the Committee on Rules.

REPORT OF COMMISSION ON GOVERNMENTAL REORGANIZATION

The SPEAKER laid before the House a communication from and report of the Commission on Governmental Reorganization.

The communication was read by the Clerk as follows:

March 27, 1957

To the Honorable, the President of the Senate and Speaker of the House of Representatives:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Public Health.

Respectfully,

A. J. DREXEL BIDDLE, JR.
Major General
Chairman
Governmental Reorganization
Commission

[encl.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 335.

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) extending the provisions of one additional tax for a limited time.

HOUSE BILL NO. 336.

An Act amending the "Fuel Use Tax Act" of January 14, 1952 (P. L. 1965) extending the provisions of one additional tax for a limited time.

With the information that the Senate has passed the same without amendment.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 11, 17, 76, 161, 267, 287 and 443.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 11, Printer's No. 37, entitled "An Act authorizing incorporated towns to regulate junk yards."

GEORGE M. LEADER.

March 26, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 17, Printer's No. 22, entitled "An Act amending the act of July 12, 1935 (P. L. 677) entitled 'An act to fix the status of officers and employes of the Commonwealth and political subdivisions thereof while in training with the armed forces of the United States' including members of the United States Coast Guard Reserve."

GEORGE M. LEADER.

March 26, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 76, Printer's No. 95, entitled "An Act reenacting and amending the act of July 7, 1955 (P. L. 256) entitled 'An act creating a temporary advisory commission to examine report upon and recommend reorganizations of agencies and functions of the State government prescribing its powers and duties directing cooperation of governmental agencies and authorizing the issuance of subpoenas' reactivating and extending the life of the commission."

GEORGE M. LEADER.

March 26, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 161, Printer's No. 88, entitled "An Act amending the act of May 2, 1949 (P. L. 873) entitled as amended 'An act requiring that the results of all local option referenda in political subdivisions be certified to the Bureau of Municipal Affairs by county boards of elections and requiring secretaries of political subdivisions to make certain reports to said bureau and to the county commissioners of the county in which the political subdivision is located' clarifying the provisions of the act as to its application in townships."

GEORGE M. LEADER.

March 26, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 267, Printer's No. 74, entitled "An Act amending the act of June 24, 1931 (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' permitting township commissioners to hold their organization meeting the day after a holiday."

GEORGE M. LEADER.

March 26, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 287, Printer's No. 42, entitled "An Act abolishing the Pennsylvania Tunnel Commission assuming its obligations and appropriating money from the Motor License Fund."

GEORGE M. LEADER.

March 26, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 443, Printer's No. 80, entitled "An Act making an appropriation to the joint committee appointed by the Senate and the House of Representatives to investigate actions of the Board of Pardons."

GEORGE M. LEADER.

OUTDOOR QUEEN WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House today the Outdoor Queen from the Pennsylvania Recreation and Sportsman's Show, Diana Hooper. Will the Queen rise?

The young lady is from New Castle, Pennsylvania and is accompanied by the members of her Court. Will the Court please rise?

The Chair thanks the young ladies.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 341, 356 and 372.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Gibson for Mr. WILLARD because of being hospitalized.

Mr. Gibson for Mr. GEORGE because of being hospitalized.

Mr. Harold G. Miller for Mr. ERB because of illness.

Mr. Sherman for Mr. GELFAND because of illness in the family.

Mr. Devlin for Mr. MIHM because of illness.

Mr. Verona for Mr. ANDERSON because of illness.

The SPEAKER. The Chair requests the gentleman from Fayette, Mr. Snider, to preside for the First Reading calendar.

Mr. SNIDER IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 9, entitled:

An Act amending the "Vital Statistics Law of 1953" approved June 29, 1953 (P. L. 304) making it unlawful for unauthorized persons to copy duplicate or issue certificates of birth death or fetal death.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act amending "The Penal Code" approved June 24 1939 (P. L. 872) prohibiting the sale or other disposal of morphine or facilitating or conspiring to sell or otherwise dispose of morphine to minors under eighteen years of age.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 160, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing for audits of accounts by independent accountants appointed by council.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 356, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the application for an issuance of hotel restaurant and club liquor licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 511, entitled:

An Act amending the "Commodities Weight and Measure Law" approved July 24, 1913, (P. L. 965) regulating the sale and delivery of agricultural horiticultural and floricultural seeds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 513, entitled:

An Act amending the act of May 11, 1949 (P. L. 1116) entitled "An act to regulate deliveries of light fuel oil to domestic consumers * * *" further regulating deliveries of light fuel oil to domestic consumers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 558, entitled:

An Act amending the "Fictitious Name Act" approved May 24, 1945 (P. L. 967) providing for amended certificates requiring certificates of registration and of cancellation or withdrawal from the prothonotary.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 565, entitled:

An Act amending the act of June twenty-nine one thousand nine hundred fifty-three (P. L. 304) known as the "Vital Statistic Law of 1953" by providing for the registration of children born in countries other than the United States and the registration of foreign born children adopted in Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 601, entitled:

An Act amending the act of February 24, 1806, (P. L. 334 4 Sm L 270) entitled "An act to alter the Judiciary System of this Commonwealth" requiring that certain confession of judgment proceedings be docketed in the Municipal Court of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 602, entitled:

An Act amending the act of March 21, 1806 (P. L. 558 4 Sm L 326) entitled "An act to regulate Arbitrations and Proceedings in Courts of Justice" requiring certain judgments in amicable actions to be filed in the Municipal Court of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 603, entitled:

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207) requiring the filing and certain municipal claims in the Municipal Court of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 604, entitled:

An Act amending the act of July 12, 1913 (P. L. 711)

entitled "An act establishing a court for the county of Philadelphia * * * regulating the procedure therein" further providing for the transfer of cases by and to the court of common pleas.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 636, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) further regulating the filing of vacancies in the office of controller and treasurer.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 659, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) regulating contract procedures and advertising for bids.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 666, entitled:

An Act amending the "Motor Vehicle Safety Responsibility Act" of June 1, 1945 (P. L. 1340) increasing the required amount of financial responsibility.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 737, entitled:

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905) requiring the notation on certificates of title of the use of motor vehicles for rental purposes in certain cases and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 757, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to Reference and Arbitration" authorizing arbitration before the Municipal Court of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 758, entitled:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers * * * and providing for the expenses thereof" enlarging the jurisdiction of the municipal court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 846, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) changing minimum net brake horsepower requirements.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The SPEAKER. The Chair thanks the gentleman from Fayette, Mr. Snider, for presiding.

The SPEAKER (W. Stuart Helm) IN THE CHAIR

BILL ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of Senate Bill No. 280, entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund and disposing of certain tax collections

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adams,	Fineman,	Lopresti,	Rigby,
Agnew,	Floyd,	Lovett,	Rovansek,
Amarando,	Flynn,	Lutty,	Royer,
Andrews,	Fox,	Magee,	Rudisill,
Ashton,	Gailey,	Mahan,	Scarcelli,
Barton,	Garlock,	Markley,	Schuster,
Bell,	Gibb,	Marsh,	Seltzer,
Blair,	Gibson,	McCann,	Sherman,
Boles,	Goldstein,	McInroy,	Shields,
Bower,	Goodling,	McKeever,	Smith,
Bowman,	Goodrich,	McLaughlin,	Snare,
Brand,	Gramlich,	Merry,	Snider,
Breisch,	Gross,	Metz,	Spray,
Brennan,	Guthrie,	Mikula,	Steckel,
Brenninger,	Hamilton,	Miller, B. Z.,	Stevens,
Breon,	Haudenshield,	Miller, H. G.,	Stimmel,
Breth,	Heavey,	Miller, W. H.,	Stoner,
Brown,	Heffner,	Mills,	Strausser,
Brucker,	Henzel,	Moody,	Stroup,
Buchanan,	Hocker,	Moscrip,	Stuart,
Capano,	Horst,	Moyer,	Taylor,
Carson,	Ide,	Muldowney,	Thompson,
Cioffi,	Isaacs,	Mullen,	Toll,
Cleveland,	Jenkins,	Munley,	Tompkins,
Comer,	Jim,	Murphy,	Trusio,
Cummins,	Johnson,	Murray, H. P.,	Ujobai,
Curwood,	Johnston,	Musto,	Varallo,
Dalrymple,	Jones, G. E.,	Naugle,	Varner,
Davis,	Jones, T. H. W.,	O'Brien,	Vaughan,
DeLong,	Jump,	O'Dell,	Verona,
Dengler,	Kamyk,	Ogilvie,	Wall,
Dennison,	Kehler,	Parry,	Wargo,
Devlin,	Keller,	Pashley,	Weidner,
Dietterick,	Kernaghan,	Petrosky,	Welsh,
Donahue,	Knecht,	Phillips,	Wescott,
Dougherty,	Kooker,	Piper,	Whittaker,
Down,	Korns,	Polaski,	Willaredt,
Duffy,	Krakow,	Pomeroy,	Williams,
Dunn,	Lafore,	Post,	Wilt,
Edwards,	Lee, A. M.,	Price,	Worley,
Eilberg,	Lee, K. B.,	Pursley,	Wyatt,
Eshleman,	Leonard,	Ragot,	Wynd,
Ewing,	Light,	Readinger,	Yatron,
Farabaugh,	Limper,	Reidenbach,	Zimmerman,
Fetterolf,	Lippincott,	Renwick,	Helm,
Filo,			Speaker

NAYS—1

Bucchin,

NOT VOTING—27

Anderson, M. S.,	Erb,	Maxwell,	Silverman,

Anderson, S. A.,	Foster,	McCormack,	Stone,
Auker,	Frascella,	McGee,	Walsh,
Boory,	Gelfand,	Mihm,	Wheeler,
Cianfrani,	George,	Monroe,	Willard,
Cooper,	Holt,	Murray, P. G.,	Wood,
Donaldson,	Kornick,	Schwartz,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILL

Mr. BOWMAN asked and obtained unanimous consent to extend the time five days on House Bill No. 444, Printer's No. 118 on page 5 of today's calendar, bills on final passage postponed.

BILL ON THIRD READING POSTPONED

TIME EXTENDED ON BILL

Mr. STRAUSSER asked and obtained unanimous consent to extend the time five days on House Bill No. 317, Printer's No. 60 on page 6 of today's calendar, bills on third reading postponed.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 319, Printer's No. 163,
House Bill No. 347, Printer's No. 170,
House Bill No. 395, Printer's No. 171 and
House Bill No. 454, Printer's No. 173,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 860, entitled as follows:

An Act creating a Highway Investigation Commission for the purpose of making a study and investigation of all activities of the Pennsylvania Department of Highways and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHNSON. Mr. Speaker, House Bill No. 860 is a bill which sets up a Highway Investigation Commission to study the Highway Department in all its many activities.

It asks for an appropriation of $100,000 to make the study, and the Commission is to report to the next session of the General Assembly.

The importance of the bill today is pinpointed by, first, the rather self-evident fact that the mileage of highways in Pennsylvania under direct supervision of the Pennsylvania Department of Highways is over 41,000 miles. It has been said it is the greatest state highway mileage system, I believe, in the nation and also is greater than the mileage of all highways kept up by all the New England states and, I believe, one or two southern states, in addition. So you can see the tremendous job we have in Pennsylvania with 41,000 miles of roads to keep up, repair, reconstruct, widen and of course, rebuild.

This bill on the calendar today is also very important because we have had presented to us by His Excellency, the Governor, a budget calling for the expenditure of $779 million in the next two years. It is also very important because it comes on the eve of the construction in the nation and in Pennsylvania of the largest federal interstate highway system in all history.

It is particularly important to us because we have a peculiar and unusual situation, which I believe is peculiar only to the state of Pennsylvania, that is to say, we have the money from our gasoline taxes and other taxes on vehicles earmarked by our Constitution for road building purposes and the constitutional amendment says that we, the General Assembly, shall appropriate the money to the Highway Department.

We have done that by a blanket appropriation act and we do not each session in any way appropriate the money to the Highway Department for any specific purpose. The money is spent through an allocation by the Governor to the Highway Department as he thinks they need it, and we have absolutely no control. We, in effect, have given a blank check to the Highway Department to spend the money as the Secretary of the Highways and the Governor in their, we hope, sober wisdom deem fit.

There have been many charges made against the operation of our Highway Department. From this very microphone last session, as you read in the record, I was at the microphone quite frequently accusing the Highway Department of a breakdown in their morale, the release of trained personnel, a slowdown in the highway construction program.

As you know, last session the cry was "Give us another $5.00 on the license plates; give us more money for the Highway and Bridge Authority. You give us the money, we have the plans and we will go ahead at a rapid pace."

What should have been said to us here last session was, "Give us engineers; give us manpower; give us the ability to design roads. We have the money, all we want is plans." That is what should have been said, and that has been borne out by the fact that since that time we have had over $100 million cash in the bank in the Motor License Fund. That, I believe, has prevailed continuously since we were here last session at this very microphone.

There have been charges of incompetence in the operation of our Highway Department. There have been charges of green engineering firms supplanting former trained engineers in the Department who did our own road designing. There have been charges of the misuse of the patronage system, hiring politicians instead of road builders. There have been charges that the Highway Department report which we should have had was suppressed, the report which was due in September of last year. There have been charges that the system is completely broken down and is in a state of collapse. There have been charges that the construction of new roads has slowed down to a snail's pace. There have been statements made that the five cent gas tax is plenty of money with which to run the Highway Department. There have been numerous other charges against the Depart-

ment, and letters are coming into us every day from small wage earners in the state, from industries and from people generally making charges of this, that, or the other things, which we feel will merit investigation. You might say, why are you interested in having this study or investigation made? What do you intend to do? What will be the tone of your investigation? What are you after?

The idea is we are after better roads. We would like to see Pennsylvania in this new era of road construction consider the vital needs of the travelling public for safe, dependable highways. We want better roads and we want them built as cheaply as possible and as quickly as possible.

We do not intend to have a witch-hunt. There is no idea to incriminate anybody. There is no idea to prejudge anybody and say that this fellow or that fellow has been crooked or that money has been stolen. I would say this commission should study the charges of incompetence which have been made all along the line; whether the patronage system is the best for the Department and whether the merit system should be installed which will attract high-type personnel, trained engineers, on some type of security basis for themselves, which would redound to the great benefit of this state.

I think we should investigate whether we have been getting the most from every tax dollar which has been spent. We have a five cent gasoline tax in this state and have had a six cent tax. New York's tax is four, and I understand this session of the New York General Assembly is adjourning without raising their gasoline tax to five cents. The question is: Is five cents enough? Should we have six cents a gallon, or is the five cents a gallon being wisely, properly and economically spent so that five cents a gallon is enough to take care of the job which has to be done?

There has been a lot of talk about a Highway Commission to run the Highway Department. As I said, the way our Highway Department is set up at the present time it lends itself to a gigantic political machine. First, I told you about the blank check which they have and about the money they are spending and the control over those funds by the Governor. I am wondering if you realize that any plan today to build a new road must be signed by the Governor himself. Think of the weapon which that gives the Governor, who can refuse or fail to sign, or permit a facsimile signature to be placed on a particular plan in a particularly disobedient county if he thought they were on a political basis.

So we should look into that very phase of it, whether a commission type of control for our Highway Department, as recommended by the Governor for our Turnpike Commission, would not be the answer to a lot of the questions with which we all are confronted.

I think this commission could look into the overall condition of our roads in this state. Ten years ago we had the Highway Planning Commission which was, I believe, under the chairmanship of Senator Berger. They made certain findings, certain recommendations, about the age of the roads in this state and the problems the state will face 15 or 20 years from now because of the colossal antiquity all at once of our highway system. I believe this commission, this study group, could well make recommendations and findings with respect to the very, very vital and important matter of what to do about the antiquity of our present system and the obsolescence which is occurring rapidly from year to year.

They could well look into the question of whether our Highway Department is, as has been stated, in a state of collapse. I know when the Democrats first took over stenographers left. Even the Chief Engineer, Mr. Warrick, I believe, had to write his letters in longhand for the first few months after the Democrats took over. I believe you could ask Mr. Warrick on that phase and he would give you that answer.

We could look into whether a collapse has occurred. We could inquire whether by reason of the loss of engineers and the loss of trained personnel throughout the various counties in the state it is true that the Department in view of the tremendous job which has been placed upon it is in a state of collapse.

We could well look into whether there have been too much favoritism in Highway dealings. That goes into the purchase of supplies, it goes to the purchase of cinders, it goes to the question of granting negotiated contracts to, as has been alleged, green and newly organized design engineering firms who may or may not be equipped to do the tremendous job which this new era of transportation has forced upon us; whether political firings have reduced the former rapid construction pace, and whether that is the reason why the Highway Department report which we received several weeks ago shows there was a big drop in new road construction, but quite a sizeable increase in maintenance costs.

We could well look into whether designing roads by direct negotiations with design engineering firms is the most economical and wisest way in which to do the most vital job of all, designing the roads so that they can be properly built, and whether these present firms are capable of doing the job at a reasonable cost.

This commission could well look into whether the General Assembly should not control the budget of the Highway Department, as we do in the other departments. They could make very sincere recommendations along that line. It is quite a problem whether we, the General Assembly, should decide how much money should be allocated to rural roads, how much money should go to our Federal Aid system, how much money should go to our interstate system, how much money should be given for maintenance of highways. Perhaps if we could freeze the maintenance dollar, it would stop the hiring of large numbers of employes, as had been alleged, on the eve of election and then letting them go after the election. Things like that could well be looked into and the question decided. Should we adopt a budget in this General Assembly which will tell the Highway Department how it should and could spend their money in all its many activities?

Personally, I would favor at the beginning of each session the combined Highway Committees in the House and Senate sitting down and conducting a series of prolonged hearings on the highway situation in the state, deciding how much is needed for the various activities, the condition of our farm-to-market roads, and then in concert with the Appropriations Committee writing a sensible Highway budget which would be more realistic to the demands of the state as a whole.

Finally, I would say if there are any charges of con-

nivance or wrongdoing, certainly the commission should ferret them out and report back to this General Assembly what it was and the extent to which it had been carried on for this body to make a decision as to what, if anything, should be done about it.

You say you are going to spend an enormous sum of money, $100,000. The bill says $100,000, or as much thereof as is necessary. You know the way costs are today. In order to do the prodigious job which will be placed upon this commission to give us the real facts in regard to that Department, it will take trained engineering talent, trained accountants, trained technicians and trained office people to assist our Commission in doing that tremendous job. They will require legal counsel. They will require, of course, money for stenographers to transcribe the testimony so that it will be available when the commission writes its report.

I am not saying they will need $100,000, but in a system as vast as our Highway Department and with a budget, as I say, of $779 million, certainly if they are going to do the job, they should be supplied with a decent appropriation so they can come back here two years from now with a Bible with which we can work in this state for the next fifty years as far as the Highway Department is concerned.

I say this investigation is not politically inspired. Everybody in Pennsylvania is looking forward to this study because highways so vitally affect every person in this General Assembly, every person in Pennsylvania, in fact, every person in the nation who uses our roads. It is tremendously important that we get to the bottom of it so that Pennsylvania will have the greatest Highway Department in the United States.

Mr. READINGER. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. READINGER. Will the gentleman tell us when this Commission which House Bill 860 would create is to report to the General Assembly?

Mr. JOHNSON. I believe, Mr. Speaker, the bill says, "Report to the next session," if my memory serves me correctly.

Mr. READINGER. The gentleman is correct, and that would be January of 1959. Is that correct?

Mr. JOHNSON. That is correct.

Mr. READINGER. Will the gentleman tell us who made the charges that he has spoken about which gave rise to the creation and introduction of this House Bill?

Mr. JOHNSON. I would say the charges have been multitudinous and made by thousands.

Mr. READINGER. Will the gentleman name some of them? Name the important ones if you will, whose charges gave rise to the birth of this idea to investigate the Highway Department?

Mr. JOHNSON. Well, Mr. Speaker, I would say some of the charges have emanated right from this microphone from my own lips. It started last session when we were discussing whether we should give the extra $5 on the license plate and increase the bonding power of the Highway and Bridge Authority. A study was made then and we, from this microphone, have made charges. The newspapers, both by news articles and editorialy I understand the newspapers all over the state have pretty generally editorialized things with respect to the Highway Department and have made accusations bearing out what I have said here today.

Practically every motor club in Pennsylvania has come out to date with charges. I would say that the Resolution you have, I believe, mentions that the State Road Building Association have made charges of incompetence and that the Highway Department is in a near state of collapse.

Mr. READINGER. I thank the gentleman.

Mr. JOHNSON. I could go on ad infinitum, I would imagine, to give you—

Mr. READINGER. I would point out that the gentleman has not mentioned the name of any person or any newspaper. But to go on with the interrogation, I would like to inquire whether the gentleman has made any inquiry directly or through any other person of the Highway Department for answers from that Department or its personnel to any of the charges he speaks about, prior to the introduction of this bill?

Mr. JOHNSON. No, I have not talked to anybody in the Highway Department about this matter. I have taken the reports that they have issued and the reports speak for themselves.

Mr. READINGER. Has the gentleman written any letters to Secretary Lawler asking any specific questions relative to any of these charges he speaks about?

Mr. JOHNSON. I believe I did, Mr. Speaker, at the beginning of the session, write a letter to Mr. Lawler requesting certain information with respect to roads, engineering firms, and so forth, and I do not recall receiving the information requested.

Mr. READINGER. Do you recall that you did not receive an answer to your letter?

Mr. JOHNSON. I believe I received an answer but I cannot recall that it contained anything of substance.

Mr. READINGER. But you do say, I believe, that you have not specifically requested information or answers from the Highway Secretary concerning these multitudinous charges to which you refer today?

Mr. JOHNSON. Other than requests made from this microphone, which are a matter of record in this session. I believe I have been at this microphone four or five times making charges of deliberate slow-downs, suppression of highway reports, and so forth. The Journal will speak for itself.

Mr. READINGER. Did the gentleman, at the time he made any of his charges, specify any facts upon which he is basing these charges, or were they the usual political charges and statements?

Mr. JOHNSON. No, I believe if you will read the Journal, you will find that what I had to say about the Highway Department was factual at the time. I believe I have dwelled on the fact that you have, for instance, and have had right along $100 million cash in bank as contrasted with when we were running the Highway Department, we spent the money and put it in roads and the bank balance would run even as low sometimes as $14 to $18 million.

Mr. READINGER. Does the gentleman not believe that these charges to which he refers of incompetence or dishonesty or whatever his charges—

Mr. JOHNSON. I do not believe that I used the word "dishonesty," Mr. Speaker.

Mr. READINGER. Well, whatever the charges are that you are referring to, do you not believe that they are sufficiently important to be investigated immediately by a body such as the Joint State Government Commission which is already in operation and has a staff and personnel and available funds to immediately make an investigation?

Mr. JOHNSON. No, I do not. I consider the Joint State Government Commission a research arm of this General Assembly and not an investigatory body as such. I think that this Job is such a prodigious job and the tentacles of the Department reach out in so many manifest ways that it is not a job our Joint State Government Commission can do. It is not within their province, I do not believe. Despite the fact that we have enlarged their powers so that they perhaps could make such an investigation, but I do not recall we gave them subpoena power.

Mr. READINGER. Will the gentleman agree that the Highway Department is set up now in the same manner that it has been for many years and that the matter of employing great numbers of persons for maintenance was available to all previous administrations if it was desired to be so used?

Mr. JOHNSON. That is correct. I will answer that. I am sorry I do not have the figures here just to show you the abuse that can occur where we do not budget the funds. In the dying days of the Earle administration, when the Democratic party was seeking to elect a Governor, when Earle was going out of office, the payroll of the Highway Department, if I remember the figures, there were some 15,000 employes put on gradually up to the day of election and then almost a startingly large number were fired immediately after the election, when Governor James was elected. Those figures are a matter of record.

I do not believe a thing like that has obtained since, but it certainly could obtain under our present system of handling the Highway Department and that of course, is not good.

Mr. READINGER. May I ask the gentleman if he is now asserting that the Republican administrations which have intervened since the Earl administration have not materially increased the Highway payroll prior to elections.

Mr. JOHNSON. I would say that is very true. You can find the figures—

Mr. READINGER. I am not stating it, Mr. Speaker. I am asking you whether you are asserting that that was not done by Republican administrations?

Mr. JOHNSON. I would say this—I am sorry I do not have the figures here, but I can bring them Monday—I can show you the number of employes that the Highway Department had on the eve of the election in the last year that Governor Earle was Governor.

I can show you how many Highway employes we have had every year since then and I believe the figures will bear me out that there has not been any wholesale hiring of workers on the eve of election during the sixteen years that we were in power. There might have been some abuse of it, I mean the system would lend itself to it, and it could probably be true in some degree, but it certainly was not true in the gigantic degree as in the fall of 1936.

Mr. READINGER. The gentleman has spoken about many phases of the legal setup of the Highway Department which he believes should be looked into by this Commission, and which may be might be improved. May I ask, why during all the intervening years between the Earle administration and this time no resolution or no bill of this kind was proposed to investigate the Highway Department?

Mr. JOHNSON. For the simple reason that there were no wholesale charges of incompetence made throughout the state and a break-down of the Department like there has been in the last six months.

Mr. READINGER. Then the gentleman still believes that this bill should provide for a report to the 1959 General Assembly and not previous to that time?

Mr. JOHNSON. I believe that is true, Mr. Speaker. The job is such a gigantic one that I cannot conceive of any Committee or Commission rendering a sane, sensible factual report before that time.

Mr. READINGER. Would it not be true that if these charges to which you refer are true, that millions of dollars could be lost or wasted between now and the beginning of 1959?

Mr. JOHNSON. That could be true, Mr. Speaker, but I say the job of investigating it is so vast that it cannot be done on a cursory basis in the immediate future.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, I am not basically opposed to an investigation of the Highway Department. I think probably there are features of the operation of the Highway Department which we might study and which possibly might be revised by legislative act. Perhaps we should as a Legislature have stricter control or, at least, scrutiny over the plans and operations of this vast Highway Department. We are all interested, as I know the Highway Department is, in building good roads in the State of Pennsylvania and getting every dollar's worth of service and materials for which we spend money.

But it seems to me we are going about this in absolutely the wrong way. If there is any merit to these charges which have been referred to today, charges made by the Sun-Telegraph and various individuals of which we have read in the paper, they should be looked into immediately, not by a commission which is going to report a year and a half from now and not a commission which, if it desires, could be a great political weapon for any party in control of it.

This matter is so important that in my opinion the thing should be looked into immediately by the Joint State Government Commission. That Commission already has funds available to it. Hearings can be held within the next several weeks. These people who are making the charges could be subpoenaed, brought in and asked what the facts are upon which they based their charges.

The gentleman from McKean has said that this bill, No. 860, asking for the creation of this commission is not politically inspired. I wonder if that is true. I have been hearing stories ever since I have been Member of this House starting in 1936 about the Highway Department putting on an unusually large number of persons in the maintenance department prior to election times.

The gentlemen has no figures and I have none at the present time, but I think if we go back over the books of the Highway Department and see how many employes were on the payroll from time to time, we will find it has been a rather common practice to use a lot of maintenance people during the months of September and October and we will find that thereafter many of them are laid off in the Highway Department.

Yesterday I introduced a resolution which would direct the Joint State Government Commission to make this investigation and to make it immediately and, depending upon what merit is found in any of these charges, we then proceed to consider the matter of spending $100,000 to investigate and study the entire operation of the Highway Department.

I say I do not oppose the idea of an investigation, I do not oppose the idea of spending some money, but I do oppose doing it at a time when we do not know whether the commission which will be set up will immediately look into the charges that are being made. We do not know whether they will make a report six months from now, a year from now, or not until January, 1959. If this bill passes the way it is, they are not even charged with the duty of making a report prior to that time.

I also object to passing on a bill of this kind and appropriating this amount of money before other steps are taken which this House could take. The Majority Leader or any other member of this House could be writing a letter to the Secretary of Highways, or by personal interview with him, ask for the information which would enlighten us as to whether these charges are true.

I have seen several statements so far by Secretary of Highways Lawler that there is no truth to these charges and statements which have appeared in the newspapers. We do not know what the facts are, but we have not even tried without spending money to get to the bottom of this and get the answers to these various things. I dare say most of the information which this commission would obtain could be obtained without there being a commission at all. I think the Secretary of Highways would be pleased to appear before your caucus, or before our caucus, or before any other group we might designate without the appropriation of any money, and give us facts that are facts. Any information which we wanted I am sure would be disclosed. After all, he is part of the executive branch of the government. He knows we appropriate the money and we make the laws, and he should be only to glad to give us this information without any money being spent.

I am going to ask that this House do not take action on this bill until it first considers a resolution which was introduced yesterday which would have the Joint State Goverment Commission make an immediate investigation. Only after that is acted upon will I go along with a bill of this kind.

Mr. GARLOCK. Mr. Speaker—

The SPEAKER. The gentleman from Fulton, Mr. Garlock, yields to the gentleman from Berks, Mr. Readinger.

Mr. READINGER. Mr. Speaker, I would ask the gentleman, Mr. Garlock, to yield to Mr. Andrews temporarily.

The SPEAKER. The gentleman from Fulton, Mr. Garlock, yields to the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, since we are agreed in this House as to objectives, it should be possible, being in agreement as to objectives, to make an inquiry under auspices and in a manner that initially, at least, could not be objected to on the ground of partisonship.

The problems before us fall into two major divisions. First, it is our duty and our obligations to ascertain, and ascertain as definitely and as soon as possible, whether there is mismanagement, whether there is collusion, whether there is an improper use of patronage and whether we now have a Highway Department capable of performing its duties. If the Highway Department is so ridden by improper forces, the sensible thing to do is to get the Highway Department in such shape that it can deliver the goods for and on behalf of the people of this Commonwealth during the remainder of this biennium. It is as criminal upon our part to ignore dereliction in the Highway Department for another year and a half as it would be to be guilty of the dereliction itself.

The second phase of the problem before us is the organization, the method of operating and the jurisdiction range study. It is a study we should be in a position to face when this General Assembly gathers for the next session.

But the problems of mismanagement, if any are immediate. They call either for the censure, the impeachment or the removal of any agents who are incapable of performing, or who are performing with evil intent, and to do it now.

As a result of a 10 year battle, a battle which I say in all modesty that I perhaps spearheaded, every Member of this House and every Member of the Senate is now a member of the Joint State Government Commission. I say it is sheer fallacy to say that Members of this House, who are members of the Joint State Government Commission, can perform a service for and on behalf of the House which the Joint State Government Commission could not itself perform.

I am in agreement with the Majority Leader. I believe the questions raised are so important, so vital, that they should be faced within the next six months.

This House, as far as payroll is concerned and as far as legislative intent is concerned, is operating on a full-time basis year by year. You may not have it in the Constitution, but you have in the intent of this Legislature and you have embodied in statutory enactments that we are full-time servants, not just while the session is a going concern, but we are the servants of the Commonwealth and should operate as Legislators this year and next year.

So it is my position that this inquiry should be undertaken under the auspices of the Joint State Government Commission, that the Joint State Government Commission should be instructed to investigate and ascertain the weight of the charges which have been made in the Press and which have been made by the Majority Leader, that it report to this House within six months, that when the report is ready for action this House be reassembled, that we do not in June adjourn sine die, but that we recess to be called back to act upon a report designed to cleanse the Highway Department, either to condemn it or to vindicate it.

My friends that is a logical position. Then in the re-

mainder of the time the Joint State Government Commission shall proceed upon the major problems relating to reorganization.

I know from the record that some of the charges made are wholly inaccurate. I have been told we have no competent personnel as district engineers in charge of districts.

In District No. 5, Allentown, there is a new man. Who is he? He is a veteran engineer with an international reputation and with experience in private industry and with the Federal Government, Rotherman, Theodore K. Rotherman. His record justifies his appointment.

In District No. 6, Haverford, we have a department veteran of more than 20 years. He has been with the Department since his graduation from engineering school.

District 8, Harrisburg, Robert H. Klucher, new, a young engineer who graduated with honors from an engineering school and who has an enviable record as an engineer in private industry, a war veteran and a vigorous administrator.

District 9, Hollidaysburg, Raymond F. Campbell, new, an outstanding engineer with extensive highway experience.

District 10, Indiana, George A. Robeson, a department veteran of more than 25 years.

District 11, Pittsburgh, Curran, with more than 25 years in service and experience in several of the most important districts.

District 12, the same thing, he is a new man, but he is an outstanding civil engineer. And I could go on.

There is one thing which should be investigated and which we should have an immediate report upon, and that is whether we have been the victims of a conspiracy upon the part of Highway Department employes who have had an extended term of service, who may be designing engineers for the Commonwealth at $7,500 a year, or something like that, who are eligible for retirement and who conclude that since they are working at designing roads they might as well design roads at a $12,000 a year salary. Therefore, they couple up with these firms which have been called upon to do the designing. I would like to know how many former employes of the Highway Department are now serving as members of the staff with these engineering concerns to which the Commonwealth has turned in order to get engineering advice. I want to know whether the exodus from the service has been because $7,500-a-year men have been able to obtain $12,000 a year positions in private industry, and whether the changes in personnel have been made because of retirements to go into private industry by members of the technical staff of the Department.

It is very easy to say there have been political firings, but that has not been justified. Time and time again I have asked the Majority Leader to file for the record a report of all the deserving technically qualified public servants who have been fired because of political reasons.

So I am asking this House to do this job in workmanlike fashion. I am neither condemning nor holding a brief for the Highway Department. It is my belief that it can stand up under honest inquiry. But you who believe differently, who are convinced there are some bugs under the rocks, ought to know it now. The inquiry you propose to make under the auspices you propose making will handicap the Department in its operations. You cannot have a construction program which is being torn to pieces day by day by partisan inquiry. You cannot build roads that way. We ought to take four, or five, or six months to get the facts as to the offenses of the Department, come back here and listen to the report and then when we have cleansed the Department, if it needs cleansing, proceed to make inquiry concerning the organization of the Highway Department, if it is the opinion that it should be so reorganized.

I submit that is a fair, square, non-partisan proposition. You are going to control the investigating committee from the standpont of party allegiance. You are going to control it. We will speak only with the minority voice, but at least we will have a forum in which we can speak. Now we have no forum. You want to make this inquiry with a commission which will not report and the stigma you have created will hang over the heads of all of those who operate in the Department. I want a forum of inquiry, I welcome a forum of inquiry, but I want a forum of inquiry at which and in which the voice of the minority can be heard.

So I do not want to hear about Highway deficiencies a year and a half from now, I want to know what they are now.

So, Mr. Speaker, I submit to the Members of this House, in all fairness, that since we are in agreement as to objectives, that we proceed to divide the inquiry into an immediate investigation of alleged Highway Department dereliction, and that those who make the inquiry be instructed to report to this House within six months, and that if we get our other business done, we take a recess and we come back here to pass upon the report, and if we have an inefficient Highway Department, we then can proceed to make it efficient and make the coming year not a wasted year as far as highway construction is concerned, but a year of real benefit to the people.

I wonder Mr. Majority Leader whether somewhere, not in his mind—he does not have that kind of a mind; he is too genial; he is too pleasant; he wants to be too friendly with all the people—but he might have been influenced by counsellors who wanted to create a condition that would absolutely stymie highway construction during the remainder of the present administration, and I say, if that might possibly be the case, the plan that I have outlined would make it possible to cleanse the Department, to stand it on its feet, to send it on its way to construct and achieve, and then we could, in the remainder of the time attack the problem too long delayed as to the organization and method of cooperation.

I firmly believe that since we are in agreement as to objective, we at least should start off on this program along sane, sensible, non-partisan lines.

Mr. GARLOCK. Mr. Speaker, I would like to interrogate the Majority Leader, Mr. Johnson.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. GARLOCK. Mr. Speaker, I would like to ask the period of operation of the Highway Department which you expect to investigate by House Bill 860?

Mr. JOHNSON. I believe the intention of the investigating committee is to go ahead and investigate the oper-

ation of the Department within the last two years and then prospective dates in the future.

Mr. GARLOCK. Do you think it should cover a period of operation, say, from 1950 on?

Mr. JOHNSON. I cannot see anything wrong in reaching back and going into other things if they care to. I believe they are not hamstrung by the resolution.

Mr. GARLOCK. Well, I think they should have a definite date to go back to because they might even want to go back to the Earle administration.

Mr. JOHNSON. I do not believe that we should tie the hands of this commission. Let them investigate, let the chips fall where they may.

Mr. GARLOCK. Mr. Speaker, can the gentleman tell me how many registered engineers the Highway Department employs?

Mr. JOHNSON. I can't give you the number, but I am informed at the present time it is not very many.

Mr. GARLOCK. Can you tell me how many engineers the Highway Department employed in 1954?

Mr. JOHNSON. I can only say that previous to the new administration roads were pretty generally designed, surveyed and drafted and designed in the several district offices by capable design engineers, and I believe we only spent, when we were in power, something around $1.5 million for outside design engineering firms. Now the situation is, I believe in this biennium there will be some $18 million spent for outside designing, which previously had been done by or within the Department.

Mr. GARLOCK. Mr. Speaker, I would like to ask, further, whether or not it is a fact that all costs have increased, including the Members of this House's pay? The cost of the operation of this House has also increased, has it not?

Mr. JOHNSON. Yes, I would say that the price index in the last four or five years has gone up somewhat, that is right. Although the President of the United States, through his advisers and the Federal Reserve Board, has tried to hold down inflation, that is true, and have done a pretty good job.

Mr. GARLOCK. I believe you will agree, then, they have not done a very good job.

Mr. JOHNSON. No, I did not say that. I said that the Federal Reserve Board and the President have done an excellent job in holding down inflation. I believe the figures will bear me out.

Mr. GARLOCK. Well, the budget really does not show it. Is it not a fact that over the last ten years the Highway Department has employed outside consulting engineering firms to do the major design work for the Highway Department of the roads that have been constructed, new roads, and the designing was actually contracted out to consulting engineering firms and they actually have done this work over the last ten years?

Mr. JOHNSON. There has been some of that, yes. I have in mind the figure of $1.5 million for our last biennium, something like that. I think it will be $18 million this biennium and they are asking for $24 million this coming biennium.

Mr. GARLOCK. They are having a larger road program for this biennium than has ever been worked on in the history of the state, is that not correct?

Mr. JOHNSON. I would say up to this point, you are probably working on the smallest number of jobs at any time in history—by reason of lack of survey crews, corps men, draftsmen, and so on. It is all being done by negotiated design engineering contracts, and it could be true that there is a lot of it in the planning stage and on drawing boards, but all I know is from hearsay of what has been reported.

Mr. GARLOCK. Mr. Speaker, is it not a fact that a big part of these districts over the state which make up the Highway Department have been manned by very few engineers in the past as well as today?

Mr. JOHNSON. No, I would say that from my understanding of our system previous to this administration, a tremendously large amount of the surveying, of course, was done out of the district offices and the designing of the roads was done by draftsmen right within the district office itself, and, of course, quite a bit of it was done right here in Harrisburg under the chief engineer, I grant you that there was some work done by professional trained design engineering firms.

Mr. GARLOCK. Are you going to classify the draftsmen as engineers?

Mr. JOHNSON. No. He is a type of highly trained, skilled person, especially gifted in drafting and designing roads and taking it from the surveys by the survey crew. It takes pretty nearly ten years to really train a good man in the drawing room to do that important job so that roads will not be over designed or under-designed.

Mr. GARLOCK. I think you will agree that it is a fact that there are districts that are being headed by one, and in some cases two, registered engineers. In most cases that is the extent of the registered engineers that have been out in the districts of the Highway Department over quite a number of years. We have had a lot of fellows classified as engineers that never entered the doors of an engineering school, that have had titles hung onto them as engineers.

Mr. JOHNSON. Mr. Garlock, I say that is true. I would say that when we were in power, there was truly a vast majority of the trained personnel that we had designing roads, drafting on the drafting boards and so forth, many of them did not have engineering degrees but they had grown up in the business over a period of twenty-five years and were especially and particularly skilled in their jobs. I am through with the answer.

Mr. GARLOCK. I thank the gentleman.

Mr. GARLOCK. I have in my hand a bunch of pictures that were taken of highway material hidden in the woods. This was called to the Highway Department's attention in August of last year. I knew that this existed the year previous, but I did not take the pictures until August of this past year, 1956. I called it to the Justice Department's attention along with the Highway Department's attention and the Highway Department conducted an investigation. We were told by one of these so-called indispensable engineers that this was common practice. That it had gone on over a period of years and years and years, that they took this material out so that they had a chance to get it when they needed it, that they did not need to bother making requisitions and what-not for it. They took fifteen truckloads of this stuff back into the maintenance shed in Huntingdon County. The material was piled on a former Assistant Superintendent of Highways' property with no agreement whatsoever. He had done nothing wrong.

They go to the District Engineer and the District Engi-

neer says this is common practice. It has gone on for years and years. So I think that we should investigate whether that was one of these indispensable engineers. He is so indispensable that he is still in the Highway Department. So, he says these fellows have done nothing wrong—they had done nothing wrong.

I think we should do a little investigating back to where they got some of those. Maybe those fellows are not so well qualified to still be in the Highway Department. Maybe they should be relieved of their duties. They have transferred the gentleman from his area that he was in to try to clean up the mess that existed. I think they have done a pretty good job. I believe that any of these irregularities that everyone knows exist, if they would pass the information along to the Justice Department and the Secretary of Highways, I think that he would be only too glad to cooperate and clean these messes up.

I realize that there is some of it existing. I know of one particular instance which I reported that was a construction job, faulty construction. It was investigated. There were thirteen inspectors on the job. Now, mind you, twelve of these inspectors were Republican inspectors—Republican hold-overs. They had accepted the road, these very efficient inspectors who had all this training to know how to inspect roads. They came along and they take this road over from the contractor and agree that it is all right. It was investigated and found out that there was faulty construction. I think there have been some adjustments made in that.

I think that the Highway Secretary would be only too glad to lend assistance to clean up any of these things that exist in the Highway Department if you would just give him your cooperation and report them to you.

Mr. STROUP. Mr. Speaker, I think it is to be anticipated that the Minority Leader and the distinguished former Speaker of this House would take the position that they have taken on the matter that is at hand. And one can but commend the minority for their insistence that something should be done by reason of the allegations and averments that have been made in the press and by citizens throughout the Commonwealth.

I should like to say, Mr. Speaker, as one of the sponsors of this measure, that it has not been at any time within the compass of my thinking, that I make charges against the administration nor against the Secretary of Highways, because I have no facts. But I am of the opinion that there is sufficient here that needs this entire assembly to work as a unit and a team to bring about a thorough understanding of the validity or the truth of the allegations and charges that have been made. It is our duty to our citizens. Whether or not the method which has been selected by the majority or the recommendation made by the minority for the utilization of the Joint State Government Commission is the proper method, it seems to me is the particular issue that is before us.

In my humble opinion, I believe that this study is of such a magnitude that it requires a specially created committee that can act immediately, go into operation within another week, at least, with the concurrence of the Senate, and start to try to find the answer to these problems.

Now, insofar as I know, Mr. Speaker, this would not be a slow session, this would not be a study that would not be revealed to the Press or to the people of the Commonwealth until 1959 when the final report would be made. This would be open to everyone, and whatsoever might develop as this study continues and goes on will be known to everyone. Therefore, it would have an immediate and salutary effect upon the Highway Department, and the Highway Department could at least make efforts and make such recommendations and put into force such plans as might come from that study in the immediate future.

The gentleman from Cambria has lamented here this morning to a considerable extent that he believes that a specially created commission would be biased in its attitude. He asked, therefore, that the Joint State Government Commission be the commission to handle the investigation or the study, which I believe is a better term, in order that there be a fair forum. I do not need, it seems to me, to say to all of you, that in a matter so serious as this, there would be a biased attitude by any group whatsoever, and certainly those who are answering to the charges will have all the right to bring before that committee any facts and evidence that they wish to present in substantiation of their position.

Let us say, and grant, for the sake of argument, that the Department of Highways is not at fault. Let us grant that there may be problems beyond their control; let us grant that there are situations which they have faced which they cannot handle, and something needs to be done from a recommendation standpoint from others from the outside that would make certain recommendations to them. We do not say that there has been dishonesty or thievery. We do not say that there has been misfeasance in office or maladministration of the Department purposely or intentionally performed. All we do say, Mr. Speaker, is that we have here a problem which is serious and reaches throughout the Commonwealth of Pennsylvania, and every citizen is vitally interested in the outcome of the same.

I should like to have the Speaker indulge me a little further to go into what I consider to be one phase of this problem which has been touched upon very briefly here this morning.

As soon as the 1956 Act of Congress was passed, the Federal Highways Act, the citizens of our Commonwealth immediately became alerted, and it is common knowledge to all of you I know, that there have been associations formed throughout the Commonwealth—the Save Route 6 Association, the Established Routes Association, the Lincoln Highway Association. I think there is an Allegheny County Community Development Association, the Philadelphia Port Area Commission, the Keystone Shortway, the Route 22 Committee, and others.

I want to state in fairness to Secretary Lawler and to Governor Leader that they have met with these groups, that they have tried to analyze some of the problems. Whether or not the answers which they have given and the results which they have given are satisfactory and valid and reasonable to the economy of our communities is something else that remains to be seen.

There will be appropriated to the Commonwealth of Pennsylvania in the next 13 years, 33 billions of dollars of Federal aid. It is estimated from the figures that I can ascertain that there will be given to Pennsylvania 2.2 billion dollars of Federal money in that period of time, of

which $1,865,800 will be for interstate highways in the State of Pennsylvania.

I am informed and reliably informed, that there will be 1,446 miles of interstate highways built within Pennsylvania during that period of time, and that there will be 5,000 miles of Primary road construction carried on also. In the next three years there will be in 1957, $53.6 million come into Pennsylvania from the Federal government. In 1958, $91.1 million, and in 1959, $107.2 million which makes a total in the next three years of $252 million. Add to that, for primary road construction, the Federal allocation of $92 million and add to that for urban extensions the allocation of $97 million, and we come up with the staggering sum of $540.5 million for road construction in Pennsylvania in the next three years.

It was not this speaker's original intention, when he submitted with the aid of others on this side of the House, a resolution, to go into any charge insofar as the Highway Department is concerned. This speaker was merely seeking for information and facts in order to help the citizens of this Commonwealth as to the allocations of these roads. Where are they going to be built? Where is the matching fund money going to come from to meet that program and last, and most important, what is the time schedule of that construction? Yet, our Governor comes before us and he tells us that he is going to have a free turnpike. That must be done because he has admitted now, tacitly to us, and I think reasonably so, that you cannot have a toll road in competition with a free thruway and expect the toll road to survive, and that is logical. We have been saying that for a year, at least. What then can we do about the Pennsylvania Turnpike? The Act of Congress excludes turnpikes from any allocation of Federal aid, so, as a consequence it would require an amendment to the Act of Congress in order to bring the Turnpike, a toll road, under appropriations from the Federal Government, and, in answer to that, if we were to be able to accomplish that, it is my understanding that approximately $460 million worth of indebtedness against the Pennsylvania Turnpike, of the allocated amount of money, therefore, that we have for interstate, if we spend that money just to buy up a route already in existence, and if we also build a freeway up through the central part of the state and the northern part of the state known as the Keystone Shortway, we will have spent almost half of the amount of money that we get from Federal aid. Then the rest of the communities are left to look out for themselves.

Now, I speak, I believe, from my own knowledge when I note that the Highway Department has made promises for primary road construction to certain areas, and no doubt, intend to try to fulfill those promises, but I would believe that probably an investigation or a study would show that all those promises cannot possibly be kept, nor is there going to be enough money to take care of everything the Department is promising to do.

What is the present schedule of the Highway program insofar as the interstate matter is concerned? Well, I have in front of me a report, the last one that I know of that has been available, dated as of January 4th, 1957, which sets up the roads that are to be placed and have been approved on the interstate system. This report shows me—I will not take the time to read the results of the report, but you will see from it that it vitally concerns each one of you—691 miles of road already approved. For engineering studies being made, for allocations to the Federal program there are 571 miles at that time being considered, and in those were the Keystone Shortway and the Pennsylvania Turnpike already listed on the list of approved roads. How can you list the turnpike on the list of approved roads for Federal aid when you would have to get an amendment from Congress? But our Governor comes to us and says if we can't get Congress to approve of listing the Turnpike as a free road, then we will ask the Highway Department to enter into a leasing agreement with the Turnpike Commission and thereby amortize the debt. When you think of $460 million that has to be paid on your leasing agreement by the Highway Department, I ask again, where is that money going to come from?

This all points to one thing and that is that it is long delayed, insofar as we are concerned for an analysis and study to be made of the serious situation in our Highway Department, serious from the standpoint of the charges that have been made in the public Press, which may or may not be valid. Certainly there is enough smoke there to think there might be some flame, and certainly it is encumbent upon us in this Assembly to go into an investigation or a study of that, and certainly the Minority Leader and the distinguished former Speaker are to be commended upon their attitude of the necessity of an investigation, but I take the position that the method that has been employed in the bill presently before us is the method to use, by reason of the gigantic magnitude of the problem which we face.

I therefore ask you, all of you, Democrats and Republicans in this House, to vote for the bill before you because it is to the interest of all the people of the Commonwealth and to the interest of the Highway Department itself.

Mr. ANDREWS. I did not want to interrupt the gentleman by asking him would he yield for a question?

Mr. STROUP. Thank you.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. STROUP. I shall, Mr. Speaker.

Mr. ANDREWS. I would say that I want to compliment the gentleman from Bedford, who in the manner of a very, very clever lawyer, has befogged the issue by misstating it.

Does the gentleman from Bedford believe that if we are facing the possible allocation of $541 million worth of construction during the next three years that we need a solid foundation upon which to proceed and the solid foundation would be a capable Highway Department?

Mr. STROUP. I would certainly agree with that, Mr. Speaker.

Mr. ANDREWS. I want to ask the gentleman further, can we proceed with confidence that we have a solid foundation upon which to build, upon which to rely, unless we first establish the present integrity of the Highway Department or proceed to create a Highway Department upon whose integrity we can rely? And is not that further, Mr. Speaker, a question of immediate concern, the integrity of the Department?

Mr. STROUP. Mr. Speaker, I would answer the gentleman from Cambria by saying that by the method of answering leading questions on numerous occasions and found myself objected to that I now find myself in a

position of answering a leading question. However, I shall make an effort to respond to the gentleman's question nevertheless.

It would appear, first of all, it is necessary for us to have a solid foundation, and if the integrity of the Highway Department is going to be put into effect, the program for the next three years must be unquestioned. That is the major reason I think for this bill that is before the House. Certainly it will merit its expeditious action. This Committee can go to work and bring us some particular replies and responses within the next six months beyond a doubt.

Mr. ANDREWS. One further question. Would the gentleman favor a program that would contemplate a report as to the capability and integrity of the Highway Department at an earlier date than he has contemplated as to the final report in the pending bill?

Mr. STROUP. Yes, I understand that—

Mr. ANDREWS. A report at the end of six months and the Legislature to be in session, to be convened, to consider that report?

Mr. STROUP. Well, now that is a double question again, Mr. Speaker, and I shall have to take each part separately.

In the first place, in answer to the gentleman from Cambria, I would favor a report being made, an interim report, just as soon as possible that any facts can be developed by the Commission that is going to be set up.

As to the question of recess and coming back at a later date to consider the report by this House, that is a matter, in my limited position on this side of the House and in the Assembly, on which I would not feel I should give any opinion. I should let that to wiser heads than I to give the gentleman an expression of opinion on it. If it were necessary and vital then it might be indicated, however.

Mr. ANDREWS. Mr. Speaker, one further question. Does the gentleman not concede that if very, very, very grave offendings were unearthed and if conditions were uncovered so serious that a session of the General Assembly would be necessary to correct them, that unless we are in a position to receive a report it would be necessary for the Governor to convene a special session?

Mr. STROUP. Mr. Speaker, let me say in the first place, that thus far His Excellency, the Governor of the Commonwealth, has shown celerity of action when any Department of his seems to be under any cloud.

I should take for granted that immediately upon any representations that might come out of the study, he would move very swiftly and displace those who might be in a responsible position who have not lived up to their position with integrity.

In the next place, if, in his considered opinion, His Excellency should deem it necessary to call a special session on a matter of such vital concern I am sure he would call that special session.

Mr. ANDREWS. The gentleman will not concede that it would be much cheaper. It costs a little more than a $1 billion or something like that, $600 thousand, to convene a special session. It would be much cheaper to leave the way open for us to come back if the Speaker of the House and the President pro-tempore of the Senate decided that that was the thing to do. Would that not be the cheaper course?

Mr. STROUP. In answer to the gentleman, Mr. Speaker, I might say this: In the first place he is acting upon a premise which is unwarranted. I don't think this premise would stand. It is presumptuous for him to assume that before this House adjourns, if this committee goes to work, that there will not be sufficient before us to come to decisions as to whether or not we should recess or adjourn. That may be what would happen.

It is my contention, Mr. Speaker, in answer to the gentleman, if the ladies and gentlemen of this House will vote for this committee, and it gets over to the Senate next week, and then comes out as a full-fledged committee which will work immediately upon that, vowed and dedicated and consecrated to the tasks before it, we will have information before adjournment of this House this year.

Mr. ANDREWS. Mr. Speaker, a further inquiry. Would not either an amendment to the existing measure or a new bill be necessary if this committee is to file an interim report? Is it empowered to file an interim report?

Mr. STROUP. Mr. Speaker, I do not know whether I got all of the gentleman's question. I believe he is asking me whether or not an interim report may be made by this committee? Is that correct?

Mr. ANDREWS. Under the existing act?

Mr. STROUP. Under the existing act. It would be my judgment that the committee as created would have the power to make an interim report. It says to make a report by 1959 but it does not say that it shall not make an interim report in the meantime.

Mr. ANDREWS. Mr. Speaker, he is too clever a lawyer for me. Mentally, I have no doubt that he has conceded the validity of my contentions, but like a very, very good lawyer, he is faithful to his client, and his client is his particular bill.

Mr. STROUP. Mr. Speaker, I may answer the question by saying that I have not evaded at all the issues of the matter that the gentleman has brought to me. I do not concede the validity of his position.

Mr. RAGOT. I believe that House Bill 860 introduced last week, calling for an investigation of our Highway Department, is good. I might add that it is probably long overdue.

I would like to inject a thought. Much of our thinking on this matter hovers around the state level. I would like to point out that the work be done down to the county level. We should take a good look at each of our counties' highway organizations.

The Secretary of Highway, Mr. Lawler, in his defense, states that the reasons for the investigation of his Department are just rumors. Here are a few examples which are not rumors.

In January of this year the three Assemblymen from Northampton County went to the Secretary's office to see what could be done about Route 22 at the Easton entrance. We made an appointment with Mr. Rothermore, the District Superintendent, and we went to the highway and inspected it and thereafter we heard nothing from the Department. "Something would be done," they said.

It necessitated two Resolutions, one in the House and one in the Senate before the Department started to do something.

However, they only said they would do something and up to Monday when we travelled the highway, still nothing has been done.

As to the matter of incompetency. I am speaking of

District No. 5. The Superintendent of Highways of Northampton County is an ex-bartender of recent vintage.

In the County of Northampton, the Highway Department was going to hardtop a dirt road. Instead of digging into it and doing the job right, they resurfaced the old dirt road, right on top of it, raised it in one place three feet on one side, and on the other side of the farmer's house, which lies along this road, they raised it, on the other side of his property it has a low spot just about where his house sets. This highway is on the crest of a hill. Why they raised the highway on a crest of the hill, nobody can answer. So they asked the fellow who did the job, "What about this? What are you going to do about it"? "Well," the fellow said, "I know it is wrong but I don't know what to do about it."

We have also an engineering assistant employed by the Highway Department who also sells revolving lights which are used on the top of vehicles under contract by the Department. It is reported to me that this engineer's assistant has coerced several small truck owners into buying a $50 light from him. In one instance a man had to move a light from his truck and purchase a new one from him. This type of coercion should be cleaned out wherever it exists. I feel it is only one small example of what is going on at the county level throughout Pennsylvania.

I urge that in this investigation special emphasis be given to the county as well as to the state level.

I cite another instance and read from the Allentown Morning Call of March 18th, 1957, as follows:

> Chief Who Quit Agrees Road Program Is In Danger; Assails State Patronage.
>
> Arthur L. Wiesenberger of Allentown, who resigned last fall as deputy secretary and chief engineer of the State Highways Department, agrees with the Pittsburgh Sun-Telegraph that the entire state road program is in jeopardy. When Wiesenberger resigned in September he said it was due to differences of opinion with Joseph J. Lawler, state highways secretary. Why, I Resigned. Last night, after examining an Associated Press account of the Pittsburgh news story, Wisenberger said, The public is entitled to the real explanation of why I resigned. They've got it now. The story by the Pittsburgh Sun-Telegraph is justified. The situation is definitely true, Wiesenberger said.
>
> The Associated Press report, published in the Sunday Call-Chronicle, quoted the Sun-Telegraph as saying: Only radical and immediate reformation from top to bottom will save the State Highway chaos. Non-qualified persons were hired to fill the places of trained engineers who were fired because of political patronage. Dedicated Professionals. Wiesenberger, when he resigned last September, indicated that he fought job changes based on patronage. His theory is that engineers are among today's most sought-after professional personnel. Political differences should have nothing to do with whether they occupy a post as long as they are qualified, he feels.
>
> Last night, Wiesenberger noted that directly after his resignation the state hired a man named Harold F. Jerrold, who had been with the Ohio State Highways Department. Jerrold was made deputy secretary of Pennsylvania highways. He resigned after four weeks.
>
> Secretary Lawler and others in government must learn that dedicated professional people will not stand for political pressure. They accept work with government, at salaries lower than they can get in private industry, because they are dedicated to certain ideals. They won't be pushed around, Wiesenberger said.
>
> To support his argument, the Allentown engineer observed that among persons who resigned in recent months from the State Highways Department were H. G. Van Riper, chief design engineer; William Caulkins, assistant chief of design; William Warrick, chief construction engineer, and his assistant, Fred Mason; and Al Ditmer, chief right-of-way engineer.
>
> In addition, Wiesenberger said, about five of the eleven district engineering offices in the department are functioning with "acting" engineers.

Mr. Speaker, I believe that the investigation should go on and that this bill should be passed.

Mr. FILO. Mr. Speaker, I would like to remind the gentleman, Mr. Ragot, that he has had no trouble at all since he complained about one road just in January of this year.

I would like to call to the attention of the House that since I have been here, which is since 1948, I have brought to the attention of the Highway Department an S-curve in Kennywood, located in West Mifflin in Allegheny County, where there have been at least 11 deaths and the accidents were in the eight hundreds as of four years ago. On numerous occasions I went to the Highway Department and they said, "Yes, we will do something." At the present time I understand that a survey has been made to eliminate this dangerous S-curve in my county.

Apparently there are some differences regarding Mr. Wiesenberger's statement, because from this morning's Patriot I want to read the statement of the former state aide in which he lauds the road system.

Apparently there is some confusion, but since Mr. Ragot interjected into the record the statements made by the Sun-Telegraph, I certainly would like to interject these statements into the records today:

> Arthur L. Wiesenberger, Allentown, former chief engineer and deputy Secretary of Highways, said yesterday that while he had disagreements "the progress and achievements made in the past two years out-distance any previous record."
>
> Weisenberger issued a statement in connection with the current controversy over administration of the state Highway Department. He was named district engineer at Allentown in March, 1955, appointed chief engineer and deputy in September of that year and resigned in September. 1956.
>
> Wiesenberger, said in his statement:
>
> "I am a profesisonal engineer and therefore will not allow any one to use me for political purposes. Undoubtedly, there are matters which need adjustment in the highway department today; however, the same criticism can be applied to previous administrations.
>
> In my opinion, the progress and achievements made in the past two years out-distance any previous record.
>
> Wiesenberger said that when he took the highways post, "I recognized that the secretary (Joseph J. Lawler) was a layman and that there would be differences of opinion on technical problems."

"These differences became aggravated over the months and finally reached a breaking point," Wiesenberger said.

"Of course, I have, in private conversations, expressed my personal opinions. However, I want it clearly understood that they were strictly personal opinions and not to be counted as an indictment of the Department of Highways."

Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, I would like the Majority Leader to tell me how many trained engineers, or engineers, we have in the state Highway Department at the present time.

Mr. JOHNSON. My answer to that question is that that information is peculiarly within the knowledge of the Democratic party and I am sorry I do not have it. The hearsay is that it is an incredibly small number.

Mr. FILO. Mr. Speaker, for the gentleman's information, and I think my figures are correct, there are 2,900 engineers, registered engineers, in the state Highway Department.

Mr. Speaker, I would like to ask the gentleman, since the Highway Department has fallen apart at the seams, how many registered engineers have been dismissed by the state Highway Department?

Mr. JOHNSON. As I have stated before, we are gradually compiling it. I have a young man in my office who is working on this. We are compiling the information as rapidly as we get it.

We just learned that one of the chief engineers in the Chester division received a telegram one day at 5:00 o'clock that he was fired and not to show up the next morning. We are gradually getting the list. You have the records down in the Personnel Department and I would say, you that have those records, bring them here yourselves. We are having to go out and ask various people in the state about it, but you have the information. You produce it.

Mr. FILO. Mr. Speaker, the number of engineers—and I am not saying these were fired, because most of them resigned, if I am correct, the total is 18 registered engineers have left the state Highway Department under Mr. Lawler's administration.

Mr. Speaker, the gentleman in his dissertations stated, and quite correctly, that we have 41,000-some-odd-hundred miles of state highways. Yet he states that New York with a four cent tax on roads is doing a comparable job. If the gentleman remembers, the state of Pennsylvania has more roads than the New England states, New York, New Jersey, and I think Delaware, combined. Is it not reasonable to assume that since New York does not have the amount of roads to construct and probably does not have the same topography, the same terrain as Pennsylvania, that road costs are much higher in Pennsylvania than in New York, New Jersey, Ohio or maybe in some of the other states.

Why does the gentleman compare New York state with Pennsylvania? Why not take some other state?

I would like to ask the gentleman another question, Mr. Speaker, if he will permit himself to be interrogated.

Mr. Speaker, the gentleman made the statement that they are building a gigantic political machine in the state Highway Department. I would like to ask the Majority Leader how it came about that all of the engineers who were in the state Highway Department up until Governor Leader took office were Republicans?

Mr. JOHNSON. Mr. Speaker, I do not know as I said that the Highway Department was presently a gigantic political machine. If I said it, I believe that it is true.

The system we have today—and it is true—lends itself to that very thing. And it is true when we were in power we used it for politics, too. Those who worked were registered Republicans. That is very true. I said in my remarks that this commission could well determine whether the patronage system is the right thing for such a gigantic industry as our Highway Department. They could well give consideration to a good merit system within the Highway Department where we could take some of these young engineers coming out of Lehigh, Penn State, Pitt, Temple and the University of Pennsylvania and give them such type of security that they would be willing to give us the benefit of their modern training and their skills. That, I am sorry to say, is not true today, and was not true even when we were in power.

Mr. FILO. Mr. Speaker, I want to thank the gentleman for his honesty. Since he made the statement that we should not have the patronage system, I hope that when the Governor's recommendation for civil service in the Highway Department comes up on the floor of this House he will support it.

Just one question, Mr. Speaker. I would like to ask the gentleman—and he did make an allegation in his statement that some of the contracts are going out to engineering concerns which are not qualified—if he has any information or any records I would like to have him name, one, two, three, or any number of unqualified engineers who are being hired at the present time by the Highway Department?

Mr. JOHNSON. I did not say what you are attributing to me.

I did not make a positive statement that there were design engineering firms who were green and incompetent and turning out poor plans, underdesigning or overdesigning roads or causing additional payments having to be made to contractors because of poor design. I did not say that. I said it has been alleged that that is true and, if that is true, this commission should look into it. I agree with the gentleman.

Mr. FILO. I thank the gentleman.

Mr. Speaker, because of allegations made, it seems silly to me that all of a sudden—since the day of inauguration of our present Governor, January 19, 1955—our road program, our roads and maintenance of the roads, has gone to pot. Certainly if roads were built prior to the administration of our present Governor, they should have been roads which would have stood up even if the Department of Highways did not do one bit of repair on them. I say this, if those roads are breaking down at the present time, it is not the fault of the present Highway Department, it is the fault of the men that built those roads prior to the Governor Leader's administration.

Mr. LIPPINCOTT. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Filo.

The SPEAKER. Will the gentleman from Alelgheny, Mr. Filo, permit himself to be interrogated?

Mr. FILO. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, did the gentleman say there were 2900 registered engineers in the Highway Department?

Mr. FILO. Technically? They are called technical engineers. I may be wrong in that.

Mr. LIPPINCOTT. By engineers, does the gentleman refer to registered professional engineers?

Mr. FILO. No.

Mr. LIPPINCOTT. What does the gentleman refer to?

Mr. FILO. I guess they would be classified more or less—

Mr. LIPPINCOTT. What is the source of the gentleman's information that led him to state there were 2900 engineers in the Highway Department?

Mr. FILO. Well, that is a lawyer's question, incidentally, and it might be a technical question, too. But I believe that information is as good as some of the information I got from the other side of the House.

Mr. LIPPINCOTT. Will the gentleman state whether the information that he has given us as to the number of engineers is similar to the information he gave us concerning the cost of printing bills?

Mr. FILO. Mr. Speaker, truthfully, I am not responsible for—I may be responsible for the statement that I made. but I am certainly not responsible for the figures that were given to me.

Mr. RENWICK. Mr. Speaker, I know you have been very patient here. There have been a lot of arguments pro and con, but I think it is very necessary that you people hear the thinking of the small town editor with regard to this investigation.

This editor lives in a small town in my district in my county, and I might add that he is a registered Republican. He goes on to say, and I quote:

> It now appears likely that the General Assembly will approve a full-scale investigation of the State Highway Department at an estimated cost of $100,000. "The probe is being sponsored by most Republican members of the House who claim they are concerned by growing clamor of irregularities and misdeeds by those in the department. Personally speaking, we can't buy the probe—not one red cent of the $100,000 publicity scheme can we buy. This matter of investigations in state and national government has reached the point where the public is numb. What's more, because someone decides the $100,000 expenditure is justified the people back home are supposed to be happy.
>
> In this day and age when personal and property taxes are being increased on all sides the citizens have got to get to the point of letting their lawmakers know they aren't satisfied with the huge amounts of money being expended to probe this thing or that.
>
> The Republicans in the House want to investigate the Highways Department. We personally have to question whether they want to probe the department for the good of the folks back home or for political fodder for two years hence when we will elect a governor and a state senator.
>
> When John S. Fine was governor and the same department was in the hands of the Republican administration we do not recall them advocating an investigation when an $80,000 steel and concrete bridge was built in the middle of an open field, as part of a four-lane divided highway, with no connecting roads on either side of the span, nor was there any apparent future need for such connecting roads.
>
> When this situation was called to the personal attention of Governor Fine he put his answer in writing. It went something like this: The bridge was placed there in the event one is needed at that spot some time in the future.
>
> The Republican chairman of the county in which the bridge was erected slipped a disc when Governor Fine's explanation appeared in cold, black print.
>
> The Highways Department is and has been a political football. We don't need a $100,000 investigation to determine that.
>
> Our personal complaint about the proposed investigation centers on the motive behind the probe and the cost to the taxpayers.
>
> If the Republicans were in power and the Democrats called for the same investigation we would take the identical stand. It matters little to us who's on first and who's tossing the curves. Our interest is in the welfare of the citizens of Elk County who will have to help foot the bill.
>
> The people of Elk County helped to pay for that $80,000 bridge in the middle of the open field—in the county where it is located it is referred to as "the bridge that leads to nowhere"—and there was no investigation to determine who was responsible for the "coincidental" erection of it just in case it might be needed in the future.
>
> Our personal feeling is that we folks here at home are going to continue to pay $100,000 bills until we get the lawmakers—Republicans and Democratics alike—know we don't like it.

Now, ladies and gentlemen, you heard what the thinking of this editor is. So, I say to you that is my thinking and I think it is the thinking of all the people of Pennsylvania. So, I am asking you to vote down this bill today.

Mr. GRANVILLE E. JONES. Mr. Speaker, I am not particularly opposed to this investigation, but I am concerned about the large allocation this bill is asking for, $100,000, which brings to the citizens of the Commonwealth an unwarranted amount of taxes to pay.

At this time I would like to interrogate the gentleman from McKean, the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. G. E. JONES. Mr. Speaker, will the gentleman tell me just how many members are on this committee or are supposed to be on this committee?

Mr. JOHNSON. It is a ten-man commission.

Mr. G. E. JONES. A ten-man commission. Could you tell me what the rates will be of those serving, such as clerks, investigators or what-not? Can you give me that break-down?

Mr. JOHNSON. The members of the commission will serve without pay. They will be members of the General Assembly and are being paid for their official duties.

Mr. G. E. JONES. I mean the secretaries and employes, clerks.

Mr. JOHNSON. I am sorry, I do not have a budget. I only have to say that enough secretaries will be employed to do the job.

Mr. G. E. JONES. What will be their titles, investigators or . . .?

Mr. JOHNSON. You asked me, secretaries? I would say if we employ a stenographer, she will be called a stenographer. If she is a secretary, private secretary to the Chairman of the Commission, she would be called a secretary.

Mr. G. E. JONES. And you are not in a position to tell what her rate in salary will be?

Mr. JOHNSON. I would say it will be the customary fair and reasonable going wage for personnel of that type that's fixed by the Governor's conversion system here in the State Capitol.

Mr. G. E. JONES. I would like to know how the committee on this bill arrive at such a figure as $100,000?

Mr. JOHNSON. I believe I have previously explained that. It is such a prodigious job and will require counsel and engineers and accountants and some type of technical personnel to work on this probe and I would say that it will cost money to do it. It cost $12,000 to have a House Committee here just making a cursory study of the Delaware Joint Toll Bridge Commission's activities, part of which expenditures have not been received by anybody.

Mr. G. E. JONES. Does the gentleman expect this committee to go over until some part of 1958 in its investigation?

Mr. JOHNSON. I would suspect that this commission will, yes. The study will be prospective in nature, and if the arm of the commission reaches into 1958 for purposes of planning and projecting highway needs, I would say yes, that they will study in the year 1958, that is it is quite possible.

Mr. G. E. JONES. Mr. Speaker, if the $100,000 is not sufficient to complete this job, do you think the committeee will come in and ask for an additional amount of money?

Mr. JOHNSON. That I cannot say. The Legislature not being in session, they would have to come back into session to ask for additional funds, and if they did, that would be before this General Assembly for a vote.

Mr. G. E. JONES. I thank the gentleman.

Mr. G. E. JONES. Mr. Speaker, I would like to interrogate the gentleman from Lancaster, Chairman of the Joint State Government Commission, Mr. Royer.

The SPEAKER. Will the gentleman from Lancaster, Mr. Royer, permit himself to be interrogated?

Mr. ROYER. I shall, Mr. Speaker.

Mr. G. E. JONES. Mr. Speaker, the gentleman is the chairman of the Joint State Government Commission? Is that correct?

Mr. ROYER. That is right.

Mr. G. E. JONES. First, could the gentleman tell me if his commission is fully established to proceed with the nature of this business?

Mr. ROYER. We are equipped to go into any research problem that the Assembly may require.

Mr. G. E. JONES. It is the specific duty of your commission to investigate the board and commissions and other departments, is that correct, their findings or functions?

Mr. ROYER. We are permitted. We have the right to investigate and receive any information from any department in the State Government.

Mr. G. E. JONES. I would like to know if your commission has the power to summon any persons for which such information is needed in the investigation of any department or commission in the state government?

Mr. ROYER. Have you reference to subpoena?

Mr. G. E. JONES. Yes.

Mr. ROYER. I question that.

Mr. G. E. JONES. Do you have the privilege to summon anyone at all for investigation while you are investigating the committees?

Mr. ROYER. Mr. Speaker, we do.

Mr. G. E. JONES. You have that power or privilege?

Mr. ROYER. We have the right to request any information from any of the departments.

Mr. G. E. JONES. You receive appropriations to make such investigations, do you not?

Mr. ROYER. We receive a biennial appropriation for the conduct of the commission.

Mr. G. E. JONES. Now as to the results or the findings of your commission, you, therefore, submit your recommendations to this House to dispose of it as they see fit. Is that correct?

Mr. ROYER. If the gentleman will read the new Act which was created at the last session, he will find that the procedure is somewhat different than it has been heretofore. The results of the task forces which operate under the direction of the commission make their reports to standing committees of the House and Senate.

Mr. G. E. JONES. You just told me if I read the findings in your reports, I will find out just how you make your recommendations to this body. You make them to the standing committee, I understood you to say, is that right?

Mr. ROYER. That is correct.

Mr. G. E. JONES. I asked you a few moments ago if you make your recommendations to the General Assembly to dispose of the problems or the results of your findings.

Mr. ROYER. The final analysis of the findings are reported to the General Assembly by virtue of the task forces for whatever disposition the standing committees of the House and Senate desire.

Mr. G. E. JONES. I would like to ask one more question, of the Chairman, Mr. Speaker.

Just how many members are on your committee, the Joint State Government Commission?

Mr. ROYER. On the entire Commission?

Mr. G. E. JONES. The entire Commission?

Mr. ROYER. The entire Commission is composed of all members of the House and the Senate.

Mr. G. E. JONES. All the members of the House and the Senate?

Mr. ROYER. That is correct.

Mr. G. E. JONES. That must be a new regulation, a new set-up.

Mr. ROYER. Mr. Speaker, in fact, if you were a member of the Assembly in the last session, you helped to pass on it.

Mr. G. E. JONES. I was not included as a member of the Joint State Government Commission. I have not found my name on it.

Mr. G. E. JONES. Mr. Speaker, I have read the act and I will now raise one more important question. Some 60,000 to 80,000 citizens of the Commonwealth want to know this. That is why I asked the questions.

Has there been at any time during your tenure any of the colored Members of this House serving in the capacity as a member of the Joint State Commission?

Mr. ROYER. Mr. Speaker, in answer to the gentleman from Philadelphia, the selection of members of the former task forces and also of the committee which made the studies were always appointed, suggested by the Speaker of the House, and by the President Pro Tem of the Senate. The Chairman of the Joint State Government had nothing to do whatsoever with the selection of any member of any committee.

Mr. G. E. JONES. The question I asked, Mr. Speaker, was whether any of the colored Members of this House served in any capacity, on your committee?

The SPEAKER. The questions that are being asked by the gentleman are not relevant to the question that is before this House.

PARLIAMENTARY INQUIRY

Mr. G. E. JONES. I rise to a question of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. G. E. JONES. I have asked this question because the Joint State Government Commission, having the power to investigate every department of the state government, I want to know, like the citizens of the Commonwealth want to know, how many of our Members have been or have served or are now serving on these committees.

The SPEAKER. Now is not the proper time to raise that question. The question before this House is on House Bill 860.

Mr. G. E. JONES. That is what I am talking on. I will come to that, Mr. Speaker.

The SPEAKER. The gentleman will continue. The gentleman will be in order if he continues talking on the question.

Mr. G. E. JONES. Thank you, Mr. Royer.

Mr. Speaker, ladies and gentlemen of the House, just a few weeks ago you voted $20 thousand to a committee. On the calendar we have another bill asking for another $10 thousand today. We are now considering House Bill No. 860, asking for $100 thousand for a committee to investigate a certain Commission. We have to save the taxpayers of the Commonwealth from any unwarranted taxes, which they expect you and I to do. What would be to stop this House from proposing other legislation asking for allocations to investigate other Commissions, such as Public Utility, Liquor Control Board, and what not? The Joint State Government Commission established by this House and Senate can do the same as the investigating committees if so requested by this Assembly. If we are going to create new and special committees to investigate certain departments and boards and commissions, then we should abolish the Joint State Government Commission because its functions and duties are meaningless. There are several examinations needed, perhaps, in the various departments of state government, such as, dual job-holders, like the Commissioner, for instance, also serving as Superintendent of Pennsylvania Industrial School in White Hill. Because of the large number of negroes in the various institutions, I raise the question of colored Members being on the Joint State Government Commssion. We reserve the right to see and know what happens to them.

Mr. Speaker, I want to read into the record, a letter from one of the business houses here, addressed to me. It is a letter from a taxpayer asking why we, the members, do not try to alleviate some of the taxes like we are meditating on now, unwarranted taxes.

This letter is from the Thomas Holmes Manufacturing Company, manufacturers of textiles, notions and specialties:

March 11, 1957.

> Dear Assemblyman: The increasing burden of taxation in the State of Pennsylvania is growing to the point where we are seriously considering moving our business out of the state. What with the heavy burden of taxes paid on federal, state and local levels, a small business enterprise such as ours finds it increasingly . . ."

The SPEAKER. The Chair has asked the gentleman to confine his remarks to the subjcet before the House. The subject of the letter the gentleman is reading has nothing to do with the subject.

Mr. G. E. JONES. Mr. Speaker, I am reading the subject of the taxpayers who ask of me, as a Member of this House . . .

The SPEAKER. The Chair has ruled that the gentleman's remarks are not in order.

PARLIAMENTARY INQUIRY

Mr. G. E. JONES. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. G. E. JONES. Mr. Speaker, am I not permitted to state the citizens' viewpoint as a taxpayer?

The SPEAKER. The Chair will read from the rule concerning debate:

> Rule No. 611: On being recognized, a Member may speak, confining himself to the question under consideration and avoid personal reflections.

The gentleman is not discussing House Bill No. 860.

Mr. G. E. JONES. Mr. Speaker, I am discussing and talking on House Bill No. 860, and I have to refer to each point of it.

The SPEAKER. The Chair has ruled that the gentleman is not discussing House Bill No. 860; the gentleman is discussing the tax program.

Mr. G. E. JONES. All right, Mr. Speaker, I will go further on in my final conclusion here.

The SPEAKER. The gentleman will confine his remarks to the subject before the House.

Mr. G. E. JONES. I, therefore, wish to conclude my statement, Mr. Speaker and Members of the House, that this is another large sum of taxpayers' money being used just to find out who influenced who for political expediency. I, therefore, Mr. Speaker, at this time move to recommit this bill to the Committee on Rules so that the Joint State Government Commission can have the power to go on and do its duty.

Mr. G. E. JONES. Mr. Speaker, I wish to withdraw

the motion I just made to recommit the bill to the Committee on Rules.

The SPEAKER. The Chair thanks the gentleman.

Mr. GROSS. Mr. Speaker, there seems to be a great deal of concern about spending $100 thousand for this investigation. I think the price is very small, for, as you see, in my district they are now building a bridge, and I am from the district the Governor comes from. We live only a few miles apart. They are building a bridge which cost $160 thousand, and this bridge is being built by Mr. Lawler on a road which carries two cars per day. I have a letter from the Highway Department stating just that. It is also going to develop certain real estate, ground for certain people around York.

Another thing concerning the Highway Department, they said there were no men fired for political reasons. A neighbor of mine was fired last week. He was in the Highway Department for 40 years. He is now 60 years old. He was a caretaker from 1919 to 1929 and up until '45 he was a timekeeper. At the present time he has been a foreman since 1945. He was fired and I wish to quote the Superintendent of Highways firing him. He said, and I quote: "We had an executive meeting and I am under pressure. You must go and every other carryover is going to go with you." It so happens that in my county the Superintendent of Highways is also the Democratic Chairman of York County. It has been stated that 24 Democratic County Chairmen are Superintendents of Highways. However, this has been denied. In my county I can back that up that this is the case, and he has fired men for political reasons and he is no more qualified to be the Superintendent of Highways than I am, and I know nothing about building highways. I am very much in favor of this bill.

Mr. McCANN. Mr. Speaker, may I yield to the gentleman from York?

The SPEAKER. The gentleman from Greene, Mr. McCann, yields to the gentleman from York, Mr. Gailey.

Mr. GAILEY. Thank you, Mr. Speaker. I hate to take up the time of this body with the sort of petty tales to which the gentleman from York who preceded me has alluded.

You have heard the grave charges that he has made here today and I want to point out only one aspect of this argument and ask you to judge the rest of it on that. He stated that the Secretary of Highways is building a bridge at a cost of $160 thousand in York County. Very true. But, what the gentleman does not tell you is that the Pennsylvania Department of Highways, at the initial request, refused to include such a bridge in its plans. The bridge was only placed on this road at the insistence of the Federal Bureau of Highways under the Eisenhower administration as a prerequisite to Federal reimbursement for this highway.

Mr. McCANN. Mr. Speaker, we have prolonged the debate for quite some time on this bill. I would like to say that there are many editorials in small county papers that are questioning this type of investigation. I personally have had an opportunity to read some as recently as today from a Clearfield paper, and papers in the western part of Pennsylvania, from small town papers not covering major circulation, but only counties. I have had requests from staunch Republican people, people whom I have great confidence in even though we differ in political opinion, who have disapproved of this type of spending of money.

I have told those people, and I think I will stand up under the pressure, that I believe the investigation should go on, and the results should be given to them as well as to me, and, even though it is not a great sum of money, when you come from small counties these figures look mighty big. It is a lot of money to small people and small town editors, which Mr. Johnson seemed to indicate are the major part of newspapers that all over the state favor this. I would like for him to have his members from his areas, from Republican county areas, see editorials that I have seen and read and to give them to Mr. Johnson.

I would like to say that I, as one Democrat, support this investigation and I would like to have the investigation done very rapidly, as rapidly as possible, and get all the facts, because I could go on here today for hours on some things that have happened in former administrations, things which we could produce by facts, which, I hope, will be a part of this investigation so that we can correct those things.

Be it Democrat or Republican that controls the Highway Department, I am one person who believes in giving political patronage to the people in the Highway Department, and for those people who are just as capable of doing a job as they will be if you win and you remove them. I like to think that we have people on both sides of the fence, highly capable of doing small tasks, not technical.

I would like to say that I hope when this investigation is completed and, I would like to believe, and I hope and pray, that it will be certainly an investigation that will reveal all the facts. The mistakes that may have been made can be corrected for the future, and if those mistakes are mistakes of our fault and your fault, we owe it to our people, the people that you represent to correct them.

I believe that we have had a debate and we could go on into petty facts regarding this bill. I could bring up charges in former administrations in my county; you could do the same, probably at the present time. But let us go in and finish the story because I am at least led to believe that this is not a political football for the next election, but a true intent to find out if we can correct and make our Highway Department a better Highway Department. I know that as I listened to some of the figures here today regarding the allocation dealing with the Federal funds, that will come out later in which you will see that there are many things that hold it up. The Pennsylvania Public Utility Commission has held up millions of dollars' worth of work in Pennsylvania. You will see that certain other allocations will hold up certain portions of this.

The Federal Bureau of Highways insists upon certain things, and even though the Highway Department does not approve, they must do those things to be eligible on that particular road. Many of these projects were in your own county. It would be well for each Member in this House to just stay in his own backyard and follow the system carefully, the regulations that are imposed from the Federal end, the ideas that have to be carried through. We possibly cannot change that. We have no jurisdiction over the Federal regulations imposed upon

the Highway Department, but again, those things should be brought out in the investigation. The public is entitled to hear both sides of the question, to hear it fairly and to render its decision acording to the report of the investigation.

On those grounds, and to those Republicans in my county who have personally come to me, people who ask that I oppose this investigation, that they are getting sick and tired of investigations either at Washington or in Harrisburg, to them I say that I will stand here to defend that this investigation go on. The charges should not hang over their heads forever. They have been indicted in the public Press. They are entitled to their day, to a decision so that the public may render its opinion.

Mr. GROSS. Mr. Speaker, in order to set the record straight, the Federal Highway Department did not at any time tell or even suggest putting a bridge at any place. They either disapprove or they approve the plans, they do not suggest.

Mr. PETROSKY. Mr. Speaker, I believe I would like to return to the main issue before us here as mentioned on this floor by the Minority Leader and our former Speaker, the gentleman from Cambria, Mr. Andrews.

I believe their arguments on the issue that in order to do a job for the people, today is the time to make this investigation. They have propounded many arguments to you as to why it should be done immediately rather than setting up a commission to do it over a period of two years to report at a later date.

I would like to add my arguments to that. I believe that we in the General Assembly want to do the best job possible for the people as regards the highway program today and the projection of that same program into the future.

In my deliberate study of this program, Mr. Speaker, I find there is more to be concerned about than just the mere matter of a hundred thousand dollars appropriation for a study, and in passing I want to say this is the first time in my 17 years of tenure in this House that I have seen a willingness on the part of the minority, which is of the same party as the administration of our state government, willing to investigate the Department.

We would like to investigate that Department for the betterment of the program that we have for the people. We are for an investigation. We have evidenced that by sponsoring a resolution, a proper one, to bring the facts before the 210 Members of the House and 50 Members of the Senate as to what is wrong in the Highway Department, if anything is wrong, and to promote a program which will enable us to partake of that which should come to us under Federal allocation.

Recognize this if you will, Members of the House, in my study of this problem I feel you are dealing with the possibility today of jeopardizing the state of Pennsylvania's position in receiving allocations for the next three bienniums to the total of $800 million from the Federal Government.

The total allocation in the 1957-1959 biennium will be $225 million. As it moves into an accelerated basis for the 1959-1961 biennium, then from the 1961 to the 1963, there is a greater allocation from the Federal Government.

After that biennium it levels off in that same amount, which will be allocated to our state based upon our survey needs and under the legislation passed in 1956 by the United States Congress and signed by President Eisenhower.

Just think of the cloud you have hanging over the Highway Department today. Just think of jeopardizing the position of the state of Pennsylvania, the position of the people of the state of Pennsylvania, with the thought of the United States Bureau of Better Roads feeling that some of these things may be true. That will hinder our procuring the amounts of money we should get from the United States Bureau of Better Roads under the Federal allocation.

You have a greater problem here than you think we have, and I defy anyone in this House to say otherwise, because under control of the Democrats and the Republicans in this House, we have established a fact-finding body known as the Joint State Government Commission. This Commission is staffed with the highest caliber of personnel we were able to obtain and it is ready, willing and able to do a job, and to do a job immediately, so that we can for all time set this into motion in a proper manner. You cannot let this rest as it is and bring the report into this Assembly at the next session of the Legislature.

We are confronted with an expanded highway buildinf program and that program should have no smoke-screen, no cloud, over it, in order to do a job for all the people in this Commonwealth.

I state to every Member on the other side who got up and spoke, spoke of the time element involved, that we too are concerned with that time element. We are concerned with the time element because of the impact of a drawn-out political hassel. Every investigating committee, whether it be conducted by Democratics or Republicans, has proven that in the past, that is what came out of every committee.

You have witnessed it in the Federal Congress and in your state government. I take you right back to 1939 in your state government investigations with all the indictments and eveything else you had, when all the smoke was cleared away it looked as though nobody was guilty of anything, since the political purpose for which the investigating committee was set up to do was accomplished. I want to believe, and I do believe, with the gentleman on the other side of the House from McKean County, that this will not be used for political purposes. However, let us hear from the fact-finding arm of this Legislature which we have under our control. Remember this, the Joint State Government Commission is just as strong as 260 Members of the General Assembly, because we are the Joint State Government Commission.

Let them move forthwith. Let your technical directors of that Commission under the Chairman of the Commission the Honorable Baker Royer, the gentleman from Lancaster, set up immediately a schedule to follow through, bring in a bill of particulars from their fact finding—and incidental to that I may say this, if the $360,000 which we allocated to the Joint State Government Comission is not sufficient, you know and I know we can pass additional appropriation bills to give them sufficient money to conduct this inquiry. But let them first go out and locate for us a bill of particulars upon the question at hand. Let us take that bill of particulars

and during this session pass the remedial legislation necessary to rectify whatever evils exist under the charges or under the allegations which have been made to date.

I may say that has been a recommendation by one of the groups which made some of the allegations. They said it would be too late to wait for another session of the Assembly. In order to have this highway program for the state of Pennsylvania conform with the Federal program, two years from now will be too late. You and I know we ought to get to our jobs forthwith, because within this immediate biennium there is consideration given to over $600 million for the operation of the High way Department in its budget as presented to us. When you extend it into the next three bienniums, the allocations from the Federal Government will be over $800 million.

I listened to a very learned gentleman, a gentleman by the name of Major General Louis W. Prentiss, a very highly qualified man who is with the American Road Builders Association. He stated it takes from 18 to 24 months to plan and design these major projects which are being contemplated under the Federal Aid program, the interstate, the primary, the secondary and the urban portions of the Federal allocation.

Members, if you wait for two years before you pass remedial legislation to correct whatever is wrong, recognize, if you will, that you are postponing those projects which are so essential to the citizens of Pennsylvania for another two-year period. Don't lose sight of the fact that it is a harder job for the Highway Department to do some good and to get cooperation from the United States Bureau of Better Roads and the other Departments with which they must get cooperation in order to build the highways so necessary to us.

This time element is of major importance. By setting aside that importance by passing a bill today requiring a report to the next session of the General Assembly, you are doing an injustice to the people of Pennsylvania.

We are willing with you to sit down in an investigation through this non-partisan fact-finding body which we have established. It has proven its value and its worth in the past on matters of this nature and it certainly will do so at this time.

I venture that within a period of 60 days if the leadership of this House on both sides will put themselves to the task of working out an investigation, they can return a bill of particulars through the Joint State Government Commission. You know we are not opposed to an investigation, but we feel we owe the people of Pennsylvania a service. I merely ask you to immediately move forward and find out the particulars involved in all the allegations which have been set forth by individuals, by discharged employes, by associations, or any other group which has made such allegations.

After having set up this study and getting the bill of particulars, then we can move further into an investigation, if such is necessary, and we can move further into passing legislation at this session to rectify the evils that exist. We must do that today.

We cannot delay because one of the largest associations in this state have told us that two years from now will be too late. Let us find out if anything is radically wrong. I think if the leaders on both sides of the House get together, expediting such an investigation through that arm of the Legislature which we have set up to do so, to procure facts and to do research on these problems, they can within a 60 day period of time—and I certainly do not think you are going to adjourn sine die before a 60 day period of time—bring before the 260 Members of the General Assembly those facts and those particulars. Then we can immediately with dispatch expedite the necessary legislation to correct those evils.

If a further investigation is necessary from those findings, then I say to you, gentlemen, we will move along with you.

However, I at this time cannot from the very import of the bill before us support this measure. An immediate investigation, yes, I believe that that is necessary in order to help the people in Pennsylvania.

A delayed-action proposition such as is contained in House Bill 860—and had you wanted to make it different than what we must assume it is, a political witch-hunt, then you would have written into this House bill specified items and a specified agenda so that the Members could intelligently approach the subject matter before us.

Members, we want an investigation. We want it because it is going to serve the best interests of the citizens of Pennsylvania, but it will never serve their best interests if you delay it the way you will be able to delay it by enacting House Bill No. 860. If you are sincere in your purpose, you will move immediately through the group we have established and you will give the people the facts, you will give them a full bill of particulars, and then we will proceed to the business of the day and you will not jeopardize Pennsylvania's position in procuring the Federal allocations which are coming to them.

I ask you in the interests of the people who are concerned with good highways and good business administration in Pennsylvania, set aside your political leanings, do this job for the people, and I know you will have the full cooperation of every Member on this side of the House.

Mr. JOHNSON. Mr. Speaker, I believe this matter has been quite thoroughly debated and I am sure we all appreciate the way the Members have listened to the debate and have stayed here during this entire proceeding.

As I see it, this investigation would be divided into two parts, first, investigating the charges against the Department, second, giving us a long-range program or a study of how the Department can best be operated.

We have moved rapidly on this bill. We put it in Committee one day and had it out the next and we are voting on it today. The plan is to have the Senate vote on it next week. The commission could be immediately appointed and set up. They could get going quicker than the Joint State Government Commission could. They would first investigate the charges against the Department, because that is the most paramount thing, so they can be cleared.

Secondly, they can do the other phase of the job. This commission is the vehicle by which we are going to, and should, do this job and I am asking all of you to vote "aye" on this bill.

Mr. READINGER. Mr. Speaker, I desire to interogate the gentleman from McKean.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, will the gentleman agree to have this bill before us amended, to write into the bill itself what the gentleman has just stated, and also put a time limit on the report to this General Assembly on the first phase of it?

Mr. JOHNSON. Mr. Speaker, an amendment like that could well be inserted in the Senate, but the bill is before us today. We have spent a long time debating it. I say let us put it to a vote and send it over to the Senate and, if there is merit in those proposed amendments, I am sure they can be inserted in quick time there and we can concur in any amendments. Let us get the bill out of the House today in order to make time so this investigation can get under way.

Mr. READINGER. I desire to ask the gentleman further whether he would agree to a further amendment to this bill to provide that there shall be an equal number of Republicans and Democrats on this commission?

Mr. JOHNSON. That is, of course, a soul-searching question, one I am really not able to answer. It is up to the Speaker and the President pro tempore to make those appointments. I hardly believe it has been customary in legislative halls to do that. I do not believe you did it on any committees of investigation last session.

Mr. READINGER. Will the gentleman agree that this commission should be completely non-partisan in its approach to the problem?

Mr. JOHNSON. I would say, as I said at the outset, that this is not a witch-hunt, this is not a matter to gain political advantage, but certainly I do not believe there should be divided control. I think somebody should be the boss.

Mr. READINGER. Will the gentleman agree to recommend to his membership that this bill be amended to provide that the Joint State Government Commission shall make the investigation, the first phase of it?

Mr. JOHNSON. No, I will not agree to that. I personally feel the Joint State Government Commission should remain the research arm of this Legislature and not become an investigatory arm as this bill contemplates. I understand none of the states in the Union have combined research and investigation in their Joint State Government Commissions. They stuck to research for the members and left investigations for other commissions and committees.

Mr. READINGER. Will the gentleman agree to place this bill on the postponed calendar for the purpose of considering a resolution now in the Rules Committee raising the question specifically as to whether the Joint State Government Commission should make this investigation?

Mr. JOHNSON. No, I would not agree to that motion at this time.

Mr. READINGER. I thank the gentleman.

Mr. READINGER. Mr. Speaker, I think the crux of this whole problem is not whether there should be an investigation, but how it should be done. That was my opening statement, and I am going to close with that statement.

I intend to vote for an investigation, but I do not intend to vote for it in the way you are attempting to force it down our throats. The gentleman has said the first phase would be so and so and the second phase so and so, and suggests that the other amendments I have indicated might be inserted in the Senate. We do not know whether they will or whether they will not. My guess is they will never get in in the Senate. If they do not get in the bill in this House, they will never get in.

Members, you and I know what can happen to investigations. Not so long ago we appropriated some money and set up an investigation committee and gave them a time limit of 60 days. It now appears they will not get finished in anywhere near the 60 days. They have not even taken up in the first four weeks the main subject of the committee's work. The very case that gave rise to setting up the investigating committee has not even been discussed. I can just see what will happen if this bill gets on the books.

Mr. Stroup said earlier in the debate that it would be a fair investigation, and so forth, and so on, and he speaks as though he would be a member of it. Perhaps he will, perhaps he sould be, perhaps he will not be, but if the Rpublican high command, the State Chairman, says, "Look, let's delay this and run it out, run out and run it out away into 1958," I can just see what you could do with a commission of this kind. You can really play politics, and I do not doubt that you would. I think if you are honest about this you will put a time limit on, you will say the first phase of these charges which have been made should be investigated and the report should come back to this session of the General Assembly. Put a 60 day limit or a 90 day limit on, but bring the report in during this session, not in 1959, and do not string it out during 1958. I am going to ask every Member on this side of the House to vote against this bill because of your unyielding attitude and the methods and the manner as to the way in which this should be done.

We want an investigation, we want our Department of Highways either cleared, as Mr. Andrews has said, or to place the blame for whatever might have been done wrong. But we do not want it spread out over the next year and a half for political purposes. I think this bill should be voted down today and I think we should rewrite it, rewrite it along the lines I have mentioned.

Mr. VARNER. Mr. Speaker, I think the best political thing the Republican party could do would be to let the Highway Department keep on fumbling and stumbling as they are now doing. I think the people in Pennsylvania believe that the intelligent approach is to find out what is wrong, if anything, with the Highway Department.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. CAPANO, PETROSKY and ROVANSEK.

The roll was verified and was as follows:

YEAS—123

Adams,	Ewing,	Lee, K. B.,	Ragot,
Agnew,	Fetterolf,	Light,	Royer,
Andrews,	Fox,	Lippincott,	Rudisill,
Ashton,	Gibb,	Loprestl,	Seltzer,

Barton,	Gibson,	Magee,	Snare,
Bell,	Goldstein,	Mahan,	Spray,
Bower,	Goodling,	Markley,	Steckel,
Bowman,	Goodrich,	Marsh,	Stevens,
Brand,	Gramlich,	McCann,	Stimmel,
Breisch,	Gross,	McInroy,	Stoner,
Brennan,	Guthrie,	Merry,	Strausser,
Brenninger,	Haudenshield,	Metz,	Stroup,
Breon,	Heffner,	Mikula,	Stuart,
Brown,	Henzel,	Miller, B. Z.,	Tompkins,
Brucker,	Hocker,	Miller, H. G.,	Ujobai,
Buchanan,	Horst,	Miller, W. H.,	Varner,
Carson,	Ide,	Moody,	Vaughan,
Cleveland,	Isaacs,	Moscrip,	Wall,
Curwood,	Jenkins,	Moyer,	Wargo,
Dalrymple,	Johnson,	Munley,	Weidner,
Davis,	Johnston,	Murphy,	Wescott,
DeLong,	Jones, T. H. W.,	Murray, H. P.,	Whittaker,
Dengler,	Jump,	Naugle,	Willaredt,
Dennison,	Kehler,	Ogilvie,	Williams,
Dietterick,	Keller,	Parry,	Wilt,
Donahue,	Kernaghan,	Phillips,	Worley,
Down,	Knecht,	Piper,	Wyatt,
Dunn,	Kooker,	Pomeroy,	Wynd,
Edwards,	Korns,	Post,	Zimmerman,
Erb,	Lafore,	Price,	Helm,
Eshleman,	Lee, A. M.,	Pursley,	Speaker

NAYS—43

Amarando,	Fineman,	Lutty,	Renwick,
Boles,	Flynn,	McKeever,	Rovansek,
Breth,	Gailey,	Muldowney,	Scarcelli,
Bucchin,	Garlock,	Mullen,	Shields,
Capano,	Hamilton,	Musto,	Snider,
Comer,	Heavey,	O'Brien,	Taylor,
Cummins,	Jim,	Pashley,	Toll,
Devlin,	Jones, G. E.,	Petrosky,	Varallo,
Dougherty,	Kamyk,	Polaski,	Welsh,
Duffy,	Leonard,	Readinger,	Yatron
Filo,	Limper,	Reidenbach,	

NOT VOTING—43

Anderson, M. S.,	Floyd,	McGee,	Silverman,
Anderson, S. A.,	Foster,	McLaughlin,	Smith,
Auker,	Frascella,	Mihm,	Stone,
Blair,	Gelfand,	Mills,	Thompson,
Boory,	George,	Monroe,	Trusio,
Cianfrani,	Holt,	Murray, P. G.,	Verona,
Cioffi,	Kornick,	O'Dell,	Walsh,
Cooper,	Krakow,	Rigby,	Wheeler,
Donaldson,	Lovett,	Schuster,	Willard,
Ellberg,	Maxwell,	Schwartz,	Wood,
Farabaugh,	McCormack,	Sherman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

CONGRATULATIONS

Mrs. MUNLEY, Messrs. WARGO, EDWARDS and REIDENBACH offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, March 21, 1957

Tuesday, March 26, 1957, marked the silver wedding anniversary of the Honorable and Mrs. J. Russell Phillips of Scranton, Pennsylvania. It is indeed a pleasure to join with Representative Phillips and his wife, the former Mildred Reese, in celebrating the twenty-fifth anniversary of the taking of their marriage vows. We feel confident that this fine union will continue happily for many years to come, setting a splendid example of ideal marital bliss; therefore be it

Resolved, That the Members of the House of Representatives all join together in extending their most hearty congratulations to Representative and Mrs. J. Russell Phillips on their silver wedding anniversary. Their marriage was blessed by a son John, therefore be it

Resolved, That a copy of this resolution be forwarded to Representative and Mrs. Phillips at 2310 Boulevard Avenue, Scranton, Pennsylvania.

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Phillips.

Mr. PHILLIPS. Mr. Speaker, this comes as a surprise to me. I am very proud of it, very happy that the House would take recognition of our anniversary.

Speaking for Mrs. Phillips and myself, I want to say, thank you. There comes a time in everybody's life, I think, when you stop and look back and see just what has happened.

I can say that we have stopped at this time, Mrs. Phillips and I, and looked back and we can say that we have had a very happy and a very healthy life. I think when you have had that, that is all you can ask for.

I only hope that the rest of our days together will be as happy and as healthy as they have been. I thank you again.

The SPEAKER. The happy bride is also present. Will she rise in her place?

The SPEAKER. With the consent of the Majority and Minority Leaders, all remaining bills on today's calendar will be passed over. The Chair hears no objection.

SENATE MESSAGE

AMENDED SENATE RESOLUTION CONCURRED IN BY THE SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate resolution as follows:

In the Senate, March 25, 1957

Resolved, (The House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, April 1, 1957 at three o'clock p.m., EST., and when the House of Representatives adjourns this week, it reconvene Monday, April 1, 1957 at four-thirty o'clock p.m. EST.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 479.

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 258 and 357.

ADJOURNMENT

Mr. FOX. Mr. Speaker, I move that this House do now adjourn until Monday, April 1, 1957 at 4:30 p.m.

The motion was agreed to, and (at 2:02 a.m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, APRIL 1, 1957. No. 31.

SENATE

MONDAY, April 1, 1957.

The Senate met at 3:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. J. B. WILLIAMS, Pastor of the Second Baptist Church, Harrisburg, offered the following prayer:

Let us pray.

Thine, O God, is the Kingdom and blessed is the Nation whose God is Lord. We know that Thy hand has been in the founding and in the fortunes of our Country.

May the clouds that hang over us be dispersed by the clearing of the sun of righteousness and peace. Help us, O God, that the dream for freedom with fraternity may be realized. We have been looking in the face of hypocrisy and corruption in high places. The very foundations of the moral structure of our government are threatened. Grant us this day, and for years to come, the courage to place men in control of our government who will adhere to the principles of our Constitution. We are grateful and zealous of the Constitution of our Country, which has been given to us by our fathers.

O God, restore this Nation to a sense of its heritage and destiny. Give us the right to exercise our initiative and collective responsibilities so that our children will be able to grow up in a free citizenship and enjoy life, liberty and the pursuit of happiness, facing the realities of one world of nations, working with God, that His Kingdom will come on earth as it is in heaven. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. PECHAN, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF OLIVER M. KAUFMANN AS A MEMBER OF THE PENNSYLVANIA TUNNEL COMMISSION

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the appointment of Oliver M. Kaufmann, Coraopolis, as a member of the Pennsylvania Tunnel Commission, from May 28, 1956, for a term of four years, and until his successor shall be duly appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate (Dr.) John G. Mountz, 761 Locust Street, Columbia, Lancaster County, for appointment as a member of the State Board of Chiropractic Examiners, until July 15, 1958, and until his successor is appointed and qualified, vice Dr. Jack J. Stokes, Philadelphia, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS' COLLEGE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the

Board of Trustees of Lock Haven State Teachers' College:

John R Davis, 2411 Eighth Avenue, Altoona, Blair County, until the third Tuesday of January 1961, and until his successor is appointed and qualified, to fill a vacancy.

Lyle G. Hall, Jr., 129 East Avenue, Ridgway, Elk County, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Earl D. Smith, Ridgway, whose term expired.

Clarence B. Sholder, R. D. 2, Bottle Run Road, Williamsport, Lycoming County, until the third Tuesday of January 1959, and until his successor is appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

MEMBER OF THE ARMSTRONG COUNTY BOARD OF ASSISTANCE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary M. Geary (Democrat), Parker, Armstrong County, for appointment as a member of the Armstrong County Boad of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice N. J. Huselton, Ford Cliff, resigned.

GEORGE M. LEADER.

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Glee S. Amos (Democrat), 146 West Main Street, Everett, Bedford County, for appointment as a member of the Bedford County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Conrad K. Hughes, Bedford, resigned.

GEORGE M. LEADER.

MEMBER OF THE POTTER COUNTY BOARD OF ASSISTANCE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Coletta D. Patterson (Democrat), Coudersport, Potter County, for appointment as a member of the Potter County Board of Assistance, until December 31 1958, and until her successor is duly appointed and qualified, vice Mrs. Katharine P. Dorfeld, Coudersport, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate

Donald M. Scott, Washington Street, Petersburg, Huntingdon County, for appointment as Justice of the Peace in and for the Borough of Petersburg, Huntingdon County, to serve until the first Monday of January 1958, vice Charles E. Gates, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Krupo, 118 South Lingle Avenue, Palmyra, Lebanon County, for appointment as Justice of the Peace in and for the Borough of Palmyra, Lebanon County, to serve until the first Monday of January 1958, vice Amos Snavely, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John S. Filipek, 175 Lincoln Avenue, North Vandergrift, Armstrong County, for appointment as Justice of the Peace in and for the Township of Parks, Armstrong County, to serve until the first Monday of January 1958, vice Robert E. Smouse, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Kreblosky, 348 Powderly Street, Carbondale, Lackawanna County, for appointment as Justice of the Peace in and for the Township of Carbondale, Lackawanna County, to serve until the first Monday of January 1958, vice Adam E. Kolebuk, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John F. Campbell, Jr., R. D. 1, Bainbridge, Lancaster County, for appointment as Justice of the Peace in and for the Township of Conoy, Lancaster County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER.

HOUSE MESSAGES

SENATE BILL No. 280 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 280, entitled:

An Act transfrring money from the Special Disaster Relief Fund to the General Fund.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT pro tempore. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bill of the House, as follows:

House Bill No. 860, entitled:

An Act creating a Highway Investigation Commission for the purpose of making a study and investigation of all activities of the Pennsylvania Department of Highways and making an appropriation.

Which was committed to the Committee on Rules.

GENERAL COMMUNICATION

REPORT OF THE COMMISSION ON GOVERNMENTAL REORGANIZATION, DEALING WITH PUBLIC INSTRUCTION; LABOR AND INDUSTRY

The PRESIDENT pro tempore laid before the Senate the following communication, which was read by the Clerk as follows:

1 April, 1957.

To the Honorable, The President of the Senate and Speaker of the House of Representatives:

Gentlemen:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Public Instruction; Labor and Industry.

Respectfully,

/s/ A. J. Drexel Biddle, Jr.
A. J. DREXEL BIDDLE, JR.
Major General
Chairman
Governmental Reorganization
Commission

encl.

The PRESIDENT pro tempore. This communication will be noted in the Journal, and the Report will be printed in the Appendix.

At this time, the Chair invites the gentleman from Allegheny, Mr. Fleming, to the rostrum to preside.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE MILK CONTROL COMMISSION

Simon K. Uhl, Somerset, from August 7, 1956, until May 1, 1957, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE STATE BOARD OF EXAMINERS OF ARCHITECTS

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert A. Eyerman, Bear Creek, Luzerne County, for appointment as a member of the State Board of Examiners of Architects, for the term of six years and until his successor shall have been appointed and qualified, vice Henry Y. Shaub, Lancaster, whose term expired.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

Frank McKinny, Elizabeth, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Caroline S. Wishik, Pittsburgh, from December 5, 1956, for a term of four years, and until her successor is appointed and qualified.

Homer R. Greene, Jr., Bellevue, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

Lawrence S. Reardon, Brentwood, from December 5, 1956, for a term of four years, until his successor is appointed and qualified.

(Mrs.) Phyllis Burns Trautman, Clinton, from December 5, 1956, for a term of four years, and until her successor is appointed and qualified.

Edward Prince Hawes, Coraopolis, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

George T. Cummins, Washington, from December 20, 1956, for a term of four years and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE GREENE COUNTY BOARD OF ASSISTANCE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Hawkins (Republican), 1175 Eighth Street, Waynesburg, Greene County, for appointment as a member of the Greene County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Albert A. Sayers, Esq., Waynesburg, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Philadelphia State Hospital, for a term of four years, and until their successors are appointed and qualified:

Furey Ellis, 708 Widener Building, Philadelphia, Philadelphia County. (Reappointment)

Mrs. Esther F. Clark, 235 West Winona Avenue, Norwood, Delaware County, vice Welling G. Schrack, Jr., Southampton, whose term expired.

William V. Wiener, 5201 Woodbine Avenue, Philadelphia, Philadelphia County. (Reappointment)

Mrs. Blanche C. Jones, 1613 West Butler Street, Philadelphia, Philadelphia County, vice Hon. E. Washington Rhodes, Philadelphia, whose term expired.

(Rev. Jerry E. Carpenter, 231 Hendrick Street, Ambler, Montgomery County, vice Meade L. Barr, Haverford, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE MIFFLIN COUNTY BOARD OF ASSISTANCE

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Reed Hayes, Jr. (Democrat), R. D. 1, Belleville, Mifflin County, for reappointment as a memebr of the Mifflin County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Floyd Shafer, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Clyde Willits Shaffer, East Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

(Mrs.) Kathryn Burdine Edwards, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

John B. Bergstresser, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS' COLLEGE

Joseph M. Dudas, Sr., Monessen, from July 18, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

T. Gerald Stanley, Belle Vernon, from July 18, 1956, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

D. C. Longanecker, Waynesburg, from July 18, 1956, until the third Tuesday of January 1961 ,and until his successor is appointed and qualified.

Peter T. Dumbauld, Somerset, from July 18, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

J. Albert Reed, California, from August 2, 1956, until the third Tuesday of January 1959, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Guy S. Miller, 2090 Chestnut Street, Washington, Washington County, for appointment as a member of the Board of Trustees of Mayview State Hospital, for the term of four years and until his successor is appointed and qualified, vice Thomas M. Reese, Canonsburg, resigned.

GEORGE M. LEADER.

STUDENTS FROM BALDWIN-WHITEHALL JUNIOR HIGH SCHOOL, PITTSBURGH, PRESENTED TO SENATE

Mr. KOPRIVER, JR. Mr. President, I have the honor this afternoon to present to the Senate a group of students from the Baldwin-Whitehall Junior High School. They made the trip here this afternoon, which is a long ride, under the supervision of Mr. J. E. Harrison, Principal of the Whitehall Junior High School, and Lawrence J. Byron, Civics Teacher.

The PRESIDING OFFICER. The Chair, on behalf of the Senate of Pennsylvania, welcomes the guests of Senator Kopriver, and hopes that you will have a most constructive and informative visit with us.

REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Highways, reported as committed, Senate Bill No. 114, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route in Marianna Borough, Washington County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 342, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route in Centreville Borough, Washington County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 490, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," changing a route in Chester County.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 453, entitled:

An Act transferring money from the Banking Department Fund to the General Fund.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 589, entitled:

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled "An act making an appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August one thousand nine hundred fifty-five" making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before completion of projects.

BILLS INTRODUCED AND REFERRED

Messrs. WADE and WATSON read in place and presented to the Chair Senate Bill No. 493, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," authorizing third class cities to collect certain fines upon demand.

Which was committed to the Committee on Highways.

Mr. VAN SANT, on behalf of Mr. WHALLEY, read in his place and presented to the Chair Senate Bill No. 494, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Meyersdale Community Hospital.

Which was committed to the Committee on Appropriations.

He also, on behalf of Mr. WHALLEY, read in his place and presented to the Chair Senate Bill No. 495, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Memorial Hospital of Bedford County.

Which was committed to the Committee on Appropriations.

He also, on behalf of Mr. WHALLEY, read in his place and presented to the Chair Senate Bill No. 496, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Somerset Community Hospital.

Which was committed to the Committee on Appropriations.

He also, on behalf of Mr. WHALLEY, read in his place and presented to the Chair Senate Bill No. 497, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Fulton County Medical Center.

Which was committed to the Committee on Appropriations.

Mr. ELLIOTT (By Request) read in his place and presented to the Chair Senate Bill No. 498, entitled:

An Act subjecting housing projects to taxation for school purposes.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 499, entitled:

An Act amending the act of May 27, 1893 (P. L. 171) entitled, as amended "An act providing for the acquisition of land and the erection, equipment, management, and operation of the Scotland School for Veterans' Children: . . ." making the superintendent the trustee of the funds of the children of the school, and providing for the filing of a bond by such trustee.

Which was committed to the Committee on State Government.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 500, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route.

Which was committed to the Committee on Highways.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 501, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding new routes in Cambria County.

Which was committed to the Committee on Highways.

Mr. PROPERT read in his place and presented to the Chair Senate Bill No. 502, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," deleting a certain route and adding certain new route in Pottstown Borough, Montgomery County.

Which was committed to the Committe on Highways.

He also read in his place and presented to the Chair Senate Bill No. 503, entitled:

An Act amending the act of June 22, 1931 (P. L. 593) entitled "Rural State Highway Law," deleting a certain route and adding certain new routes in Montgomery County.

Which was committed to the Committee on Highways.

Messrs. SCHMIDT, McMENAMIN, SARRAF, YOSKO, WEINER and SILVERT read in place and presented to the Chair Senate Bill No. 504, entitled:

An Act amending the act of April 29, 1937 (P. L. 487), entitled as amended, "The Permanent Registration Act for Boroughs, Towns and Townships," providing for the cancellation of registration upon failure to vote during four calendar years.

Which was committed to the Committee on Local Government.

Messrs. SCHMIDT, STIEFEL, SARRAF, YOSKO, WEINER and MURRAY read in place and presented to the Chair Senate Bill No. 505, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code," by removing prohibition against unincorporated associations making political contributions.

Which was committed to the Committee on Elections.

Messrs. SCHMIDT, WEINER, YOSKO, LANE and DENT read in place and presented to the Chair Senate Bill No. 506, entitled:

An Act requiring employers to pay for medical examination fee where examination is a condition of employment.

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 507, entitled:

An Act prohibiting the sale, transfer, purchase, ownership, possession and use of tear and noxious gas, and tear gas guns; providing for certain exemptions and providing penalties.

Which was committed to the Committee on Judiciary General.

Messrs. SCHMIDT, YOSKO, WEINER, DONOLOW, LANE, SILVERT, STIEFEL and SARRAF read in place and presented to the Chair Senate Bill No. 508, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," requiring the Public Utility Commission of Pennsylvania to provide for arrangements for the protection of railroad employes' interests in certain cases; and authorizing the commission to approve certain agreements entered into between the employes and the railroad carrier.

Which was committed to the Committee on Corporations.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, during the Session of 1955, there were two bills dealing with the subject of historical zoning and for a long time they lingered on the Postponed Calendar. Each time, I appealed to the Chairman of the Republican Caucus and to the Majority Leader. They have been candid enough to tell me that this matter must be cleared with a certain Senator. This Senator was the only obstacle on the way to final passage of the bill at that time. Eventually, during the dying days of the Session, the bill was sent back to the Committee on Forests and Waters, Game and Fish.

This bill which I am about to introduce, deals with the subject of historical zoning. The Senator who consistently opposed this subject was doing it at the behest of a lawyer who imagines himself to be a great authority on constitutional law.

Mr. President, I am renewing my efforts and I am introducing one of these bills now, dealing with historical zoning. I do, however, hope that the Senator this time will not cause me any difficulties. Judging from his change of heart which is evidenced in one of his bills which appears on today's Calendar, perhaps he saw the light of day.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 509, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to create historic areas within their geographical limits; providing for the appointment of historical boards empowered to preserve historic buildings and to regulate the erection reconstruction alteration restoration demolition or razing of buildings within the historic areas.

Which was committed to the Committee on Local Government.

Messrs. KOPRIVER, JR. and SARRAF read in place and presented to the Chair Senate Bill No. 510, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code," changing the manner of filing certain appointments in the police force or as paid operators of fire apparatus.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 511, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," changing the manner of filling certain appointments in the police force or as paid operators of fire apparatus.

Which was committed to the Committee on Local Government.

Messrs. McMENAMIN, DENT and PECHAN read in place and presented to the Chair Senate Bill No. 512 entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," regulating the dismissal, suspension, demotion, reenlistment, and retirement of enlisted members of the Pennsylvania State Police.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, by way of explanation I might say that these bills which I am about to introduce on behalf of the Minority and Majority Leaders, are the result of our meetings with the Governor and they are supposed to be in the realm of noncontroversial legislation.

BILLS INTRODUCED AND REFERRED

Messrs. DENT and MAHANY (By request) read in place and presented to the Chair Senate Bill No. 513 entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," authorizing long-term lease of State airports or parts thereof.

Which was committed to the Committee on State Government.

They also (By request) read in place and presented to the Chair Senate Bill No. 514, entitled:

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the one hundredth anniversary of the Civil War creating the Civil War Centennial Commission of Pennsylvania; authorizing and directing the Pennsylvania Historical and Museum Commission to participate in the commemoration and to prepare and plan for historical publications on Pennsylvania's part in the Civil War; and making an appropriation.

Which was committed to the Committee on State Government.

They also (By request) read in place and presented to the Chair Senate Bill No. 515, entitled:

An Act amending the act of June 25, 1937 (P. L. 2086), entitled "An act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole; . . . ," whereby the term "State" shall mean any one of the several states and certain territories and possessions of the United States.

Which was committed to the Committee on Judiciary General.

They also (By request) read in place and presented to the Chair Senate Bill No. 516, entitled:

An Act amending the act, approved May 17, 1921 (P. L. 789), entitled, as amended, "The Insurance Department Act of 1921," by continuing the provisions of section 211.1 in effect for a further period.

Which was committed to the Committee on Insurance.

They also (By request) read in place and presented to the Chair Senate Bill No. 517, entitled:

An Act to provide revenue by imposing a State tax upon sales or gifts of cigarettes; requiring persons engaged in the sale of cigarettes to secure licenses; prescribing the method and manner of collecting such tax; making it unlawful to sell or possess cigarettes upon which the tax has not been paid; conferring powers and imposing duties on the Department of Revenue and other persons; making an appropriation and providing penalties.

Which was committed to the Committee on Finance.

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman will state it.

Mr. DENT. Mr. President, I have before me a series of four bills dealing with the gas tax. It is a question that must be resolved by the Chair as to whether or not they would be properly introduced in the Senate or whether they should be introduced in the House.

Although the Constitution says that legislation pertaining to the imposition of taxes must originate in the House, it is a very valid question as to whether or not amendments to tax bills already passed by this General Assembly during this biennium may not be amended by amending acts introduced into the Senate.

If it is proper to introduce the bills, I would like to introduce them into the Senate. However, if the Chair feels that such bills must be introduced in the House, I will abide by that decision.

The PRESIDING OFFICER. The Chair would state, for the information of the gentleman, that the Constitution does provide that all tax bills and revenue measures must originate in the House of Representatives. However, I feel that the Chair should not rule on this question; that possibly it is a question that should be left for the entire Senate to decide.

Could we be at ease for a moment or two, and would Senator Dent mind coming with Senator Mahany to the rostrum, please?

Senator Mahany, could you come up for a minute? Senator Dent, would you come up, please?

(The Senate was at ease.)

The PRESIDING OFFICER. The Chair would like to announce that after a consultation between the Majority and the Minority Floor Leaders, Senator Dent has agreed not to present the bills today as there is a question on the constitutionality of their introduction into this body, but will leave them until tomorrow, until such time as the Rules Committee of the Senate had had an opportunity to meet and discuss the question.

STUDENTS OF BALDWIN-WHITEHALL JUNIOR HIGH SCHOOL, PITTSBURGH, PRESENTED TO SENATE

Mr. KOPRIVER, JR. Mr. President, as I said before, I had the honor of presenting a group of students from the Baldwin-Whitehall Junior High School of Allegheny County, in my District. Half of them were not in the building at that time, but they are all together now. Therefore, I now present this group of Junior High School students to the Senate.

The PRESIDING OFFICER. On behalf of the Senate of Pennsylvania, the Chair is happy to welcome to the halls this afternoon all of the group from Senator Kopriver's District, and hope that you have a pleasant and informative visit with us today.

MISS BERNELL HELM PRESENTED TO SENATE

Mr. PECHAN. Mr. President and colleagues, I have the happy duty to present to this Body a very beautiful girl from my county. She is not only a very beautiful girl, but she is a talented girl and she has a claim to fame because of her distinguished father, who is now the Speaker of the House, from Kittanning, Pennsylvania.

I would like Bernell Helm to rise.

The PRESIDING OFFICER. On behalf of the Senate of Pennsylvania, the Chair is happy to welcome you to this Chamber today, Miss Helm.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO COACH WILLIAM LAYCOCK, THE BASKETBALL TEAM AND THE PRINCIPAL OF SHARON HIGH SCHOOL UPON WINNING THE P.I.A.A. CLASS A STATE CHAMPIONSHIP

Mr. MAHANY. Mr. President, last Saturday evening a famous basketball team, coming from Sharon, Pennsylvania, went down to Philadelphia where they had a basketball tournament, in which, I am sorry to say in a way, we beat a team coming from Senator Watkin's District. Senator Watkins is again a loser, but it is not like his horses. None of us lost any money on it.

I have had this Resolution prepared, Mr. President, which I would like to read:

In the Senate, April 1, 1957.

"On Saturday, March 30, 1957 before eight thousand screaming basketball enthusiasts at the University of Pennsylvania's Palestra, Sharon High's Tigers captured their first P.I.A.A. Class A State championship in twenty-seven years by defeating Chester High and thus returned to the west the coveted State basketball title.

"Piloted by jubilant coach William Laycock, Sharon in addition to winning the class A State championship extended its winning streak to twenty-eight games. Coach Laycock has the added honor of being one of three present basketball coaches who once played on a P.I.A.A. State title team and returned as coach to capture the same title. However, coach Laycock is the first person to have accomplished this feat at the same school.

The aggressive defensive play that Sharon demonstrated diminished the effectiveness of Chester's fast breaking offensive play so much so that at one point Sharon High led in the scoring by fifteen points. On offense, the entire Sharon club operated in flawless fashion as their spectacular passing and accurate shooting paved the way to victory for them. At one point in the game when it seemed as though Chester High might close the gap in the scoring column, Sharon employed its passing skills and so created a "freeze" that proved to be the deciding factor in their drive to the title.

"An especially heartwarming aspect of this spirited basketball battle was the fact that in their defeat, the boys and coach of the Chester High basketball club were not hesitant in extending their congratulations to the victors of this friendly rivalry. Senator Watkins of Chester County can be justly proud of the fine sportsmanship and American qualities of fair play that the coach, team and entire school body of Chester High demonstrated on Saturday night at the Palestra.

"The entire citizenry and school body of Sharon can be justly proud of this spirited body of ball players and the coach who provided the know-how and determination that resulted in their scintillating performance and attainment of a richly deserved basketball title therefore be it

"Resolved, That the Senate of the Commonwealth extend its sincere congratulations to coach William Laycock and all the players of the Sharon High basketball team and the principal of Sharon High School; and be it further

"Resolved, That the Secretary transmit copies of this resolution to coach Laycock of the Sharon High School basketball team and the principal of Sharon High School."

SENATE RESOLUTION ADOPTED

Mr. MAHANY. Mr. President, on behalf of myself and my colleague, Senator G. Robert Watkins, I ask unanimous consent for the immediate consideration of this resolution and move its immediate adoption.

Mr. WATKINS. Mr. President, I second the motion.

On the question.

Will the Senate agree to the motion?

Mr. WATKINS. Mr. President, I certainly want to concur in the resolution which, as you will note, I co-sponsored with Senator Mahany.

I want to say that Sharon has one of the finest basketball teams. They had to have the finest in order to beat Chester. We had a couple of bad breaks in the ball game. We were within about seven points of Sharon and we were just unable to catch up with those boys. They threw the ball around and would not give Chester a chance to get hold of it. If we would have had the chance to get hold of the ball in the last three minutes, I am afraid it may have been a different story.

Mr. President, I think Sharon has a wonderful team and I want to congratulate the coach. However, I want to just give him the warning that next year, look out, because we are going to develop something to break up their freezing tactics during the last three minutes.

Mr. President, I sincerely concur in this resolution and ask for its immediate adoption.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to and the resolution was adopted.

SENATE RESOLUTIONS

CONGRATULATIONS OF THE SENATE EXTENDED TO THE BASKETBALL TEAM, THE COACHING STAFF, THE STUDENT BODY AND THE TEACHING STAFF OF SHANNOCK VALLEY HIGH SCHOOL UPON WINNING THE WESTERN REGIONAL CHAMPIONSHIP AND BEING RUNNER-UP FOR THE P.I.A.A. CLASS B STATE BASKETBALL CHAMPIONSHIP

Mr. PECHAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 1, 1957.

Congratulations are certainly in order for the Shannock Valley High School basketball team upon winning a trophy emblematic of the Western Regional title, a plaque for the Section 21 Title, a trophy for winning the W.P.I.A.L. championship, and being runner up for the State P.I.A.A. Class B Championship; its only loss being to Fountain Hill in an exciting championship game on Friday, March 29th.

Shannock Valley, which nestles in the hills of Armstrong County, derived its name from the school district that was consolidated with Cowanshannock Township and Rural Valley.

The Spartans of Shannock Valley have won twenty-six straight games against the toughest kind of competition in their own area and in Western Pennsylvania. Under the brilliant coaching of James Sibley, through many long hours of instruction and practice, the Spartans have been molded into a team of perfection. Many of these boys have been training since they were in the sixth grade.

Members of this outstanding team are:

Jim Franceschi, Leo Haky, Willard Long, Richard Matyus, John Marken, Tom Krizmanich, Mike Krecota, Dick Smith, Tom Mueller, Larry Boyer, Tom Shirey, and Stanley Yanik.

Ron Zuchelli is the faculty manager of the team. The four student mangers of the team, who spent many hours taking care of the boys and the equipment and making preparations for them, are:

Bob Sotak, Junior Hockenberry, Fred Keller and Dwain Croft. The supervising principal of the school is Thomas Edelman.

This small school, with only 431 students, has made basketball history.

In football, Bob Pellagrini, a recent graduate, was named All-American at the University of Maryland.

The outstanding teamwork and excellent sportsmanship which the Shannock Valley Spartans have displayed throughout the season well entitled them to our admiration. The student body and teaching staff are no less praiseworthy because of their faithful support of the team; therefore be it

Resolved, That the Senate of Pennsylvania extends its heartiest congratulations to the basketball team, the coaching staff, the student body, and the teaching staff of Shannock Valley High School upon winning the Western Regional Championship and being runner-up for the P.I.A.A. Class B State Basketball Championship; and be it further

Resolved, That a copy of this resolution be transmitted to Shannock Valley High School.

CONGRATULATIONS OF THE SENATE EXTENDED TO THE BASKETBALL TEAM OF ST. VINCENTS' HIGH SCHOOL, PLYMOUTH, PENNSYLVANIA, AND TO THEIR COACH, JOSEPH EVANS, ON WINNING THE STATE BASKETBALL CHAMPIONSHIP OF PAROCHIAL SCHOOLS IN CLASS B COMPETITION

Messrs. MURRAY and FLACK offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 1, 1957.

The basketball team of St. Vincents' High School, Plymouth, Pennsylvania has been proclaimed the State Champion of Parochial Schools in Class B competition. The St. Vincents' team earned this high honor by defeating an outstanding and long undefeated team from St. Casimirs of Pittsburgh on March 23, 1957, by a score of 76 to 65.

The outstanding sportsmanship and good citizenship

which the St. Vincents' team has displayed consistently throughout the season, culminating in this coveted award, has gained the admiration and respect of us all; therefore be it

Resolved, That the Senate extend its most hearty congratulations to the basketball team of St. Vincents' High School, Plymouth, Pennsylvania, and to their coach, Joseph Evans, on winning the State Basketball Championship of Parochial Schools in Class B competition; and be it further

Resolved, That a copy of this resolution be forwarded to coach Joseph Evans.

CONGRATULATIONS OF THE SENATE EXTENDED TO THE STUDENTS, THE TEACHING STAFF, THE COACHES AND THE BASKETBALL TEAM OF FOUNTAIN HILL HIGH SCHOOL UPON WINNING THE P.I.A.A. CLASS B STATE BASKETBALL CHAMPIONSHIP

Mr. VAN SANT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 1, 1957.

Congratulations are certainly in order for the Fountain Hill High School basketball team upon winning the State Class B basketball championship. The "Hillers" won by defeating a scrappy Shannock Valley High quintet, holder of the WPIAL "B" title, and a team undefeated in twenty-six contests prior to the championship game. The final game, played on Friday, March 29th at Westminster College, New Wilmington, Pennsylvania, ended in a 72-64 victory for Fountain Hill.

Fountain Hill, a small community in the Lehigh Valley, was full of admiration for their team, and rightly so. Under the brilliant coaching of Charlie Dubbs, the team had achieved perfection in their class for the second year in a row. Last season the "Hillers" won the State crown by downing East Pittsburgh. This year more than 3,800 spectators saw the Lehigh-Northampton League Champions roar into the lead against the Spartans of Shannock Valley and hold it all the way to the championship.

The spectacular teamwork and excellent sportsmanship which the team displayed throughout the season culminated in this great victory and earned them the admiration of all. Without the support of the entire student body and the teaching staff such a championship would not be possible; therefore be it

Resolved, That the Senate of Pennsylvania, extends its warmest congratulations to the students, the teaching staff, the coaches, and above all the basketball team of Fountain Hill High School upon winning the P.I.A.A. Class B State Basketball Championship; and be it further

Resolved, That a copy of this resolution be transmitted to Fountain Hill High School.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. VAN SANT offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 1, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, April 8, 1957, at four o'clock, p.m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, April 8, 1957, at four-thirty o'clock, p.m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL INTRODUCED AND REFERRED

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. LANE, SCOTT, DONOLOW and DENT read in place and presented to the Chair Senate Bill No. 518, entitled:

An Act regulating arrests for misdemeanors; prescribing duties of arresting officers; and imposing penalties.

Which was committed to the Committee on Judiciary General.

EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. BLASS,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

CONSIDERATION OF MEMBER OF THE MILK CONTROL COMMISSION

Mr. WATSON. Mr. President, I call from the table the nomination of Simon K. Uhl for appointment as a Member of the Milk Control Commission, which was reported at today's Session.

The Clerk read the nomination as follows:

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE MILK CONTROL COMMISSION

Simon K. Uhl, Somerset, from August 7, 1956, until May 1, 1957, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. BLASS,

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wagner,
Camiel,	Kopriver, Jr.,	Propert,	Walker,
Chapman,	Kromer,	Ruth,	Watkins,
Dent,	Lane,	Sarraf,	Watson,
Derk,	Mahany,	Schmidt,	Weiner,
DiSilvestro,	Mallery,	Scott,	Whalley,
Donolow,	McCreesh,	Seyler,	Wolfe,
Ehrgood,	McGinnis,	Silvert,	Yosko,
Elliott,	McMenamin,	Stevenson,	Fleming,
Flack,	Miller,	Stiefel,	Presiding Officer

NAYS—3

Harney,	Madigan,	Wade,

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I now request that the Clerk read the remaining nominations which were previously reported at today's Session.

The nominations were read as follows:

MEMBER OF THE STATE BOARD OF EXAMINERS OF ARCHITECTS

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert A. Eyerman, Bear Creek, Luzerne County, for appointment as a member of the State Board of Examiners of Architects, for the term of six years and until his successor shall have been appointed and qualified, vice Henry Y. Shaub, Lancaster, whose term expired.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

Frank McKinney, Elizabeth, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

(Mrs.) Caroline S. Wishik, Pittsburgh, from December 5, 1956, for a term of four years, and until her successor is appointed and qualified.

Homer R. Greene, Jr., Bellevue, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

Lawrence S. Reardon, Brentwood, from December 5, 1956, for a term of four years, until his successor is appointed and qualified.

(Mrs.) Phyllis Burns Trautman, Clinton, from December 5, 1956, for a term of four years, and until her successor is appointed and qualified.

Edward Prince Hawes, Coraopolis, from December 5, 1956, for a term of four years, and until his successor is appointed and qualified.

George T. Cummins, Washington, from December 20, 1956, for a term of four years and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE GREENE COUNTY BOARD OF ASSISTANCE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Hawkins (Republican), 1175 Eighth Street, Waynesburg, Greene County, for appointment as a member of the Greene County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Albert A. Sayers, Esq., Waynesburg, whose term expired.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Philadelphia State Hospital, for a term of four years, and until their successors are appointed and qualified:

Furey Ellis, 708 Widener Building, Philadelphia, Philadelphia County. (Reappointment)

Mrs. Esther F. Clark, 235 West Winona Avenue, Norwood, Delaware County, vice Welling G. Schrack, Jr., Southampton, whose term expired.

William V. Weiner, 5201 Woodbine Avenue, Philadelphia, Philadelphia County. (Reappointment)

Mrs. Blanche C. Jones, 1613 West Butler Street, Philadelphia, Philadelphia County, vice Hon. E. Washington Rhodes, Philadelphia, whose term expired.

(Rev.) Jerry E. Carpenter, 231 Hendrick Street, Ambler, Montgomery County, vice Meade L. Barr, Haverford, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE MIFFLIN COUNTY BOARD OF ASSISTANCE

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Reed Hayes, Jr. (Democrat), R. D. 1, Belleville, Mifflin County, for reappointment as a member of the Mifflin County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE TEACHERS' COLLEGE

Floyd Shafer, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

Clyde Willits Shaffer, East Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

(Mrs.) Kathryn Burdine Edwards, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1959, and until her successor is appointed and qualified.

John B. Bergstresser, Stroudsburg, from May 29, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following

MEMBERS OF THE BOARD OF TRUSTEES OF CALIFORNIA STATE TEACHERS' COLLEGE

Joseph M. Dudas, Sr., Monessen, from July 18, 195

until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

T. Gerald Stanley, Belle Vernon, from July 18, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qaulified.

D. C. Longanecker, Waynesburg, from July 18, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

Peter T. Dumbauld, Somerset, from July 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

J. Albert Reed, California, from August 2, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

March 18, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Guy S. Miller, 2090 Chestnut Street, Washington, Washington County, for appointment as a member of the Board of Trustees of Mayview State Hospital, for the term of four years and until his successor is appointed and qualified, vice Thomas M. Reese, Canonsburg, resigned.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. BLASS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,	Miller,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

Mr. McMENAMIN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. McMENAMIN and BARR read in place and presented to the Chair Senate Bill No. 519, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," permitting availability of certain accident investigation reports.

Which was committed to the Committee on Highways.

CALENDAR

THIRD READING CALENDAR

BILLS RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 33, on third reading, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" authorizing certain political subdivisions to borrow money for improvements and equipment without the issuance of bonds.

be recommitted to the Committee on Local Government.

Mr. PECHAN. Mr. PRESIDENT, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 70, on third reading, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," prohibiting payments for certain types of transportation from school district funds.

be recommitted to the Committee on Education.

Mr. PECHAN. Mr. PRESIDENT, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 71, on third reading, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," excluding buses owned by, or under contract with, School districts, private or parochial schools for the transportation of school children to and from extra-curricular school activities from the definition of "common carrier by motor vehicle" and "contract carrier by motor vehicle."

be recommitted to the Committee on Corporations.

Mr. PECHAN. Mr. PRESIDENT, I second the motion.

The motion was agreed to.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 94, on third reading, entitled:

An Act amending the act of June 6, 1907 (P. L. 417) entitled "An act to authorize all State hospitals for injured persons and all hospitals for the care and treatment of the insane in whole or in part maintained by State aid to acquire lands for hospital purposes . . ." extending the act to all hospitals in whole or in part maintained by State aid.

be placed on the Third Reading Postponed Calendar.

Mr. PECHAN. Mr. PRESIDENT, I second the motion

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 97, entitled:

An Act to define and prohibit unauthorized interception divulgence or use of telephone and telegraph communications providing criminal penalties and civil damages including attorney's fees for the violation thereof and limiting the admissibility of evidence.

And said bill having been read at length the third time, and agreed to,

An the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Kalman,	Mullin,	Van Sant,
Berger,	Kessler,	Murray,	Wade,
Blass,	Kopriver, Jr.,	Pechan,	Wagner,
Camiel,	Kromer,	Ruth,	Walker,
Chapman,	Lane,	Sarraf,	Watkins,
Dent,	Madigan,	Schmidt,	Watson,
Derk,	Mahany,	Scott,	Weiner,
DiSilvestro,	Mallery,	Seyler,	Whalley,
Donolow,	McCreesh,	Silvert,	Wolfe,
Ehrgood,	McGinnis,	Stevenson,	Yosko,
Elliott,	McMenamin,	Stiefel,	Fleming,
Harney,	Miller,	Taylor,	Presiding Officer
Hays,			

NAYS—2

Flack,	Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 98, entitled:

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" permitting the prothonotary to appoint a solicitor and prescribing a means for paying the cost of prothonotary's litigation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman from Washington will be so recorded.

Mr. SEYLER. Mr. President, I desire to be recorded as voting "no" on this bill.

The PRESIDING OFFICER. The gentleman from York will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Harney,	Miller,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Kalman,	Murray,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Propert,	Walker,
Dent,	Kromer,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
			Presiding Officer

NAYS—2

Lane,	Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 125, Printer's No. 93 ;and

Senate Bill No. 146 (Pink).

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" authorizing courts to revoke or suspend operating privileges in certain cases.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. LANE. Mr. President, in view of the fact that Senator Schmidt does not have his amendments as yet, I ask unanimous consent that Senate Bill No. 157, Printer's No. 56, on third reading, go over in its order.

The PRESIDING OFFICER. Is there any objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 165, entitled:

An Act amending the act of May 17, 1929 (P. L. 1798) entitled "Law Fixing Annual Charge on Forest Lands" fixing the time of payment of the charges.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Stevenson,	Wolfe,
Elliott,	McGinnis,	Seyler,	Yosko,
Flack,	McMenamin,	Silvert,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 266, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" permitting city council to hold its organization meeting on first day after a holiday.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 299 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 318, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" requiring entrance of bond in appeals from board of adjustment rulings affecting zoning regulations.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. BLASS. Mr. President, not having heard my name called, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman from Erie will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Harney,	Miller,	Van Sant,
Berger,	Kessler,	Murray,	Wade,
Blass,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
Donolow,	Mahany,	Schmidt,	Whalley,
Ehrgood,	Mallery,	Scott,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Fleming,
Flack,	McMenamin,	Taylor,	Presiding Officer

NAYS—6

Hays,	Seyler,	Stiefel,	Weiner,
Mullin,			Yosko,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 321 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 326 (Pink), on third reading, entitled:

An Act providing for the creation and incorporation as bodies corporate and politic of joint service districts by counties cities of the third class boroughs towns and townships to perform certain functions prescribing the powers and duties of such joint service districts and the duties of participating counties cities boroughs towns and townships and conferring jurisdiction on courts of quarter sessions in connection therewith.

be placed on the Third Reading Postponed Calendar.

Mr TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 326, Printer's No. 143, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? the Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 331, entitled:

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1335) entitled "The Pennsylvania Hospital Survey and Construction Act" by requiring that non-Federal funds be available before application shall be made for hospital construction projects to be owned or operated by the State.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. LANE. Senator Mahany, could you tell the Membership of the Senate just what you propose to do with this particular piece of legislation?

Mr. MAHANY. I have a willing witness here in Senator Pechan whose bill this is. May I yield to Senator Pechan, who probably has more information about the bill than I have?

Mr. LANE. Senator Pechan, I see we have the second team up here today.

I wonder whether you could tell the Membership of the Senate what you propose to do with this particular piece of legislation.

Mr. PECHAN. Pass it.

Mr. LANE. I know you are going to pass it but what in the text of the bill do you propose to do legislatively?

You have the votes over there; we do not. However, we have a thirst for knowledge.

Mr. PECHAN. Senator Lane, we certainly do not want to take advantage of you just because we have the votes.

Mr. LANE. Of course, you would not. However, go right ahead.

Mr. PECHAN. If you will recall, we had a similar bill during the last Session when the Secretary of Welfare arbitrarily said that he was going to spend the $10,000,000 that he had available in Hill-Burton funds for State mental institutions. We passed that bill over here and it was our understanding that the Secretary would not avail himself of this money. However, he used that as a wedge and the General State Authority gave him the $10,000,000 anyhow, and then he distributed it to the various hospitals.

We want to give this $10,000,000 or about $10,000,000, which will be available in the biennium, to the State-aided hospitals, the hospitals in your area, the hospital in my area. For instance, the hospital in Kittanning is in an expansion program and they need this Hill-Burton money. That was what this money was set up for originally, and what it has been used for until Secretary Shapiro became the Secretary of Welfare. This bill now will not allow him to take the $10,000,000 unless we here in the Legislature O. K. it. It is just that simple.

Mr. LANE. Then to sum it all up, Senator Pechan, you are still picking on poor Secretary Shapiro, is that not correct?

Mr. PECHAN. I am doing what?

Mr. LANE. You are still picking on poor Secretary Shapiro, is that not correct?

Mr. PECHAN. I do not think I am picking on him and I do not think Secretary Shapiro is poor. What makes you think that?

Mr. LANE I would say if the Republican Majority had its way, he proably would be

Mr PECHAN I think if you will talk to Secretary Shapiro, he will tell you that Al Pechan is one of the best friends he has

Mr LANE Your attitude is very indicative of your friendship; there is no question about that. The point I am trying to make is just what do you propose to do. There is no indication that we, on this side, are banded together in opposing this amendment that you have in there. However, I wanted to get this on the record in order that at the next Session you will not be in a position to back track on what you said today.

Mr. DENT. Mr. President, I can understand Senator Pechan's position. However, in order that there be some clarification of the situation, I think it is only fair to say that I voted on this same piece of legislation last year because I felt then, and feel now, that when it is possible, the moneys from the Hill-Burton allocation should go to the private hospitals in the Commonwealth. All of us who live in communities where these hospitals exist know that they are in dire need of funds for expansion. This money is used for expansion purposes.

However, in fairness to the Secretary, I want to say that I was named to a subcommittee which had to talk to the Hill-Burton people. The first promotion of the idea of taking the money from the regular hospitals came from the Hill-Burton people, themselves, on this basis. The Hill-Burton moneys are set up to be expended in four categories of expenditure. The categories cover various phases of hospital activity. One of these categories is the category which embraces mental health. Over the years, there has been an utter disregard of that portion of the money which was to be used in the field of mental health.

Senator Shapiro's position was that if the local hospitals were willing to make provisions for taking a stated number of beds for mental health treatment, then those hospitals would immediately receive a priority on the Hill-Burton moneys. However, he ran into opposition in the local hospitals in that they had no facilities for the care of mental health without adding a great deal of expense to their staff. Then, he shifted from that position into the position that if a certain amount of money were allocated for mental health, then the only way to get it was through the General State Authority.

Mr. President, I think this Senate emphatically placed its stamp of disapproval upon taking Hill-Burton funds from the local hospitals and using it through the General State Authority. I am happy to say that Senator Shapiro told me very recently, right before he entered the hospital, that he is getting a great deal more cooperation from the local hospitals because of this great cry to bring mental health out into the open and to tear away the shrouds of secrecy and dread which have always hidden the story of mental health. He told me that he has many hospitals now in the State that are willing to set up certain sections or wings of their hospitals, under new construction, to go into the problem on a limited base for mental health.

Therefore, this bill will again reiterate our position and I certainly intend to vote for it. If we do not vote this way, maybe someone in the future may take the position that under a little coaxing and urging from the Federal Government, it may deprive the local hospitals of this much needed money. That is the main reason for my voting for this legislation today.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Berger,	Kopriver, Jr.,	Murray,	Wade.
Blass,	Kromer,	Pechan,	Wagner,
Chapman,	Lane,	Propert,	Walker,
Dent,	Madigan,	Ruth,	Watkins,
Derk,	Mahany,	Sarraf,	Watson,
Ehrgood,	Mallery,	Schmidt,	Whalley,
Elliott,	McGinnis,	Scott,	Wolfe,
Flack,	McMenamin,	Stevenson,	Yosko,
Harney,	Miller,	Taylor,	Fleming,
Kessler,		Van Sant,	Presiding Officer

NAYS—9

Barr,	Hays,	Seyler,	Stiefel,
Camiel,	Mullin,	Silvert,	Weiner,
Donolow,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 379, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding a new route in Jefferson County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 385, entitled:

An Act amending the act of April 8, 1925 (P. L. 191) entitled "An act establishing certain public roads as State highways . . ." changing a route in Lancaster County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate preceeded to the third reading and consideration of Senate Bill No. 386, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" changing a route in Chester County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 395, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding a new route in Luzerne County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,

Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 396, entitled:

An Act amending the act of June 22, 1931 (P. L. 720) entitled "City State Highway Law" adding routes in Luzerne County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order.

Senate Bill No. 423 (Pink); and

Senate Bill No. 425 (Pink).

The PRESIDING OFFICER. Is there objection?

The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 458, entitled:

An Act validating the assessment rolls of counties from the fourth to eighth class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 521, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" further regulating ordinances opening changing or vacating roads and highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 564, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" providing penalties for violation of rules governing State Parks State Forests Picnic Areas State Forest Monuments and State Historical Parks

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. LANE. Mr. President, I desire to be recorded as voting "no" on this bill.

The PRESIDING OFFICER. The gentleman from Washington will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Hays,	Murray,	Van Sant,
Berger,	Kalman,	Pechan,	Wade,
Blass,	Kessler,	Propert,	Wagner,
Camiel,	Kopriver, Jr.,	Ruth,	Walker,
Chapman,	Kromer,	Sarraf,	Watkins,
Dent,	Madigan,	Schmidt,	Watson,
Derk,	Mahany,	Scott,	Weiner,
DiSilvestro,	Mallery,	Seyler,	Whalley,
Donolow,	McCreesh,	Silvert,	Wolfe,
Ehrgood,	McGinnis,	Stiefel,	Yosko,
Elliott,	Miller,	Stevenson,	Fleming,
Flack,	Mullin,	Taylor,	Presiding Officer
Harney,			

NAYS—2

Lane,	McMenamin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 734, Printers' No. 191, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE BILL NO. 1235 CALLED UP

Mr. LANE. Mr. President, I call up, from Page 2 of today's Third Reading Calendar, Senate Bill No. 125, Printer's No. 93, which previously went over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 125, entitled:

An Act requiring the determination of value of property taken and amount allowed for delay in payment as separate items and eminent domain proceedings.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows. viz:

YEAS—50

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 11, Printer's No. 98, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS RECOMMITTED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 68, on second reading, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" fixing an annual registration fee for public school buses.

be recommitted to the Committee on Highways.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

Mr. PECHAN. Mr. President, I move that Senate Bill No. 69, on second reading, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" further regulating the use of commercial motor vehicles.

be recommitted to the Committee on Highways.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 145, entitled:

An Act amending the act of June 19, 1931 (P. L. 589) entitled as amended "Barbers License Law" changing the required number of hours for schools of barbering.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WAGNER. Mr. President, it is necessary that Senate Bill No. 164 go over in its order until amendments have been prepared.

Therefore, Mr. President, I now ask unanimous consent that Senate Bill No. 164 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 204, Printer's No. 135; and
House Bill No. 205, Printer's No. 104.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 206, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" increasing the sum of money county commissioners may pay to the county historical society.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 246, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for records compensation of teachers penalties for failure to attend and audits and reports where in-service education programs replace teachers' meetings and imposing the expenses there of on counties.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 265, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts page 110 Act No. 146-A) entitled "An act to provide for the ordinary expenses of the Department of Welfare for two years beginning June first one thousand nine hundred fifty-five and . . .", making certain appropriations for research and training applicable only to State-owned institutions and making an additional appropriation to provide State scholarships for medical education to assure State institutions of a more adequate supply of internes and residents.

The first section was read and agreed to.
The second section was read
On the question,
Will the Senate agree to the section?
Mr. BERGER offered the following amendment:

Amend Sec. 2, page 6, lines 11 to 20, page 7, lines 1 to 19, page 8, lines 1 to 19, page 9, lines 1 to 17, page 10, lines 1 to 20 and page 11, lines 1 to 16, by striking out all of said lines.

It was agreed to.
The section was agreed to as amended.
The third section was read.
On the question,
Will the Senate agree to the section?
Mr. BERGER offered the following amendment:

Amend Sec. 3, page 11, line 17, by striking out "3" and inserting: "2".

It was agreed to.
The section was agreed to as amended.
The title was read.
On the question,
Will the Senate agree to the title?
Mr. BERGER offered the following amendments:

Amend Title, page 1, last 2 lines of Title, by striking out "and Mak-" in next to last line of Title, and all of last line of Title; Amend Title, page 2, line 1 to 3 of Title, by striking out all of said lines.

They were agreed to.
The title was agreed to as amended.
And said bill having been read at length the second time, as amended,
On the question,
Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 265, Printer's No. 96, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 279 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 292, Printer's No. 97;
Senate Bill No. 316 (Pink);
Senate Bill No. 317 (Pink); and
Senate Bill No. 319 (Pink).

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE CONCURRENT RESOLUTION

MEMORIALIZING CONGRESS TO REPEAL THE EXCISE TAXES UPON THE TRANSPORTATION OF PERSONS AND PROPERTY

Mr. MALLERY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. MALLERY, McGINNIS, STEVENSON McMENAMIN, SCOTT, MAHANY, DENT and DERK offered the following resolution which was twice read as follows:

In the Senate, April 1, 1957.

For the purpose of meeting war time emergency necessity, the Congress of the United States enacted excise taxes upon the transportation of persons and property.

Today, eleven years after the cessation of hostilities these levies continue in effect at a rate of 10% on the transportation of persons and 3% on the transportation of property.

One of the principle purposes of levying such taxes upon the transportation of persons was to discourage unnecessary war time travel.

Such taxes continue to act as a deterrent to travel and shipment by commercial means, although no shortage of travel facilities presently exists.

Such taxes, by applying only to commercial travel and transportation, constitute a discriminatory penalty against the commercial transportation industry, one of the most vital industries of the nation and one of the largest industries of the Commonwealth of Pennsylvania.

By entering into the cost of manufactured products and agricultural commodities at successive stages of manufacture, marketing and distribution, the tax on transportation of property pyramids the cost of living to the detriment of the economy of the United States and of the Commonwealth of Pennsylvania.

By applying to all domestic travel, while exempting therefrom most foreign travel, the taxes constitute a discriminatory penalty against the American tourist and recreational industry, and against the resort and recreational industry of the Commonwealth of Pennsylvania.

The Commonwealth of Pennsylvania is vitally concerned in protecting and developing its resort and recreational industry on an economic basis with foreign vacation travel areas.

The transportation of both persons and property play such a vital role in the economic life of this country that the costs of transportation should be kept at the lowest possible level.

Transportation is in no sense a luxury but is a vital necessity and there is, therefore, sound reason for distinguishing between the transportation taxes and other excise taxes that are imposed upon luxury items.

It is the opinion of the General Assembly of the Commonwealth of Pennsylvania that the best interests of the country and of the people of the Commonwealth would be served by a repeal of the transportation taxes.

There is presently pending before the Congress of the United States legislation which would repeal those taxes; therefore be it

Resolved (The House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact into law legislation which will repeal the excise taxes upon the transportation of persons and property, and be it further

Resolved That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States to the presiding officers of each house of the Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

RULE 39 SUSPENDED

Mr. MALLERY. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDING OFFICER. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 114, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route in Marianna Borough, Washington County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 342. entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route in Centreville Borough, Washington County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 453, entitled:

An Act transferring money from the Banking Department Fund to the General Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 490, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," changing a route in Chester County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 589, entitled:

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled "An act making an appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August one thousand nine hundred fifty-five" making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before completion of projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PETITIONS AND REMONSTRANCES

Mr. SEYLER. Mr. President, I want to do two things. First of all, I would like to call to the attention of all present that today in passing Senate Bill No. 97, I think

this Senate has done a commendable and a very statesmanlike piece of work. I want to, secondly pay my compliments to the Chairman and the Members of the Judiciary General Committee which had the custody of this bill.

It was my privilege to attend the public hearings on this bill, as a witness. I talked to many of the people who came here on both sides of that question, and it was my impression that it was unanimous among all those people, no matter which side of the question they themselves were on and which side they came here to present, that they admired the fairness with which the hearings were run. They feel that that committee has distinguished itself by the way in which the hearings were conducted. I think a great deal of the credit for this, of course, reflects upon the Chairman of the Committee, Senator Scott, who, in my opinion, did an admirable job in presiding over those hearings.

I want to congratulate the Senate for a very statesmanlike job and, at the same time, I want to say that I deeply appreciate the very fine way in which that committee handled the bill.

Mr. WEINER. Mr. President, I just have a very short comment to make which I would appreciate if my friend and colleague, Senator Watkins, would listen closely to because it refers to some of the speeches he makes here every Session. I would like to just save him the trouble or else he can prepare competent rebuttal within a week or so.

A gentleman of Webb and Knapp, which is the largest real estate firm in the world, recently held a convention along with many persons who are interested in the surburban areas which are growing up around the large cities. This was held at San Francisco in the end of March, and the Philadelphia Bulletin last Thursday carried a rather large article on this matter.

I will not go into any detail. You can read that for yourself, but one of the things that the president of this firm of Webb and Knapp pointed out was that the real "carpetbaggers"—and he used Philadelphia for whatever reason best known to himself—and "freeloaders" on the "mother ship" were the surburban counties. He urged legislation permitting annexation of these fringe areas by the "mother ship," which meant the large cities, or the core cities, without the consent of the suburbs.

I would not want to go that far myself. We would like to have their consent, but one of the things he pointed out which I think my friend and colleague and some of the other gentlemen here, who do not come from large cities, should bear in mind is that the price for everything comes out of the national economy. We cannot afford twenty police departments, twenty fire departments, twenty water systems or even twenty planning commissions when one should be doing the job.

Everybody has to pay for this type of service they are getting. Unless the peripheral community, as he tends to call the surburban areas, cooperates with the large cities so that they work as a single unit—in other words, in Philadelphia when we have a fire today in one of the communities surrounding Philadelphia, all of our fire departments or fire areas move up to be able to cover the suburban areas and also to keep an eye on the city.

His idea, and correctly I believe, is that if all these communities got together and worked together, the overall cost to the entire people living in that community would be infinitely less and everybody would receive a better and more economical and efficient service than they get today.

Therefore, Senator Watkins, when you make your classic, annual speech, I hope you will bear that in mind.

Mr. WATKINS. Mr. President, I can appreciate the remarks made by the Senator from Philadelphia, Senator Weiner. I know that he is always thinking in a progressive manner. However, I happen to know a little bit about California and how they stretch for miles and miles and miles, and they have eaten up all the communities.

Down in my county of Delaware, and I think I speak for the Senator from Bucks, the Senator from Montgomery and the Senator from Chester, if they reach them, we have other ideas about it. We are thinking that perhaps we will annex Philadelphia and join it to our section. Maybe we will give part of Philadelphia over to New Jersey. We have not thought about just what we would do. It is a progressive idea and perhaps in the Twenty Hundreds it might come to pass that somebody will annex it. However, we are dead against Philadelphia annexing or going in through the back door to take any parts of our counties. That has certainly been their intent for years. Yes, a nice little bill that puts a fire company together and puts the other municipal authorities together. They will wind up as the ruler over it, and we will be paying taxes as the 97th Ward of Philadelphia. I do not think it will work. It might work in Los Angeles, but it will not work for us in our adjoining counties to Philadelphia. We are not going to give in and be nice and let them slip in the back door.

We will debate this much later when Senator Stevenson brings out the Philadelphia Wage Tax Bill. I think we will be able to discuss the whole situation at that time and not take up the time of the Senate now.

Mr. McMENAMIN. Mr. President, it is very distressing to see two of our more distinguished Members, Senator Weiner and Senator Watkins, at odds on a matter of this kind.

It might be appropriate to remark that today is the unofficial opening of the Northeastern Extension of the Turnpike and that brings together, much more closely than ever before, the great cities of Scranton and Philadelphia. Therefore, now we have some problems in common with Philadelphia.

However, Mr. President, I do not think it is exactly fair of Senator Weiner to bring up a matter like this today with Senator Watkins. Today, being "Basketball Day," Senator Watkins had the problem of acknowledging the superiority of Senator Mahany's team. He has had a hard day here. Maybe being an also-ran is not new to Senator Watkins, but I think both of them owe a debt of gratitude to Senator Van Sant. Senator Watkins was a little happy for awhile when they got by Allentown, the perennial champions of Pennsylvania, and then had to go and lose. I, therefore, do not think we should get into any serious matters on such a sad day for our good friend, Senator Watkins.

However, Mr. President, it might be appropriate at this time to find out from Senator Van Sant what happened to Allentown this year.

Mr. VAN SANDT. Mr. President and Members of the Senate, first of all, I would like to point out again that

Allentown did win the P.C.I.A.A. State Championship. Lehigh County came through in the Class B, P.I.A.A. Championship and we stretched over into Senator Ruth's neighboring District, which is close to Lehigh County, where Fleetwood won the Class C, P.I.A.A. Championship. It is kind of infectuous that we should go over into that county.

In so far as Allentown is concerned, Mr. President, we fell by the wayside to Chester High School. I am going to tell the truth, Senator Watkins. Senator Watkins informed me today that he gave to the Chester basketball team the same type of pills that he gives to his horses when they race and that is just the way Chester went against us. They were all winners that night and we were the losers.

Senator Watkins, I hope that soon you will have a winning team of horses like you had a winning team of basketball players.

Mr. SILVERT. Mr. President, after hearing Senator Watkins' reply to Senator Weiner, I have become convinced of something about which I have always suspected Senator Watkins, and that is that he is an isolationist on a local basis.

Mr. DENT. Mr. President, before announcements by the Clerk, I would like to suggest to Senator Watikns that if he ever gets a premonition that one of his horses is really going to win a race, he let us fellows who have been backing him up for years know in advance.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Tuesday, April 2, 1957, at 1:30 o'clock, p. m., Eastern Standard Time.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:59 o'clock, p. m., Eastern Standard Time, until Tuesday, April 2, 1957, at 1:30 o'clock, p. m. Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 1, 1957.

The House met at 4:30 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Jesse R. Houk, Pastor of the First Presbyterian Church, West Middlesex, guest Chaplain and guest of the gentlemen from Mercer, Messrs. Willard and Down, offered the following prayer:

Almighty God, Our Heavenly Father we thank Thee for this day of opportunity and service. We thank Thee for our nation and the privilege we have as free people to govern ourselves. Bless this meeting of the House of Representatives of Pennsylvania that it may act and deliberate that the causes of justice, freedom, and brotherhood may be fostered. May each member keep in mind the safety, honor, and welfare of all the people in this state. Grant to this body and to our national leaders the wisdom to plan and the power to achieve an order which shall protect all nations from fear and from want, and secure to them freedom to grow in knowledge and faith in Thee. Give us the vision to strive for that time when the will of God "may be done on earth as it is in Heaven."

During this Lenten Season may we keep before our eyes the vision of Jesus Christ who came and lived among men that they might see this Kindom in Him. Restore our faith in the triumph of righteousness, knowing that "righteousness exalteth a nation but sin is a reproach to any people." May we look beyond the things that are seen and temporal to the things that are unseen and eternal. These things we ask with the pardon of all our sins in the name of Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, March 19, 1957? If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, March 27, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. McCANN and BRENNAN.

HOUSE BILL No. 1007.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), prescribing additional qualifications for assistant county superintendents in certain cases.

Referred to the Committee on Education.

By Messrs. McCANN and BUCCHIN.

HOUSE BILL No. 1008.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), requiring the Superintendent of Public Instruction to make an annual report of teacher education programs.

Referred to the Committee on Education.

By Messrs. McCANN and GAILEY.

HOUSE BILL No. 1009.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) extending use of income from the school fund.

Referred to the Committee on Education.

By Messrs. BOIES and McCANN.

HOUSE BILL No. 1010.

An Act amending the "Public School Code of 1949," approved March 10, 1949," (P. L. 30), changing provisions for lunch and recess periods opening and closing hours and length of school day.

Referred to the Committee on Education.

By Messrs. WELSH and GAILEY.

HOUSE BILL No. 1011.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing its provisions with respect to the issuance of work permits.

Referred to the Committee on Education.

By Messrs. JENKINS and VAUGHAN.

HOUSE BILL No. 1012.

An Act amending "The Marriage Law" approved August 22, 1953 (P. L. 1344) authorizing the examination of applicants for marriage licenses by notaries public.

Referred to the Committee on Public Health and Sanitation.

By Mrs. VARALLO, Mrs. SARAH A. ANDERSON, Messrs. VAUGHAN and WILT. HOUSE BILL No. 1013.

An Act increasing the number of courts of common pleas in the county of Philadelphia; establishing therein a distinct and separate court of common pleas, designated court of common pleas number eight and providing for the appointment and election of judges for the court.

Referred to the Committee on Judiciary.

By Mr. GOLDSTEIN. HOUSE BILL No. 1014.

An Act fixing the time for levying taxes and water rates and making appropriations in cities of the second class and imposing duties on the mayor, council and heads of departments in such cities.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. AGNEW. HOUSE BILL No. 1015.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), making it a crime to maliciously loiter or prowl around the dwelling house of another at any time.

Referred to the Committe on Judiciary Special.

By Messrs. THOMPSON and COOPER.

HOUSE BILL No. 1016.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333); further regulating the marking, depositing and counting of ballots.

Referred to the Committee on Elections and Apportionment.

By Messrs. RIGBY, KAMYK, LUTTY and VAUGHAN.

HOUSE BILL No. 1017.

An Act to provide for the commemoration by the Commonwealth of Pennsylvania of the two hundredth anniversary of the capture of Fort Duquesne and the building of Fort Pitf, the beginnings of Pittsburgh and western Pennsylvania, and the unification of this western area to Pennsylvania; . . .

Referred to the Committee on State Government.

By Mrs. KOOKER, Messrs. KELLER and BRENNAN.

HOUSE BILL No. 1018.

An Act authorizing the Pennsylvania Fish Commission, with the approval of the Governor, to convey 78.841 acres of land, containing a body of water thereon known as Silver Lake situate in the Borough of Bristol and Township of Bristol and County of Bucks, for use as a public lake, fishing and recreation area.

Referred to the Committee on Fisheries.

By Messrs. WELSH and BUCHANAN.

HOUSE BILL No. 1019.

An Act amending the Child Labor Law, approved May 13, 1915 (P. L. 286), changing its provisions with respect to the issuance of employment certificates.

Referred to the Committee on Labor Relations.

By Messrs. ROVANSEK and BUCHANAN.

HOUSE BILL No. 1020.

An Act amending the "Child Labor Law," approved May 13, 1915, (P. L. 286), further prescribing work in which minors may engage; regulating minor's working hours, minor's work certificates and proof of age; changing penalties and further regulating prosecutions.

Referred to the Committee on Labor Relations.

By Messrs. ROVANSEK and BUCHANAN.

HOUSE BILL No. 1021.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating the employment of children under eighteen years of age.

Referred to the Committee on Labor Relations.

By Mrss. MARKLEY and Mr. SNIDER.

HOUSE BILL No. 1022.

An Act amending "The Administrative Code of 1929," approved April 9, 1929, (P. L. 177), establishing the Division of Farm and Home Safety Education in the Department of Public Instruction, and making an appropriation.

Referred to the Committee on Education.

By Messrs. LOPRESTI, VAUGHAN, SPRAY and STUART. HOUSE BILL No. 1023.

An Act regulating settlement of disputes between public utility employers and their employes, and providing the procedure therefor, and repealing certain acts.

Referred to the Committee on Public Utilities.

By Messrs. READINGER and PETROSKY.

HOUSE BILL No. 1024.

An Act creating the Pennsylvania Turnpike Board, conferring powers and imposing duties on the Board, establishing the Pennsylvania Turnpike System, . . . abolishing the Pennsylvania Turnpike Commission, transferring and limiting its functions, repealing inconsistent acts, and making an appropriation.

Referred to the Committee on Highways.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows

SENATE BILL No. 258.

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" permtting corporate affidavits to be made by persons duly authorized by a board of directors and excluding certain days from the computation of certain tax periods.

Referred to the Committee on Ways and Means.

SENATE BILL No. 327.

An Act authorizing the board of directors of railroad companies to constitute an executive committee from among their number and conferring such authority upon the committee as the board shall provide.

Referred to the Committee on Railroads and Railways.

SENATE BILL No. 341.

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding new routes in Washington County.

Referred to the Committee on Highways.

SENATE BILL No. 356.

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" changing a route in Chester County.

Referred to the Committee on Highways.

SENATE BILL No. 372.

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding routes in Clinton County.

Referred to the Committee on Highways.

RESOLUTION INTRODUCED AND REFERRED

By Mr. STONER RESOLUTION No. 73.

In the House of Representatives, March 27, 1957.

Big Spring Creek is one of the few remaining limestone streams capable of sustaining native brook trout and is also one of the most beautiful streams transversing our Commonwealth. Fishermen, sportsmen and nature lovers from a wide area are genuinely interested in insuring the preservation and perpetuation of this stream in its native state.

Indicative of the widespread interest in this project is the throng of people who volunteered their services to help restore the natural beauty of Big Spring in the recent "Operation Clean-up."

The future of this stream is threatened, however, by the operations of the Green Spring Hatchery at Newville, Pennsylvania, and greatly dependent upon the decisions of the Pennsylvania Fish Commission and the Water and Power Resources Board in respect thereto; therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of three members of the House to conduct an immediate investigation of the activities of the Pennsylvania Fish Commission and the Water and Power Resources Board relative to the Green Spring Hatchery Co., Inc. in order to determine whether or not the laws of the Commonwealth are being upheld and justice rendered; and be it further

Resolved, That the committee so appointed make a report of its findings to the House of Representatives at the earliest possible date before the adjournment of this session of the General Assembly.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 322.

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, March 29, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 322, Printers' No. 44, entitled "An Act making certain bridges in the Commonwealth toll free providing for the payment of certain bond issues requiring the Department of Highways to sell certain property and appropriating the proceeds of sale thereof."

This bill would require that all toll bridges acquired by the Commonwealth pursuant to the Act of April 22, 1949, P. L. 715, shall be made toll free at noon on May 30, 1957.

The truth is that the bill, instead of expediting the freeing of these bridges, actually would delay it. The Department of Highways already has determined that, barring unforseen circumstances, it will be feasible to free the toll bridges owned by the Commonwealth not later than May 15 of this year—without this additional and superfluous legislation.

This means then that if this bill were to become law, the people of this Commonwealth would be required to pay tolls for the use of these bridges for an additional fifteen (15) days.

We should not delay the freeing of these bridges even one day beyond the time necessary to accumulate sufficient funds to retire all outstanding bonds.

The bill also requires the Department of Highways to sell at public sale all buildings and other property and appurtenances which were acquired incident to the purchase of the toll bridges and to deposit the proceeds thereof in the Motor License Fund for the purpose of paying the interest and sinking fund charges remaining to be paid on bonds issued on account of the toll bridges.

This bill raises substantial constitutional and statutory problems. Since the acquisition of these bridges was financed by the issuance of bonds, any provision mandating the freeing of these bridges of tolls without providing adequate security for the redemption of all bonds would seem to offend against the constitutional inhibitions against impairment of contracts. Although, by their terms, these bonds do not mature for several years, there is no provision to finance the retirement of the bonds should the sale of the realty mentioned in the bill coupled with the possibility of unforseen circumstances relative to toll collection prevent the accumulation of sufficient security by the time mentioned in the bill.

This bill requires the Department of Highways to sell at public sale all buildings and other property and appurtenances which were acquired incident to the purchase of the toll bridges, despite the fact that all purchases and sales for the Department of Highways are statutorily required to be handled by the Department of Property and Supplies.

For these reasons, the bill is not approved.

GEORGE M. LEADER.

COMMUNICATION AND BILL LAID ON TABLE

Mr. BOWER. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on table.

The motion was agreed to.

REPORTS OF COMMISSION ON GOVERNMENT REORGANIZATION

The SPEAKER laid before the House a communication from and reports of the Commission on Governmental Reorganiaztion dealing with Public Instruction and Labor and Industry.

The communication was read as follows:

1 April 1957

To the Honorable
The President of the Senate
and Speaker of the House of
Representatives:

I have the honor to submit for the consideration of the General Assembly, the attached report of the Commission on Governmental Reorganization, dealing with Public Instruction; Labor and Industry.

Respectfully,

A. J. DREXEL BIDDLE, JR.
Major General
Chairman
Governmental Reorganization
Commission

encl.

(For reports, see appendix)

POLITICAL WORKERS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a group of Political Workers from the town of Lansdale, Montgomery County. They are the guests of the gentleman from Montgomery, Mr. Brenninger.

APPOINTMENT TO SELECT COMMITTEE ON PENSIONS AND RETIREMENT

The SPEAKER. In accordance with the provision of House Resolution Serial No. 55, adopted March 13, 1957, the Speaker appoints Hiram G. Andrews, Cambria County, a Member of the Select Committee on Pensions and Retirement VICE Martin T. Mihm, Allegheny County, resigned.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 335.

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) extending the provisions of one additional tax for a limited time.

HOUSE BILL No. 336.

An Act amending the "Fuel Use Tax Act" of January 14, 1952 (P. L. 1965) extending the provisions of one additional tax for a limited time.

HOUSE BILL No. 479.

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence No. 257.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows.

Mr. Stoner for Mr. GEORGE for the week because of illness.

Mr. Gibson for Mr. WILLARD because of illness.

PERMISSION TO ADDRESS HOUSE

Mr. RAGOT asked and obtained unanimous consent to address the House.

Mr. Speaker, we hear a lot about the Sales Tax but never anything about the use tax.

Last week the Governor stated a selected few enjoy special tax privileges. He mentioned some Pennsylvania categories exempted in House Bill 337. What he did not mention is all the New Jersey retail and wholesale dealers who enjoy a special privilege. I refer to those cities and boroughs adjoining Pennsylvania. They bring thousands of dollars worth of consumer merchandise across the Delaware River into Pennsylvania and no effort is being made to collect the use tax, thereby making it possible to undersell by three percent Pennsylvania storekeepers.

In the City of Easton, of which I am a resident, truckload after truckload of merchandise can be seen coming across the Delaware River and state line to the disadvantage of the merchants of Easton.

There is a way to collect the tax due, but no effort is being made to collect it from purchasers in Pennsylvania.

It behooves the sales tax division of the Department of Revenue to take a more realistic view of this leak in revenue and enforce the collection of the use tax along the border of Pennsylvania.

The Governor would do well to shed a few crocodile tears over the plight of the merchants of Easton and bring in the revenue to the state which is its just due under the law.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 1, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, April 8, 1937 at three o'clock p.m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, April 8, 1957 at four-thirty o'clock p.m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 9, entitled:

An Act amending the "Vital Statistics Law of 1953" approved June 29, 1939 (P. L. 304) making it unlawful for unauthorized persons to copy duplicate or issue certificates of birth death or fetal death.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 91, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) redefining the conveying or transmission of messages or communications to include the transmission of television signals by cables for compensation to homes apartment houses commercial and noncommercial buildings or to any other subscriber.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 121, entitled:

A Joint Resolution proposing an amendment to Art VIII, Sec. 12 of the Constitution of the Commonwealth of Pennsylvania changing provisions relating to the election of county superintendents of public schools.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 160, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing for audits of accounts by independent accountants appointed by council.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 356, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the application for an issuance of hotel restaurant and club liquor licenses.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 565, entitled:

An Act amending the act of June twenty-nine one thousand nine hundred fifty-three (P. L. 304) known as the "Vital Statistics Law of 1953" by providing for the registration of children born in countries other than the United States and the registration of foreign born children adopted in Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 601, entitled:

An Act amending the act of February 24, 1806 (P. L. 334 4 Sm L 270) entitled "An act to alter the Judiciary System of this Commonwealth" requiring that certain confession of judgment proceedings be docketed in the Municipal Court of Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 602, entitled:

An Act amending the act of March 21, 1806 (P. L. 558 4 Sm L 326) entitled "An act to regulate Arbitrations and Proceedings in Courts of Justice" requiring certain judgments in amicable actions to be filed in the Municipal Court of Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 603, entitled:

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207) requiring the filing and certain municipal claims in the Municipal Court of Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 604, entitled:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia * * * regulating the procedure therein and appeals therefrom and providing for the expenses thereof" further providing for the transfer of cases by and to the court of common pleas.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 659, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) regulating contract procedures and advertising for bids.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 666, entitled:

An Act amending the "Motor Vehicle Safety Responsibility Act" of June 1, 1945 (P. L. 1340) increasing the required amount of financial responsibility.

The first, second, third and fourth sections were separately read and agreed to.

Mr. STIMMEL offered the following amendment:

Amend Bill, page 6, by inserting after line 20 the following: Section 5. This act shall take effect January 1, 1958.

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 737, entitled:

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905) requiring the notation on certificates of title of the use of motor vehicles for rental purposes in certain cases and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILL

Mr. WOOD asked and obtained unanimous consent to extend the time five days on House Bill No. 268, Printer's No. 75, on page 4 of today's calendar, bills on final passage postponed.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 319, entitled as follows:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) providing additional standards for the determination of rates of common carriers of passengers by motor vehicle.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—148

Adams,	Ewing,	Lee, A. M.,	Reidenbach,
Agnew,	Fetterolf,	Lee, K. B.,	Rigby,
Anderson, M. S.,	Fineman,	Leonard,	Royer,
Andrews,	Foster,	Light,	Rudisill,
Ashton,	Fox,	Lippincott,	Scarcelli,
Auker,	Gibb,	Lovett,	Seltzer,
Barton,	Gibson,	Lutty,	Silverman,
Bell,	Goldstein,	Magee,	Snare,
Blair,	Goodling,	Mahan,	Snider,
Boies,	Goodrich,	Markley,	Spray,
Bower,	Gramlich,	Marsh,	Steckel,
Bowman,	Gross,	McGee,	Stevens,
Brand,	Guthrie,	McInroy,	Stimmel,
Breisch,	Hamilton,	McKeever,	Strausser,
Brenninger,	Haudenshield,	Merry,	Stuart,
Breon,	Heavey,	Metz,	Taylor,
Brown,	Heffner,	Mikula,	Thompson,
Brucker,	Henzel,	Miller, B. Z.,	Toll,
Buchanan,	Hocker,	Miller, H. G.,	Tompkins,
Carson,	Holt,	Monroe,	Ujobai,
Cleveland,	Horst,	Moody,	Varallo,
Cooper,	Ide,	Moyer,	Varner,
Dalrymple,	Isaacs,	Murphy,	Vaughan,
Davis,	Jenkins,	Murray, H. P.,	Wall,
DeLong,	Johnson,	Murray, P. G.,	Weidner,
Dengler,	Johnston,	Naugle,	Wescott,
Dennison,	Jones, T. H.,	O'Brien,	Wheeler,
Dietterick,	Jump,	O'Dell,	Whittaker,
Donahue,	Kamyk,	Ogilvie,	Willaredt,
Donaldson,	Kehler,	Parry,	Wilt,
Dougherty,	Keller,	Phillips,	Wood,
Down,	Kernaghan,	Pomeroy,	Worley,
Duffy,	Knecht,	Post,	Wyatt,
Dunn,	Kooker,	Price,	Wynd,
Edwards,	Korns,	Pursley,	Yatron,
Erb,	Krakow,	Ragot,	Zimmerman,
Eshleman,	Lafore,	Readinger,	Helm, Speaker

NAYS—49

Anderson, S. A.,	Eilberg,	Lopresti,	Piper,
Boory,	Farabaugh,	Maxwell,	Polaski,
Brennan,	Filo,	McCormack,	Renwick,
Breth,	Floyd,	McLaughlin,	Rovansek,
Bucchin,	Flynn,	Mills,	Schuster,
Capano,	Gailey,	Moscrip,	Schwartz,
Cianfrani,	Garlock,	Muldowney,	Sherman,
Cioffi,	Gelfand,	Mullen,	Smith,
Comer,	Jim,	Munley,	Stoner,
Cummins,	Jones, G. E.	Musto,	Trusio,
Curwood,	Kornick,	Pashley,	Walsh,
Devlin,	Limper,	Petrosky,	Wargo,
			Welsh,

NOT VOTING—12

Amarando,	McCann,	Shields,	Verona,
Frascella,	Mihm,	Stone,	Willard,
George,	Miller, W. H.,	Stroup,	Williams,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair understands the lady from Philadelphia, Mrs. Beatrice Z. Miller, is today celebrating the anniversary of her birth. The Chair wishes to extend birthday greetings, and is sure the Members of the House join him in extending those greetings.

The Chair recognizes the lady from Philadelphia.

Mrs. BEATRICE Z. MILLER. Thank you, Mr. Speaker. I am very glad it happened today. I never had such a wonderful birthday.

The SPEAKER. The Chair has also been informed that the gentleman from Potter, Mr. Goodrich, is celebrating his birthday today. The Chair extends birthday greetings to the gentleman from Potter, Mr. Goodrich. He is sure the House joins him in those greetings.

Mr. GOODRICH. Thank you, Mr. Speaker, and for the card, too.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Bowman.

The House resumed the consideration on final passage of House Bill No. 444, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing council to provide for the closing of city offices on Saturday.

On the question recurring,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, it seems there is a cult being organized in various departments of our activities in the labor world and political circles, a cult composed of those who believe in getting more and more wages for doing less and less work.

We receive a great deal of criticism here because we do not work hard enough, because state employes do not work hard enough, or enough time, and yet we are constantly passing legislation easing up on the services which should be rendered by those responsible for the functioning of local offices.

We all know that in many communities Saturday should be a big day in some departments at city hall. People have to live on Saturdays, government must go on. It very often happens that those who are unable to visit city hall during the other days of the week can go there on Saturdays.

Of course, as far as my town is concerned, you do not have to enact this legislation to accomplish its purposes. You cannot find the mayor on Saturday and sometimes

not on Friday. You cannot find the superintendent of highways when you want him. But that is no excuse for passing legislation which authorizes them to be absent from their offices when there is a need for them at city hall.

Of course, if this House is sold on the idea of doing less and less work for more and more money, that is their option. Personally, I am opposed to the idea, whether it is in the labor world, the political world, or anywhere else.

Mr. READINGER. Mr. Speaker, there seems to be a division in the ranks over here. I am going to vote for this bill because it strictly sets forth that the local councils in third class cities shall make the determination whether their offices shall be open on Saturdays or not.

Some time ago in Berks County the banks decided it would be better practice to close Saturday mornings and to extend their hours from 3:00 o'clock on Friday afternoon until 6:00 o'clock. They were able to do so because we passed legislation some few years ago allowing it to be done. At first it did not strike me as being a very good idea either, but since it has been in operation for a couple of years I have had no complaints from anyone about the fact that we by law allowed them to do it. Frankly, I do not find it is any inconvience to myself. I have scheduled my affairs so that I get my banking finished by Friday afternoon and I do not run into any difficulty.

If we were telling the local third class cities they must close on a Saturday morning, I would agree with the gentleman from Cambria, Mr. Andrews. Since we are leaving it to the various localities to make the determination themselves, they should be responsive to the local needs and the local desires.

I think this is good legislation and I would like to see it passed. I am for longer weekends and less work for more money if you can do it reasonably without hurting public service.

Mr. ANDREWS. Mr. Speaker, I can pardon the Minority Leader, I am not a candidate for judge.

Mr. ADAMS. Mr. Speaker, I too am from Berks County, from the rural areas, and many of my constituents work during the week and are not able to get into these offices during their working hours. The fact that the banks are open until 6:00 o'clock on a Friday is OK, but until there is some sort of legislation passed which will make it mandatory for these offices to be open also until 6:00 o'clock, if they are allowed to close on a Saturday morning, I am going to vote "no."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—131

Agnew,	Fineman,	Magee,	Schuster,
Anderson, M. S.,	Floyd,	Mahan,	Schwartz,
Anderson, S. A.,	Foster,	Marsh,	Seltzer,
Ashton,	Fox,	Maxwell,	Sherman,
Barton,	Gelfand,	McInroy,	Silverman,
Bell,	Gibson,	McKeever,	Smith,
Boies,	Gramlich,	Merry,	Snare,
Boory,	Guthrie,	Miller, B. Z.,	Snider,
Bower,	Hamilton,	Miller, H. G.,	Spray,
Bowman,	Heavey,	Mills,	Stoner,
Breisch,	Heffner,	Monroe,	Stuart,
Brenninger,	Henzel,	Moody,	Taylor,
Breon,	Hocker,	Moscrip,	Thompson,
Brown,	Holt,	Muldowney,	Toll,
Brucker,	Isaacs,	Munley,	Tompkins,
Bucchin,	Jim,	Murphy,	Ujobai,
Buchanan,	Johnson,	Murray, H. P.,	Varallo,
Carson,	Johnston,	Murray, P. G.,	Varner,
Cleveland,	Jones, G. E.	Musto,	Vaughan,
Comer,	Jones, T. H.,	O'Brien,	Verona,
Cooper,	Jump,	Ogilvie,	Wall,
Dengler,	Kamyk,	Parry,	Walsh,
Devlin,	Kehler,	Phillips,	Welsh,
Dietterick,	Keller,	Piper,	Wescott,
Down,	Kernaghan,	Polaski,	Wheeler,
Duffy,	Knecht,	Pomeroy,	Willaredt,
Dunn,	Korns,	Price,	Wood,
Edwards,	Krakow,	Pursley,	Worley,
Eilberg,	Lafore,	Ragot,	Wyatt,
Eshleman,	Lee, A. M.,	Readinger,	Wynd,
Ewing,	Lee, K. B.,	Reidenbach,	Yatron,
Fetterolf,	Lippincott,	Rigby,	Helm,
Filo,	Lovett,	Royer,	Speaker

NAYS—62

Adams,	Dennison,	Horst,	Pashley,
Amarando,	Donahue,	Ide,	Post,
Andrews,	Donaldson,	Kooker,	Renwick,
Auker,	Dougherty,	Kornick,	Rovansek,
Blair,	Erb,	Leonard,	Rudisill,
Brand,	Farabaugh,	Light,	Scarcelli,
Brennan,	Flynn,	Lopresti,	Steckel,
Breth,	Gailey,	Markley,	Stevens,
Capano,	Garlock,	McCormack,	Stimmel,
Cianfrani,	Gibb,	McLaughlin,	Strausser,
Cioffi,	Goldstein,	Metz,	Trusio,
Cummins,	Goodling,	Mikula,	Wargo,
Curwood,	Goodrich,	Moyer,	Weidner,
Dalrymple,	Gross,	Naugle,	Whittaker,
Davis,	Haudenshield,	O'Dell,	Wilt,
DeLong,			Zimmerman,

NOT VOTING—16

Frascella,	Lutty,	Miller, W. H.,	Stone,
George,	McCann,	Mullen,	Stroup,
Jenkins,	McGee,	Petrosky,	Willard,
Limper,	Mihm,	Shields,	Williams,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair has been informed of the presence in the Hall of the House of a former Member of this House, the gentleman from Philadelphia, Mr. Wilbur Hamilton.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 347, entitled as follows:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school systems, etc. . . ." by providing for additional increments for professional employes having thirty years of public school service.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOCKER. Mr. Speaker, I have been trying for the last few days to find some reason why I should vote for this bill, and as yet I cannot find that reason. Perhaps someone can enlighten me.

I think it is poor government when we in the House of

Representatives say the school districts throughout this Commonwealth must spend so much money to aid school teachers and professional employes—it does not only include school teachers. We are telling them they must spend this money, but we are not giving them any chance to raise this money and many of the school districts are up to the limit as far as levying taxes is concerned. We have not increased that provision, we have not found a way for them to raise more money, but we in Harrisburg as Legislators say, you shall spend this money.

I think it is very bad government. I like home rule, but I like to give the people to whom we give home rule the tools with which to work. I doubt very much whether I would vote for that type of legislation, but to do this before we even try to do the other and say they must increase the salaries of these teachers is wrong. It is true they probably need it, some of them started in the low brackets and did not catch up with the others. But I still say we are wrong when we deliberately send a mandate back home and say, you shall do this. We do not care where or how you raise the money, but do it anyhow.

Mr. Speaker, I just cannot find my way clear to vote for this bill. I think it is bad legislation and, therefore, I am forced to vote against it.

Mr. AUKER. Mr. Speaker, I desire to answer briefly the gentleman from Dauphin, Mr. Hocker, who just spoke. We have passed many, many times in this House bills to raise the pay and set the hours of policemen and firemen back home, which cost the municipalities a lot of money in many cases, and we did not provide the money for that. I do not doubt for an instant that in many cases it cost the municipalities a lot more money than the few thousand dollars it might cost each district to give this deserving class of teachers some greatly needed relief.

Mr. LOPRESTI. Mr. Speaker, I desire to interrogate the gentleman from Columbia, Mr. Strausser.

The CHAIR. Will the gentleman from Columbia, Mr. Strausser, permit himself to be interrogated?

Mr. STRAUSSER. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, I desire to know just what the need is for this particular bill? Just what are we trying to correct?

Mr. STRAUSSER. Mr. Speaker, we are trying to correct a situation wherein, as was brought out, a good many school teachers who started in a low bracket have not reached their maximum. This is simply to raise those teachers of 30 years experience or service. We are giving them $200 extra increment in order to bring them up to their maximum, frankly, with the idea that they will be in a position, to draw a decent retirement allowance.

Mr. LOPRESTI. Are there many teachers in the Commonwealth who have had 30 years of service and still are not at their maximum salary?

Mr. STRAUSSER. No. I do not know just how many, Mr. Speaker, but in my county I checked and there are 92 teachers who have taught 30 years, but I would say not all of these 92 would be eligible for a raise. In other words, some of them already have reached their maximum, or they are up to their grade now, so the total of 92 would not be involved.

Mr. LOPRESTI. I take it the gentleman does not know just how many of the 92 have reached their maximum and how many of them have not.

Mr. STRAUSSER. I am sorry, I cannot give you that answer.

Mr. LOPRESTI. Is this primarily designed to give them additional retirement benefits?

Mr. STRAUSSER. That is true, yes, sir.

Mr. LOPRESTI. Is that the primary purpose of the bill?

Mr. STRAUSSER. Yes, and also to give them a salary which would be equivalent to young teachers who are now starting at $3,000. They start at $3,000 now, and some of the younger teachers are getting more salary than the teachers who have already served their 30 years, or more.

Mr. LOPRESTI. Do I understand the gentleman to say there are teachers who have taught 30 years, or more, who are earning less than a starting teacher makes now?

Mr. STRAUSSER. No. I did not say that, Mr. Speaker. I said they are not up to younger teachers who have benefited. I think it was the 1949 Act which gave a $200 a year increase, but I would not put the new teachers in the bracket of receiving more salary than the older teachers. It is those who date back prior to 1949.

Mr. LOPRESTI. I desire to ask the gentleman whether if we were to grant them increases as we have done in the past on several occasions, and give them double increments, they would then get, in addition to the double increment, this $200. also.

Mr. STRAUSSER. I would say so.

Mr. LOPRESTI. Then it would be possible, if we increased the increments to $400, they would get an increase of $600 a year?

Mr. STRAUSSER. Not if they have reached their maximum.

Mr. LOPRESTI. I mean up until the time they have reached their maximum?

Mr. STRAUSSER. Yes, sir.

Mr. LOPRESTI. Each one of these increments remain and are added to each year?

Mr. STRAUSSER. Until the maximum is reached, that is right.

Mr. GOLDSTEIN. Mr. Speaker, for the information of the gentleman from Cambria, as Mr. Strausser has indicated, the primary purpose is to see that the teachers who are aged will have a base whereby they will have a decent retirement.

The figures I have before me indicate there are 3,600 teachers throughout the state of Pennsylvania who would be affected by this legislation. Many of these are receiving the same salaries today, after 30 years of service, as others who started only a year or two before.

The information I have received is that this is due primarily to the fact that when our new mandated salary schedules were enacted on a state level, no provision was made to place them on a new schedule with credit for years of experience.

We feel these teachers who have given 30 years of service are entitled to have a proper base so they will not have to come back here and ask for amendments to the Act in order to live. We feel it should receive the support of everybody who has an old-time teacher.

Mr. LOPRESTI. I desire to interrogate the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER. Will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

Mr. GOLDSTEIN. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, the gentleman has said they were getting less than some teachers who started a year or two before. A year or two before what?

Mr. GOLDSTEIN. The information I have received, and I quote from the State Education Association as follows:

> "Many teachers are receiving as a beginning salary this year as much as many of the teachers are receiving after long years of service."

The reason for that is this, from my understanding of the law many school districts receive a reimbursement fraction which enables them to use the money in any manner they desire. Instead of applying this money for the benefit of school teachers who have had years of service, the school boards have arbitrarily decided not to give them the benefit of the moneys they could so employ.

We feel the purpose of the act, although they are not required to do so, has been circumvented by school districts which receive aid from the state. We say we are placing this upon a local level. They have asked for aid from the state, let them do a job for the local teachers in the local method. That is the purpose of this bill.

Mr. LOPRESTI. Mr. Speaker, may I further interrogate the gentleman?

Can the gentleman tell us what the starting salary, or the minimum salary, was prior to 1955?

Mr. GOLDSTEIN. I have been advised that it was $2,400.

Mr. LOPRESTI. Does the gentleman know when that minimum salary was established?

Mr. GOLDSTEIN. I understand it was in 1949, before I was in the House.

Mr. LOPRESTI. In 1949. How many increments would they have had from 1949 until last year when the minimum was raised to $3,000?

Mr. GOLDSTEIN. They would have had four.

Mr. LOPRESTI. I believe five.

Mr. GOLDSTEIN. Five, yes.

Mr. LOPRESTI. At least one of those was a double increment, was it not?

Mr. GOLDSTEIN. I believe so.

Mr. LOPRESTI. That would be six, so we have an increase of $1,200. How many teachers who have started since 1949 would be earning less than $3,000?

Mr. GOLDSTEIN. These teachers did not start since 1949, these teachers were employed prior to 1949.

Mr. LOPRESTI. But those who were employed before 1949 would have to, at least, get the $2,400 minimum, plus the increments since that time?

Mr. GOLDSTEIN. From my understanding of the law, that is not a fact. My understanding of the law is that in many school districts—and I believe one of the districts referred to me is in the gentleman's county—the school boards have not even been giving the benefit of the minimum to the old school teachers in the past. I may be wrong in identifying the county, so I will not identify the school district further.

Mr. LOPRESTI. As a point of information, is the gentleman indicating to me that even though we have fixed a $2,400 minimum salary there are districts which have not paid the $2,400 minimum?

Mr. GOLDSTEIN. That is the starting salary.

Mr. LOPRESTI. Am I to understand, then, that there is a difference between a starting salary and a minimum salary?

Mr. GOLDSTEIN. You have me there. I am not going to give you an answer, because I do not know.

Mr. LOPRESTI. I would like to know now. Iet us not misunderstand each other. I am not opposing this bill, I am just trying to find out what the bill proposes to do and what we are proposing to do. That is my only purpose in this interrogation. I am not opposed to it.

Mr. GOLDSTEIN. I will read you the letter I have from the Pennsylvania State Education Association, because I am interested in the bill and the purpose of this Association. I do not believe they would misrepresent things. The letter is as follows:

> "In brief, the purpose of this legislation is to take care of our older teachers salarywise who have had 30 or more years of teaching experience by granting them an extra increment of $200 until such time as they reach the mandated maximum. So the purpose of this bill is to enable them to reach the mandated maximum."

And as I indicated before, to give them the same basis as other teachers would have who started in 1949.

They do not have the mandated maximum, even though they were teaching prior to 1949. For your information, I believe as the years go by these teachers will retire and the burden upon local districts will decrease greatly from year to year.

Mr. GOODLING. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Goldstein.

The SPEAKER. Will the gentleman from Allegheny, Mr. Goldstein, permit himself to be interrogated?

Mr. GOLDSTEIN. Mr. Speaker, I yield to Mr. Moscrip who will be able to give more details about the bill.

The SPEAKER. The gentleman from Allegheny, Mr. Goldstein, yields to the gentleman from Bradford, Mr. Moscrip. Will the gentleman from Bradford permit himself to be interrogated?

Mr. MOSCRIP. I shall, Mr. Speaker.

Mr. GOODLING, Mr. Speaker, I would like to question Mr. Goldstein on a statement he just made.

The SPEAKER. The gentleman from Bradford, Mr. Moscrip, yields to the gentleman from Allegheny, Mr. Goldstein. Will the gentleman permit himself to be interrogated?

Mr. GOLDSTEIN. I shall, Mr. Speaker.

Mr. GOODLING. Mr. Speaker, I may have misunderstood the gentleman, but did he say that there are school boards who are now receiving subsidies for teachers' salaries and then applying the money for some other purpose?

Mr. GOLDSTEIN. I did not say that. I said there are school boards, I am informed, who are receiving subsidies who do not apply this particular subsidy to teachers with thirty years' experience or more, so they would be in a bracket whereby they could get the mandated maximum. Otherwise, they have the funds and they have the money but they do not do it because they have discretion under the Act.

Mr. GOODLING. Mr. Speaker, to the best of my knowledge, a school board could not possibly do that because every penny that comes from the state must be accounted for in the auditor's return that comes back through the county office to the state office. I do not see that it would be possible to misappropriate any money.

Mr. GOLDSTEIN. Mr. Speaker, I did not say they misappropriate money. I said they did not apply the money, which they would have available, toward having these older teachers get the mandated maximum. In other words, they used their discretion to keep them as low as possible.

Mr. GOOOLING. Thank you, Mr. Goldstein.

The gentleman certainly gave me an attorney's answer. He talked all around the question and he still has not answered it to my satisfaction.

I have been a school director for a good many years and I know something about the operation of the school districts back home. To the best of my knowledge, by and large, most of them are trying to do a good job so far as the teachers are concerned.

Until such time as this General Assembly or some session of the General Assembly gives us, as school directors, a different tax base, I do not believe we should put an additional burden on the people back home.

There is a bill in the Senate, as I understand, at the present time, which will change the tax base back home. If the school districts back home have additional taxing power, then I will be for this bill 100 percent. But as I stated, until such time as we give those people back home more taxing power, I will not vote to put an additional burden on the school districts.

Mr. MOSCRIP. Mr. Speaker, I think some of the confusion in the minds of the ladies and gentlemen of the House lies in the fact that for some years the actual market salary at which you could hire a teacher has been somewhat in excess of the minimum salary decreed by law.

As of today, that minimum salary is $3,000 and in a great many districts a teacher will not even look at you for less than $3,600. It was the same way when the base was $2,400, we were paying $3,000 and $3,200 for starting teachers.

The difficulty that arises with these thirty years of service teachers is that they started back sometime before the increments when they were small. I know it personally because I had jurisdiction of it. We had a case of a teacher who had taught upward of 30 years and was drawing $3,700 a year, and we were hiring new people out of normal school who were just average—because that is all the market had to offer—for $3,200.

I think it is obvious that such a condition creates a morale factor with our older teachers. Our older teachers are the backbone of the faculty. I think they have a meritorious cause. As this thing progresses, it will gradually taper off, because as each teacher reaches the ceiling decreed by law, the board is no longer under any obligation to pay the increment.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Ewing,	Lippincott,	Rovansek,
Amarando,	Fetterolf,	Lopresti,	Royer,
Anderson, M. S.,	Filo,	Lovett,	Rudisill,
Anderson, S. A.,	Fineman,	Lutty,	Scarcelli,
Andrews,	Floyd,	Magee,	Schuster,
Ashton,	Flynn,	Mahan,	Schwartz,
Auker,	Foster,	Markley,	Seltzer,
Bell,	Fox,	Marsh,	Sherman,
Boles,	Gailey,	Maxwell,	Silverman,
Boory,	Gelfand,	McCormack,	Smith,
Bower,	Gibb,	McGee,	Snare,
Brand,	Gibson,	McInroy,	Snider,
Breisch,	Goldstein,	McKeever,	Spray,
Brennan,	Goodrich,	McLaughlin,	Steckel,
Brenninger,	Gramlich,	Merry,	Stevens,
Breon,	Guthrie,	Metz,	Stimmel,
Breth,	Hamilton,	Mikula,	Stoner,
Brown,	Haudenshield,	Miller, B. Z.,	Strausser,
Brucker,	Heavey,	Miller, H. G.,	Stuart,
Bucchin,	Heffner,	Mills,	Taylor,
Buchanan,	Henzel,	Monroe,	Thompson,
Capano,	Holt,	Moscrip,	Toll,
Carson,	Horst,	Moyer,	Tompkins,
Cianfrani,	Ide,	Muldowney,	Trusio,
Cioffi,	Isaacs,	Munley,	Ujobai,
Cleveland,	Jenkins,	Murphy,	Varallo,
Comer,	Jim,	Murray, H. P.,	Varner,
Cooper,	Johnson,	Murray, P. G.,	Vaughan,
Cummins,	Johnston,	Musto,	Verona,
Curwood,	Jones, G. E.	Naugle,	Wall,
Dalrymple,	Jones, T. H.,	O'Dell,	Walsh,
Davis,	Jump,	Ogilvie,	Wargo,
DeLong,	Kamyk,	Parry,	Weidner,
Dengler,	Kehler,	Pashley,	Welsh,
Dennison,	Keller,	Petrosky,	Wescott,
Devlin,	Kernaghan,	Piper,	Wheeler,
Dietterick,	Knecht,	Polaski,	Whittaker,
Donahue,	Kooker,	Pomeroy,	Willaredt,
Donaldson,	Kornick,	Post,	Wilt,
Dougherty,	Krakow,	Price,	Wood,
Down,	Lafore,	Pursley,	Worley,
Duffy,	Lee, A. M.,	Ragot,	Wyatt,
Dunn,	Lee, K. B.,	Readinger,	Wynd,
Edwards,	Leonard,	Reidenbach,	Yatron,
Eilberg,	Light,	Renwick,	Zimmerman,
Erb,	Limper,	Rigby,	Helm,
Eshleman.			Speaker

NAYS—9

Barton,	Farabaugh,	Gross,	Korns,
Bowman.	Goodling.	Hocker,	Moody,
			O'Brien,

NOT VOTING—15

Agnew,	George,	Mullen,	Stroup,
Blair,	McCann,	Phillips,	Willard,
Frascella,	Mihm,	Shields,	Williams,
Garlock,	Miller, W. H.,	Stone,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. MOODY filed the following reasons for his vote on House Bill No. 347:

I am voting against this bill for the reason that I do not believe that additional increments for teachers should be legislated until such time as legislation is enacted, similar to that provided in House Bill No. 54, which provides for additional reimbursement for the transportation of children residing less than one and a half miles from the school where existing traffic conditions are extremely hazardous and the lives of young school children are imperiled by such hazardous conditions.

In the past I have supported additional increments for school teachers and will do so in the future when warranted. But in order to focus attention on what I consider a most essential piece of legislation for the safety and welfare of our school children, I feel impelled to vote in the negative.

Mr. DAVIS filed the following reasons for his vote on House Bill No. 347:

Mr. Speaker, it was attempted earlier to amend this bill so that its costs to third and fourth class districts would be integrated into the state aid system.

It became apparent that such an amendment would have no chance of carrying at this time.

Such districts as are found in Forest County cannot support the increased payments under this bill.

However, I am personally deeply interested and concerned in the problem of increased teachers' salaries. Particularly in the cases covered by this bill—teachers of long service faithfully rendered who will otherwise retire at a real disadvantage.

Rather than vote against this bill at this time, I have decided to support it, having reason to believe that it will be later amended to bring it under the state aid formula, in the Senate or in conference.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 395, entitled as follows:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) providing for approval to erect traffic signs and changing the definition of the term "school zone."

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. BRENNINGER. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

BILL PASSED OVER

There being no objection

House Bill No. 454, Printer's No. 173.

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 74, entitled as follows:

An Act amending the "Vehicle Code" entitled " * * *" further regulating the issuance of registration plates to news photographers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Eshleman,	Leonard,	Reidenbach,
Agnew,	Ewing,	Light,	Renwick,
Amarando,	Farabaugh,	Limper,	Rigby,
Anderson, M. S.,	Fetterolf,	Lippincott,	Rovansek,
Anderson, S. A.,	Filo,	Lopresti,	Royer,
Andrews,	Fineman,	Lovett,	Rudisill,
Ashton,	Floyd,	Lutty,	Scarcelli,
Auker,	Flynn,	Magee,	Schuster,
Barton,	Foster,	Mahan,	Schwartz,
Bell,	Fox,	Markley,	Seltzer,
Blair,	Gailey,	Marsh,	Sherman,
Boies,	Garlock,	Maxwell,	Silverman,
Boory,	Gelfand,	McCormack,	Smith,
Bower,	Gibb,	McGee,	Snare,
Bowman,	Gibson,	McInroy,	Snider,
Brand,	Goldstein,	McKeever,	Spray,
Breisch,	Goodling,	McLaughlin,	Steckel,
Brennan,	Goodrich,	Merry,	Stevens,
Brenninger,	Gramlich,	Metz,	Stimmel,
Breon,	Gross,	Mikula,	Stoner,
Breth,	Guthrie,	Miller, B. Z.,	Strausser,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Monroe,	Thompson,
Buchanan,	Heffner,	Moody,	Toll,
Capano,	Henzel,	Moscrip,	Tompkins,
Carson,	Hocker,	Moyer,	Trusio,
Cianfrani,	Holt,	Muldowney,	Ujobai,
Cioffi,	Horst,	Mullen,	Varallo,
Cleveland,	Ide,	Munley,	Varner,
Comer,	Isaacs,	Murphy,	Vaughan,
Cooper,	Jenkins,	Murray, H. P.,	Verona,
Cummins,	Jim,	Murray, P. G.,	Wall,
Curwood,	Johnson,	Musto,	Walsh,
Dalrymple,	Johnston,	Naugle,	Wargo,
Davis,	Jones, G. E.	O'Brien,	Weidner,
DeLong,	Jones, T. H.,	O'Dell,	Welsh,
Dengler,	Jump,	Ogilvie,	Wescott,
Dennison,	Kamyk,	Parry,	Wheeler,
Devlin,	Kehler,	Pashley,	Whittaker,
Dietterick,	Keller,	Petrosky,	Willaredt,
Donahue,	Kernaghan,	Phillips,	Wilt,
Donaldson,	Knecht,	Piper,	Wood,
Dougherty,	Kooker,	Polaski,	Worley,
Down,	Kornick,	Pomeroy,	Wyatt,
Duffy,	Korns,	Post,	Wynd,
Dunn,	Krakow,	Price,	Yatron,
Edwards,	Lafore,	Pursley,	Zimmerman,
Eilberg,	Lee, A. M.,	Ragot,	Helm,
Erb,	Lee, K. B.,	Readinger,	Speaker

NAYS—0

NOT VOTING—10

Frascella,	Mihm,	Shields,	Stroup,
George,	Miller, W. H.,	Stone,	Willard,
McCann,			Williams,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 216, Printer's No. 81,

was passed over at the request of the SPEAKER

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 277, entitled as follows:

An Act authorizing and empowering the Delaware River Port Authority a body corporate and politic functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey and the express consent of the Congress of the United States to appoint policemen make rules and regulations for the prevention of disorder the preservation of safety and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate to prevent the evasion of the payment of tolls and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Eshleman,	Leonard,	Readinger,
Agnew,	Ewing,	Light,	Renwick,
Amarando,	Farabaugh,	Limper,	Rigby,
Anderson, S. A.,	Fetterolf,	Lippincott,	Rovansek,
Anderson, M. S.,	Filo,	Lopresti,	Royer,
Andrews,	Fineman,	Lovett,	Rudisill,

Ashton,	Floyd,	Lutty,	Scarcelli,
Auker,	Flynn,	Magee,	Schuster,
Barton,	Foster,	Mahan,	Schwartz,
Bell,	Fox,	Markley,	Seltzer,
Blair,	Gailey,	Marsh,	Sherman,
Boles,	Garlock,	Maxwell,	Silverman,
Boory,	Gelfand,	McCormack,	Smith,
Bower,	Gibb,	McGee,	Snare,
Bowman,	Gibson,	McInroy,	Snider,
Brand,	Goldstein,	McKeever,	Spray,
Breisch,	Goodling,	McLaughlin,	Steckel,
Brennan,	Goodrich,	Merry,	Stevens,
Brenninger,	Gramlich,	Metz,	Stimmel,
Breon,	Gross,	Mikula,	Stoner,
Breth,	Guthrie,	Miller, B. Z.,	Strausser,
Brown,	Hamilton,	Miller, H. G.,	Stuart,
Brucker,	Haudenshield,	Mills,	Taylor,
Bucchin,	Heavey,	Monroe,	Thompson,
Buchanan,	Heffner,	Moody,	Toll,
Capano,	Henzel,	Moscrip,	Tompkins,
Carson,	Hocker,	Moyer,	Trusio,
Cianfrani,	Holt,	Muldowney,	Ujobai,
Cioffi,	Horst,	Mullen,	Varallo,
Cleveland,	Ide,	Munley,	Varner,
Comer,	Isaacs,	Murphy,	Vaughan,
Cooper,	Jenkins,	Murray, H. P.,	Verona,
Cummins,	Jim,	Murray, P. G.,	Wall,
Curwood,	Johnson,	Musto,	Walsh,
Dalrymple,	Johnston,	Naugle,	Wargo,
Davis,	Jones, G. E.	O'Brien,	Weidner,
DeLong,	Jones, T. H.,	O'Dell,	Welsh,
Dengler,	Jump,	Ogilvie,	Wescott,
Dennison,	Kamyk,	Parry,	Wheeler,
Devlin,	Kehler,	Pashley,	Whittaker,
Dietterick,	Keller,	Petrosky,	Willaredt,
Donahue,	Kernaghan,	Phillips,	Wilt,
Donaldson,	Knecht,	Piper,	Wood,
Dougherty,	Kooker,	Polaski,	Worley,
Down,	Kornick,	Pomeroy,	Wyatt,
Duffy,	Korns,	Post,	Wynd,
Dunn,	Krakow,	Price,	Yatron,
Edwards,	Lafore,	Pursley,	Zimmerman,
Eilberg,	Lee, A. M.,	Reidenbach,	Helm,
Erb,	Lee, K. B.,	Ragot,	Speaker

NAYS—0

NOT VOTING—10

Frascella,	Mihm,	Shields,	Stroup,
George,	Miller, W. H.,	Stone,	Willard,
McCann,			Williams,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 281, Printer's No. 87,

was passed over at the request of the SPEAKER

ANNOUNCEMENT

The SPEAKER. The Chair desires to advise the Members that they are able to get single copies of the Pennsylvania Manual at the Secretary's office.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Light, Chairman, Room 331, Tuesday, April 2, at 10:30 a. m.

CITIES—COUNTIES FIRST, SECOND and SECOND CLASS A, Mr. Wilt, Chairman, Room 521, Tuesday, April 2, at 12:00 Noon.

CITIES—THIRD CLASS, Mr. Mikula, Chairman, Room 521, Tuesday, April 2, at 11:00.

EDUCATION, Mrs. Markley, Chairman, Room 324, Tuesday, April 2, at 9:30 a. m.

JUDICIARY, Mr. Tompkins, Chairman, Tuesday, April 2, 10:00 a. m., the the new House Caucus Room for a public hearing on House Bill No. 680.

MOTOR VEHICLES, Mr. Guthrie, Chairman, Room 522, Tuesday, April 2, 11:30 a. m.

MUNICIPAL CORPORATIONS, Mr. Blair, Chairman, Room 521, Tuesday, April 2, 11:30 a. m.

ADJOURNMENT

Mr. GOODRICH. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 2, 1957 at 1:00 p. m.

The motion was agreed to, and (at 6:21 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, APRIL 2, 1957. No. 32.

SENATE

TUESDAY, April 2, 1957.

The Senate met at 1:30 o'clock, p.m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. J. B. WILLIAMS, Pastor of the Second Baptist Church, Harrisburg, offered the following prayer:

Let us pray.

Eternal God, Thou hast commanded us to seek first the Kingdom of God and His righteousness, and then Thou hast made us a promise that if our hearts and minds and souls and wills were thus dedicated, we should receive as dividends the very things we seek, an abundant ministry unto all our needs. Help us, O God, to believe this. Help us to practice it that we may find ourselves that the promise is true, that all of our needs are met and supplied in Thee.

Teach us to number our days that we may apply our hearts unto wisdom. The time of life is short and to spend this shortness basely, it were too long. Since, O God, we do not know how much time we have left, help us to use wisely our time, our talent and our strength.

Save us from the vain delusion that the piling up of wealth and power will bring peace of mind and soul: that we can feed our souls on things. Save these, thy servants, these men who have been chosen by their fellows to serve in this Senate. Save them from the tyranny of the nonessentials, from the weary round of that which saps the strength, frays the nerves, shortens life and adds nothing to their usefulness to Thee and to this State. May they give themselves to the important and may they recognize the trivial when they see it. Let them feel Thy presence and be ever conscious of the time when they must stand before Thee and give an accounting of their stewardship.

We beg it in Thy name. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. WOLFE, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

April 2, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate P. Stephen Stahlnecker, 400 South Fifteenth Street, Philadelphia, Philadelphia County, for reappointment as a member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1967.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

April 2, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Polk State School, for a term of four years and until their successors are appointed and qualified:

Terrence C. Hartwell, 118 Moran Street, Oil City, Venango County, vice Hon. C. Arthur Blass, Erie, whose term expired.

Miss Sara Huff, Clarington, Forest County, vice Mrs. Mary A. Wheeler, West Hickory, whose term expired.

Austin J. Donoughe, Route 62, R. D., Sharn, Mercer County, vice Herbert A. Mook, Esq., Meadville, whose term expired.

Richard R. Fenner, 203 Big Oaks Drive, Franklin, Venango County, vice E. Clarence Erickson, Titusville, whose term expired.

GEORGE M. LEADER.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Allegheny, Mr. Fleming, to the rostrum to preside.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 250

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows, considered and agreed to:

In the House of Representatives, April 2, 1957.

Resolved (if the Senate concur), That House Bill No. 250, Printer's No. 73, entitled:

An act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448) excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsman's shows.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 1, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, April 8, 1957 at four o'clock, p.m., E.S.T.; and when the House of Representatives adjourns this week, it reconvene Monday, April 8, 1957 at four-thirty o'clock, p.m., E.S.T

HOUSE CONCURS IN SENATE BILL No. 74.

He also returned to the Senate, Senate Bill No. 74, entitled:

An Act amending the "Vehicle Code" entitled "* * *" further regulating the issuance of registration plates to news photographers.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 277.

He also returned to the Senate, Senate Bill No. 277, entitled:

An Act authorizing and empowering the Delaware River Port Authority, a body corporate and politic, functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey, and the express consent of the Congress of the United States, to appoint policemen; make rules and regulations for the prevention of disorder, the preservation of safety, and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate; to prevent the evasion of the payment of tolls; and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 319, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 P. L. 1053 providing additional standards for the determination of rates of common carriers of passengers by motor vehicle

Which was committed to the Committee on Corporations.

House Bill No. 347, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An Act relating to the public school system, etc. . . ." by providing for additional increments for professional employes having thirty years of public school service.

Which was committed to the Committee on Education.

House Bill No. 444, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) authorizing council to provide for the closing of city offices on Saturday.

Which was committed to the Committee on Local Government.

REPORTS FROM COMMITTEES

Mr. EHRGOOD, from the Committee on State Government, reported as amended, Senate Bill No. 377, entitled:

An Act amending the act of January 21, 1947 (P. L. 3) entitled "An act relating to officers and employes of the General Assembly; . . .", changing the compensation of certain officers and employes.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 406, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to sell and convey a tract of land situate in the Borough of Lewistown, Mifflin County, Pennsylvania, to The General State Authority.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 487, entitled

An Act amending the act of June 29, 1937 (P. L. 2423) entitled, as amended "An act establishing a Pennsylvania State Police Retirement System; . . .," changing the definition of "final salary" upon which a contributor's retirement allowance is based.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 499, entitled:

An Act amending the act of May 27, 1893 (P. L. 171) entitled as amended "An act providing for the acquisition of land and the erection, equipment, management, and operation of the Scotland School for Veterans' Children; . . .," making the superintendent the trustee of the funds of the children of the school, and providing for the filing of a bond by such trustee.

Mr. SCHMIDT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 298, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273) entitled "The Private Detective Act of 1953," providing for additional penalties for violation of the act.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 352, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code," defining imprisonment in relation to the crime of prison breach.

Mr. WEINER, from the Committee on State Government, reported as committed, House Bill No. 341, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273) entitled "The Private Detective Act of 1953," permitting former members of the Pennsylvania State Police to apply for licenses.

He also, from the Committee on State Government, reported as amended, Senate Bill No. 376, entitled:

An Act amending the act of June 27, 1923 (P. L. 858) entitled "State Employes' Retirement Law," further providing for payment of compensation to judges upon retirement under certain conditions and imposing duties on certain State officers.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 409, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987) entitled, as amended, "Sanitary Water Law," further regulating and defining rights and duties with respect to waters of the Commonwealth.

Mr. VAN SANT, from the Committee on Highways, reported as amended, Senate Bill No. 62, entitled:

An Act granting ambulances and fire apparatus free passage over all turnpikes and extensions thereof under the supervision and control of the Pennsylvania Turnpike Commission.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 365, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 421, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," changing the period for titling new two-axle commercial motor vehicles and truck tractors in certain classes.

He also, from the Committee on Highways, reported as as committed, Senate Bill No. 500, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural Highway Law," adding a new route.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 501, entitled:

An Act amending the act of June 22, 1921 (P. L. 594) entitled "Rural State Highway Law," adding new routes in Cambria County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 502, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," deleting a certain route and adding certain new routes in Pottstown Borough, Montgomery County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 503, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," deleting a certain route and adding certain new routes in Montgomery County.

He also, from the Committee on Highways, reported as amended, House Bill No. 579, entitled:

An Act requiring the Pennsylvania Turnpike Commission to change the names of certain interchanges on the Pennsylvania Turnpike.

STUDENTS FROM MAYTOWN ELEMENTARY SCHOOL, DONEGAL AREA JOINT SCHOOL DISTRICT, PRESENTED TO SENATE

Mr. EHRGOOD. Mr. President, it is my pleasure to introduce to the Members of the Senate approximately sevently pupils from the Sixth Grade Elementary School of Maytown, which is in the Donegal Area Joint School District. They are accompanied by their teachers, Miss Grace Henderson and Miss Sarah Mischlich.

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate, welcome the seventy pupils from Maytown, together with their teachers. We sincerely trust that you will have both an informative and an interesting visit with the Senate of Pennsylvania.

BILL INTRODUCED AND REFERRED

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 520, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a route in Butler County.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I am about to introduce a bill on explosives and blasting operations. I want the Chair, and my colleagues in the Senate, to note that the sponsors of this bill are Senator Wade, Senator Dent and myself.

I think the bill is very well sponsored to accomplish any blasting operations and, therefore, I hope the committee to which you refer this bill will give it due consideration.

BILLS INTRODUCED AND REFERRED

Messrs. MAHANY, DENT and WADE read in place and presented to the Chair Senate Bill No. 521, entitled:

An Act regulating the use of explosives in certain blasting operations; requiring examination and licensing of certain explosives, detonators and prescribing the fee thereof, and conferring powers and imposing duties on the Department of Labor and Industry.

Which was committed to the Committee on Labor and Industry.

Mr. SILVERT read in his place and presented to the Chair Senate Bill No. 522, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of Chestnut Hill Rehabilitation Center, Inc.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 523, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Einstein Medical Center.

Which was committed to the Committee on Appropriations.

Messrs. DONOLOW, MAHANY, DENT and CHAPMAN read in place and presented to the Chair Senate Bill No. 524, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949" empowering the Authority to construct additions and improvements to medical colleges receiving State aid; authorizing contracts to lease and leases by Department of Public Instruction from the Authority of any additions or improvements to medical colleges receiving State aid and the furnishings and equipment thereof when used or occupied, and authorizing subleases of such projects.

Which was committed to the Committee on State Government.

Messrs. RUTH and VAN SANT read in place and presented to the Chair Senate Bill No. 525, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing for the expansion and development of educational services performed by the office of the county superintendent of schools, and for liaisons between local administrative units and the Department of Public Instruction; providing for the formation and operation of intermediate school service areas and officers and agencies thereof; prescribing their powers, duties and obligations and those of school districts, county boards of school directors, county superintendents and their staffs, the Superintendent of Public Instruction and the State Council of Education; providing for Commonwealth reimbursements; and imposing obligations on counties.

Which was committed to the Committee on Education.

Messrs. MURRAY, KALMAN, YOSKO and LANE read in place and presented to the Chair Senate Bill No. 526, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled, as amended "The Pennsylvania Workmen's Compensation Act," changing provisions relating to benefits and rates and "earning power."

Which was committed to the Committee on Labor and Industry.

They also read in place and presented to the Chair Senate Bill No. 527, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law," redefining "unemployed" and "valid application for benefits" and changing provisions with respect to eligibility for compensation and benefits.

Which was committed to the Committee on Labor and Industry.

Messrs. MURRAY, McMENAMIN, YOSKO, KALMAN and LANE read in place and presented to the Chair Senate Bill No. 528, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act," changing provisions relating to benefits and rates and "earning power."

Which was committed to the Committee on Labor and Industry.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, the first bill I am introducing and presenting to the Chair is on behalf of Senator Pechan, Senator Wade and myself, and it deals with highway safety.

Mr. President, there has been a great increase in the number of trailers and tandem, two-wheeled carriers being hauled over the roads of Pennsylvania and every other State by regular commercial vehicles. Most of them are not equipped with the proper type of rear view mirrors which extend far enough from the bodies of the cars to clear the obstruction caused by the vehicles they are hauling. A great number of the cars—and we noticed this on trips, and particularly last Sunday when Senator Pechan and I, in driving the length of the Turnpike, made it our business to pay particular attention to this particular item about which I am talking,—which were dragging trailers behind them had absolutely no type of rear view mirror on the outside of the vehicle. The vehicle that they were hauling at the time extended higher than the rear view window.

Therefore, Mr. President, we believe it imperative to the safety of the users of our highways that this particular bill be introduced and passed at this time.

BILL INTRODUCED AND REFERRED

Messrs. DENT, PECHAN and WADE read in place and presented to the Chair Senate Bill No. 529, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," further regulating the use of mirrors.

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I would like to introduce a series of four bills. These bills deal with the subject matter that I discussed on the floor yesterday.

After going over the constitutional provisions, I find that there is an absolute restriction in the Constitution regarding the imposition of the tax by Senate legislation. However, the Supreme Court has taken a view, which is apparently in controversy with the Constitutional view, in that Legislatures in the past have passed tax legislation starting in the Senate, and then when the Supreme Court reviewed this particular legislation, on the basis of its constitutionality, it took the position that the question of constitutionality was not one properly raised inasmuch as they would not go behind the action of the Legislature.

However, Mr. President, these particular bills that I am introducing I think come within the prescription of the Constitution as well as the opinions handed down by the Supreme Court, in that they amend existing law which is now in effect. They do not add any further burden of taxation, but aim at distributing the tax which is now upon the books, if that tax is kept. The question of whether or not that tax is still on the books canot be resolved by the fact that this Legislature passed a repealing act within the last week or so, because that act has not yet been signed by the Governor. Therefore, it has no standing in law.

Mr. President, before I introduce these bills, I want to

clearly state to the Senate exactly what they do. I might also say that I have discussed them with the Governor and the Governor said that if we take either one of the two forms which I am introducing today, handling this extra penny or so-called disaster penny in gasoline taxes. he would consider very much signing it. I believe that is tantamount to a promise of signature.

The one set of bills takes the fifty-six and one-half millions of dollars raised by this one cent extra of gasoline tax and proportions it out in this manner. It takes $20,000,000 or as much as is needed of the $20,000,000, added to the twenty per cent of the four and one-half cent regular gasoline tax in the Commonwealth, and returns it to the local communities, to make a total return to the local communities in Pennsylvania of $72,000,000. This amounts to $12,000,000 more than the $60,000,000 given out this biennium, and amounts to $20,000,000 more than would be available for the local communities if the present Act, which is lying on the Governor's desk, is signed.

That $20,000,000 is much needed by the local communities. I think every person in this room has full knowledge of the dire need for State moneys on the local base.

In support of this, Mr. President, I might say to you that the Legislature in New York quit on Friday of last week. One of the outstanding Acts which the New York Legislature passed was that they allowed the city of New York to eliminate their five and ten dollar registration tax on automobiles in the city of New York, which includes the five boroughs comprising the city, and are giving back to the City of New York twenty-five per cent of all of the gasoline taxes collected within the five boroughs. They recognized the need for returning to local communities a greater share of the centrally collected taxes in order that they may survive in this battle against the increasing number of vehicles on our city streets and country roads.

The balance of the money is then divided up into a series of divisions which are made according to need. The next bite which will be taken out of the fifty-six and one-half million, after the $20,000,000 is taken out, will be used to repair and rebuild any roads or bridges during the lifetime of the Act which are damaged by flood. The next bite out of the Act will be used to build roadside parks along our highways in the Commonwealth. The next bite out of the $56,000,000 will be used to retire the debt service of the Pennsylvania Highways Department. The residue of the fifty-six and one-half million dollars will be used primarily and exclusively upon the Pennsylvania 100 per cent owned and operated highways, totaling some 20,000 miles of secondary roads in this Commonwealth which receive no Federal aid nor any kind of subsidy whatsoever. They are the direct responsibility of the Legislature and the Department of Highways.

These are the roads that have been suffering over the years. These are the farm to market roads. These are the roads that feed, like spokes, into the hubs of great business activity in our various communities. These are the roads that we have to maintain and build and keep in repair by exclusive expenditure of our own moneys. This penny tax, then, would be serving specific needs that come up every two years in this Legislature. It would eliminate the need of so-called disaster funds. It would eliminate the need of introduction of legislation in each and every Legislative Session to take care of road damages and highway damages caused by floods. It would also eliminate the need of trading back to the State certain local roads before you can have a local road put upon the State's system. These are important; they are vital; they are noteworthy and they are making a step toward setting up a program which will allow the local communities to live and which will also take care of much needed service on the Pennsylvania highways.

The second set of bills, Mr. President, takes the entire cent and puts it into a special fund to be added to any amount required from the regular gasoline tax to make a total of $72,000,000 to be returned to the local communities.

I want to say to the Members of the Senate that I know it is not a good political gesture for any person to stand up, after a bill has been passed cutting one cent from gasoline, and ask for a cent to be added to it. I want to say to you that I am doing it on the basis of a personal belief that this is not only needed at this time, but will be needed even more so two years from now.

I want to also say to the Republican Members of the Senate that this makes the one cent a permanent tax. Your action last week in cutting off the so-called emergency cent, in my opinion, puts you in this position; that you are denying to this Administration the much needed moneys to do certain specific services and perform certain specific acts which are required in the Department of Highways. Just as sure as we are sitting in this room today, come January 1, 1959, if you elect a Republican Governor, you will be asking us to vote for an additional cent on gasoline. That fact is as sure as the fact that tomorrow will be another day.

I am saying to you today that I am sponsoring this legislation today, which means that I favor it, because of the need. However, I take the position that it is needed as much today as it will be needed two years from now. I promise you that I will oppose vigorously, and with every ounce of strength at my command, any attempt by your side to add the one cent two years from now if you refuse now to give the money when it is needed.

BILLS INTRODUCED AND REFERRED

Mr. Dent read in his place and presented to the Chair Senate Bill No. 530, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An Act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; . . ." further providing for the allocation of certain additional taxes and making a conditional appropriation.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 531, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; . . .," providing for a

temporary allocation of certain temporary taxes for certain State purposes, and making a conditional appropriation.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 532, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended "The Liquid Fuels Tax Act," extending and naming an additional tax for a limited period.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 533, entitled:

An Act amending the act of January 14, 1952 (P. L. 1965), entitled as amended "Fuel Use Tax Act," extending and naming an additional tax for a limited period.

Which was committed to the Committee on Finance.

REQUEST FOR PERMISSION TO ADDRESS SENATE

Mr. DONOLOW. Mr. President, I ask unanimous consent to make a statement at this time.

The PRESIDING OFFICER. Is there objection.

Mr. MAHANY. Mr. President, it is a very unusual occurrence that two Senators should make preliminary remarks on a bill.

Senator Dent just finished what I thought was a masterpiece, in length anyway, for the preliminary remarks on a bill before it was introduced. Usually we reserve the debate and all our ammunition for these bills either when they come out and appear on the calendar, or if they do not come out, on motions to discharge the committees.

If the Senator would assure me that his remarks are going to be very brief, say within a minute, I might go along with him. If we are going to have to listen to another speech of long duration, one that is going to clutter up the record for no particular purpose, I would object to it.

The PRESIDING OFFICER. The Chair hears a qualified objection.

Mr. DONOLOW. Mr. President, if the Majority Leader objects to my few remarks at this time, in order that the decorum of this Body will not be affected and that the Republican Majority Leader will be contented, I will withdraw making any remarks now. I will rise on Personal Privileges later on.

The PRESIDING OFFICER. The Chair thanks the gentleman.

BILL INTRODUCED AND REFERRED

Messrs. WALKER and WHALLEY read in place and presented to the Chair Senate Bill No. 534, entitled:

An Act amending the act of May 15, 1933 (P. L. 796), entitled, as amended "An act providing for the preservation of the records or photographic film reproductions, or photographic or photostatic copies thereof, of banks, bank and trust companies, trust companies, savings banks, private banks, and national banking associations; . . . ," providing further for the preservation of records.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, one of the leading citizens of Pihladelphia in the mid-nineteenth century was Moses Aaron Dropsie. He was the Republican Mayor then of a hamlet down in the county of Philadelphia, known as Northern Liberties. He was one of the first Lincoln-electors who influenced this election of Lincoln as the Republican standard bearer, and he was instrumental in the campaign that was successful in the election of Lincoln.

Upon his death, he left all his fortune as an endowment for the establishment of an institute of higher learning, known now as Dropsie College, which is located in the city of Philadelphia in my Senatorial District.

During the last fifty years, Dropsie College has served as a seat of higher learning which has attracted scholars from all over the world. He stipulated in his will that there should be no discrimination in admitting students to Dropsie College—and it is free of any tuition—on account of race, color, religion or sex. Now they are celebrating their fiftieth anniversary, the jubilee year of the existence of Dropsie College.

During World War II, Dropsie College trained many servants in the United States foreign service, who were sent far into different countries to represent the United States. I feel that we should all be proudly appreciative of the cultural contributions of Dropsie College to the cultural progress of Pennsylvania and the Nation.

Accordingly, Mr. President, I am presenting this resolution.

SENATE RESOLUTION

REFERRED TO COMMITTEE

CONGRATULATIONS OF THE SENATE EXTENDED TO THE DROPSIE COLLEGE UPON THEIR FIFTIETH ANNIVERSARY, AND RECOMMENDING THAT THE GOVERNOR OF PENNSYLVANIA ISSUE A PROCLAMATION

Mr. STIEFEL offered the following resolution, which was twice read as follows:

In the Senate, April 2, 1957.

Proudly appreciative of Pennsylvania's leadership in the vanguard of America's cultural advancement along ever-ascending paths of progress, the Senate of the General Assembly of Pennsylvania notes with great pride and gratification that The Dropsie College for Hebrew and Cognate Learning in the City of Philadelphia and the State of Pennsylvania, is presently celebrating the fiftieth anniversary of its existence under the Charter conferred upon it by the Commonwealth of Pennsylvania.

An exclusively graduate institution leading to the degree of Doctor of Philosophy, it is non-professional and non-sectarian, its sole aim being to advance knowledge and truth.

During an era which has marked the decline of humanistic studies in favor of the sciences which undergird the mechanistic structure of present-day civilization, The Dropsie College has developed those areas of study which gave the world religion, ethics and a way of life, rooted in faith, social justice and righteousness.

Founded by Moses Aaron Dropsie, an eminent citizen and lawyer born and all his life resident in the County of Philadelphia, Mayor of Northern Liberties, then a municipality in the County of Philadelphia and one of the Lincoln-Electors, The Dropsie College was designated by him to be permanently situated in Philadelphia, Pennsylvania, and he furthermore directed "That in the admission of students there shall be no distinction on account of creed, color or sex."

During the half-century of its chartered existence, The

Dropsie College has gained renown throughout the world of scholarship and enhanced the scholarly fame and the cultural standards of our Commonwealth.

The Senate of the General Assembly of Pennsylvania notes with particular interest and gratification the far-visioned policies of the Board of Governors and of the Faculty of The Dropsie College in pioneering through its Institute for Israel and the Middle East in the training of qualified personnel for United States Government Service, and for work in those countries in behalf of American social agencies, industry and commerce.

BE IT THEREFORE RESOLVED that the Senate of the General Assembly of Pennsylvania greets and congratulates The Dropsie College for its manifold contributions to the enlightment and the cementing of human brotherhood and because of its unique role among the institutions of higher learning in the Commonwealth of Pennsylvania, of which our citizenry is rightly proud and hails with pride and satisfaction the Jubilee year of this distinguished institution.

AND BE IT FURTHER RESOLVED that the Senate of the General Assembly shall respectfully recommend and does hereby recommend to His Excellency the Governor of Pennsylvania to issue a Proclamation on May 22, 1957, the day the Jubilee festivities will reach the point of culmination, expressing to the Governors and the faculty of The Dropsie College the appreciation of the people of Pennsylvania for the far-reaching influence of The Dropsie College in the cultural endeavors of our State and Nation.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. STIEFEL. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. MAHANY. Mr. President, I am certainly not opposed to congratulating a college such as this. However, I do not know very much about it and I do not believe many of my colleagues know too much about it.

Inasmuch as this resolution refers to certain policies and so forth, I think it might be better, before we ask our colleagues to vote for something in the dark, to have a committee check this and go over it with Senator Stiefel. Thereafter, if they are agreed that the things set forth in here are in line with our thinking, and perhaps they are, then I would suggest to the committee that it report this resolution out as soon as possible.

I object to its immediate consideration at this time and ask that it be referred to committee.

The PRESIDING OFFICER. The Chair hears objection to the immediate consideration of this resolution, and refers the resolution to the Committee on Education.

SENATE RESOLUTIONS

CONGRATULATIONS OF THE SENATE EXTENDED TO HERMAN BASHORE AND HIS COMMITTEE IN CONNECTION WITH THE ANNUAL MAPLE FESTIVAL OF SOMERSET COUNTY

Mr. WALKER, on behalf of Mr. WHALLEY, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 2, 1957.

The annual maple festival of Somerset County will take place in Meyersdale, Pennsylvania, April 4, 5 and 6.

This annual affair, which started ten years ago as a local celebration, is now one of the most important festivals conducted in Pennsylvania. Special trainloads of interested persons make it their mecca when the dates of the celebration are announced by the committee.

The festivities, including parades, dancing, and other entertainment are climaxed with the crowning of a lovely queen and the naming of the king whose maple products carry off top honors.

Observances such as this; small communities holding affairs which attract thousands of persons from all parts of this Commonwealth, are examples of why Pennsylvania is a great State.

We salute the maple industry in this State and recognize the salutary effect it has on the economic progress of that portion of this State in the vicinity of Somerset County and the Commonwealth in general; therefore be it

RESOLVED, That the Senate of Pennsylvania, in recognition of their efforts, incidental to the annual maple festival of Somerset County, in making it a nationally known celebration, congratulates Herman Baseshore, and his committee; and be it further

RESOLVED, That the Senate of Pennsylvania extends its best wishes and continued success to those persons interested in the maple industry; and be it further

RESOLVED, That a copy of this resolution be transmitted to Herman Bashore.

URGING THE DEPARTMENT OF HIGHWAYS TO MODERNIZE AND IMPROVE THE LINCOLN HIGHWAY BETWEEN FORT LOUDEN AND LIGONIER

Messrs. WALKER and WHALLEY offered the following resolution, which was twice read as follows:

In the Senate, April 2, 1957.

An important link in the Lincoln Highway which extends from the east coast of the United States to the west coast, a distance of upwards of three thousand miles, lies in Pennsylvania and forms a part of our highway system.

Those portions of the highway between Philadelphia and Fort Louden and between Pittsburgh and Ligonier are a credit to our highway system because of the improvements made to them and the manner in which they are maintained.

The bottleneck in this wonderful highway lies between Fort Louden and Ligonier. This portion of the highway traversing Somerset, Bedford and Fulton Counties crosses the mountains and is in serious need of improvement.

Modernizing and improving this portion of the highway would result in an excellent alternate highway in the event of war or sabotage whereby the seven tunnels on the Pennsylvania Turnpike would be made impassable.

Modernizing this stretch of highway of approximately ninety miles would eliminate travelling hazards and would make more enjoyable and facilitate vehicular traffic over the beautiful scenic mountains; therefore be it

RESOLVED, That the Senate of Pennsylvania urges the Department of Highways to exert every possible effort to modernize and improve that portion of the Lincoln Highway between Fort Louden and Ligonier; and be it further

RESOLVED, That a copy of this resolution be transmitted to Honorable Joseph J. Lawler, Secretary of Highways.

RULE 39 SUSPENDED

Mr. WALKER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDING OFFICER. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

CALLING ON THE DEPARTMENT OF HIGHWAYS TO MAKE CERTAIN CHANGES ON ROUTE 219 IN CONJUNCTION WITH THE ST. LAWRENCE SEAWAY

Messrs. WALKER and WHALLEY offered the following resolution, which was twice read as follows:

In the Senate, April 2, 1957.

The north-south highway system through central Pennsylvania is totally inadequate for this industrial community. The area comprising Meyersdale, Somerset, Bedford, Johnstown, Altoona, Punxsutawney, DuBois, Ridgway, Kane and Bradford, is served by one major highway, Route 219. This route is circuitous and over a narrow road badly in need of repairs.

Any one traveling from Somerset or Bedford to the Pennsylvania-New York border directly north, must travel east or west 125 to 150 miles before finding a highway suitable to his need.

With the opening of the St. Lawrence Seaway, the central part of Pennsylvania will be teaming with industrial activity and vehicular traffic.

In order that this great Commonwealth may meet the challenge and opportunity for industrial progress, a modern direct highway is needed from Meyersdale to Bradford; therefore be it

Resolved, That the Senate of Pennsylvania call upon the Department of Highways:

(1) To make a study in conjunction with the Department of Commerce of the prospective industrial effect the St. Lawrence Seaway will have upon the area between Meyersdale and Bradford.

(2) To survey the area served by route 219 with the prospect of rebuilding that road into a modern high speed highway for the purpose of aiding industrial development in central Pennsylvania and linking it with the highways leading to the ports in the Great Lakes and be it further

Resolved, That a copy of this resolution be transmitted to Honorable Joseph J. Lawler, Secretary of Highways.

RULE 39 SUSPENDED

Mr. WALKER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDING OFFICER. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

WOMEN'S COMMITTEE OF THE LEHIGH COUNTY PENNSYLVANIA FARMERS' ASSOCIATION PRESENTED TO SENATE

Mr. VAN SANT. Mr. President, I have the pleasure of introducing to my colleagues in the Senate today, a group of rural ladies from Lehigh County who are members of the Women's Committee of the Lehigh County Pennsylvania Farmers' Association. They are seated in the balcony.

The PRESIDING OFFICER. In behalf of the Senate of Pennsylvania, the Chair is very happy to recognize the Women's Committee of the Lehigh County Pennsylvania Farmers' Association and we trust you will have a pleasant and informative visit in the Senate of Pennsylvania today.

BILL INTRODUCED AND REFERRED

Mr. VAN SANT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. VAN SANT, PROPERT, SCHMIDT and DENT read in place and presented to the Chair Senate Bill No. 535, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," requiring and providing for certification by the Insurance Commissioner before issuance of nonassessable policies, and providing penalites for false certifications.

Which was committed to the Committee on Insurance.

RECESS

Mr. MAHANY. Mr. President, I request a half-hour recess of the Senate for the purpose of holding a Republican Caucus an da Democratic Caucus. The Republican Members will meet in the Senate Republican Caucus Room downstairs, the Democrats, I understand, would like to meet in the conference room at the rear of the Senate, which is sometimes designated as the "love nest."

The PRESIDING OFFICER. Are there any objections? The Chair hears no objections, and declares a thirty minute recess.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrenc bills of the House, as follows:

House Bill No. 160, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing for audits of accounts by independent accountants appointed by council.

Which was committed to the Committee on Local Government.

House Bill No. 356, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the application for an issuance of hotel, restaurant and club liquor licenses.

Which was committed to the Committee on Law and Order.

House Bill No. 601, entitled:

An Act amending the act of February 24, 1806 (P. L. 334, 4 Sm. L. 270) entitled "An act to alter the Judiciary System of this Commonwealth," requiring that certain confession of judgment be docketed in the Municipal Court of Philadelphia.

Which was committed to the Committee on Judiciary General.

House Bill No. 602, entitled:

An Act amending the act of March 21, 1806 (P. L. 558,

4 Sm. L. 326) entitled "An act to regulate Arbitrations and proceedings in Courts of Justice," requiring certain judgments in amicable actions to be filed in the Municipal Court of Philadelphia.

Which was committed to the Committee on Judiciary General.

House Bill No. 603, entitled:

An Act amending the "Municipal Claim and Tax Lien Law," approved May 16, 1923, (P. L. 207), requiring the filing of certain municipal claims in the Municipal Court of Philadelphia.

Which was committed to the Committee on Judiciary General.

House Bill No. 604, entitled:

An Act amending the act of July 12, 1913, (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; . . . regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," further providing for the transfer of cases by and to the court of common pleas.

Which was committed to the Committee on Judiciary General.

House Bill No. 659, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), regulating contract procedures and advertising for bids.

Which was committed to the Committee on Local Government.

House Bill No. 737, entitled:

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), requiring the notation on certificates of title of the use of motor vehicles for rental purposes in certain cases; and prescribing penalties.

Which was committed to the Committee on Highways.

HOUSE CONCURS IN SENATE BILL No. 140

He also returned to the Senate, Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 216

He also returned to the Senate, Senate Bill No. 216, entitled:

An Act amending "The Administrative Code of 1929" entitled "* * *" empowering the chairman of the Board of Finance and Revenue to appoint a secretary and make certain rules and regulations.

with the information that the House has passed the same without amendments.

REPRESENTATIVES OF THE ASSOCIATED SETTLEMENT AND COMMUNITY CENTERS OF PHILADELPHIA PRESENTED TO SENATE

Mr. STIEFEL. Mr. President, we are honored today by a visit of representatives of the Associated Settlement and Community Centers, from Philadelphia. They came to Harrisburg for the sole purpose of seeing our government in action. It is a very commendable example that deserves emulation by other groups, because these people came to ask nothing and to demand nothing. They came here just to see how their representatives are working.

Therefore, Mr. President, it is my privilege to present to you this group from Philadelphia.

The PRESIDING OFFICER. The Chair, on behalf of the Senate of Pennsylvania, wishes to welcome the visitors of Senator Stiefel, from Philadelphia. We hope you will have an interesting and informative visit with the Senate of Pennsylvania.

BILL INTRODUCED AND REFERRED

Mr. BARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. BARR and MAHANY read in place and presented to the Chair Senate Bill No. 536, entitled:

An Act relating to voting rights of bedridden, hospitalized or otherwise physically incapacitated veterans.

Which was committed to the Committee on Elections.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

April 2, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate P. Stephen Stahlnecker, 400 South Fifteenth Street, Philadelphia, Philadelphia County, for reappointment as a member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1967.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joseph Sharfsin, Philadelphia, from May 28, 1956, for the residue of the term ending April 1, 1965.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

Franklin W. Ruth, Jr., Lykens, from July 2, 1956, until July 1, 1959, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

Febuary 5, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William J. Mitchell, 606 St. Clair Street, Latrobe, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of Latrobe, Westmoreland County, to serve until the first Monday of January 1958, vice Robert E. Householder, resigned.

GEORGE M. LEADER.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WADE,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAY—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I further report at this time, from the Committee on Executive Nominations, a communication from His Excellency, the Governor of the Commonwealth, recalling the nomination of Oliver M. Kaufmann as a member of the Pennsylvania Tunnel Commission.

The Clerk read the communication as follows

RECALLING THE NOMINATION OF OLIVER M. KAUFMANN AS A MEMBER OF THE PENNSYLVANIA TUNNEL COMMISSION

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 1, 1957, for the appointment of Oliver M. Kaufmann, Coraopolis, as a member of the Pennsylvania Tunnel Commission, from May 28, 1956, for a term of four years, and until his successor shall be duly appointed and qualified.

I respectfully request the return to me of the official nomination in the premises.

GEORGE M. LEADER.

NOMINATION BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. WATSON. Mr. President, I further report from the Committee on Executive Nominations the nomination of Oliver M. Kaufmann, and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE PENNSYLVANIA TUNNEL COMMISSION

Oliver M. Kaufmann, Coraopolis, from May 28, 1956, for a term of four years, and until his successor shall be duly appointed and qualified.

GEORGE M. LEADER.

NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The nomination will be returned to the Governor.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. DENT and MAHANY read in place and presented to the Chair Senate Bill No. 537, entitled:

An Act providing a method for deciding the population of a political subdivision where the population is a determining factor under the provisions of any act of Assembly heretofore or hereafter enacted.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. DONOLOW asked and obtained unanimous consent to address the Senate.

Mr. DONOLOW. Mr. President, I wish to, at this time, express my thanks and gratitude to the Members of the Senate for confirming two outstanding candidates for the Public Utility Commission, Mr. Stahlnecker and Mr. Sharfsin, who are both members of my Senatorial District.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 280, entitled:

An Act transferring money from the Special Disaster Relief Fund to the General Fund and disposing of certain tax collections.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 280

Mr. MAHANY. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 280.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 145, entitled:

An Act amending the act of June 19, 1931 (P. L. 589) entitled as amended "Barbers License Law" changing the required number of hours for schools of barbering.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 146 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" authorizing courts to revoke or suspend operating privileges in certain cases.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I understood that amendments were going to be offered to this bill, but that they are not ready.

Mr. SEYLER. Mr. President, I suggest you refer this to Senator Schmidt, who will probably be able to answer the question.

Mr. SCHMIDT. Mr. President, I have ordered them, but they have not arrived as yet.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 157 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 206, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" increasing the sum of money county commissioners may pay to the county historical society

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Miller,	Taylor,
Berger,	Kalman,	Mullin,	Van Sant,
Blass,	Kessler,	Murray,	Wade,
Camiel,	Kopriver, Jr.,	Pechan,	Wagner,
Chapman,	Kromer,	Propert,	Walker,
Dent,	Lane,	Ruth,	Watkins,
Derk,	Madigan,	Sarraf,	Watson,
DiSilvestro,	Mahany,	Schmidt,	Weiner,
Donolow,	Mallery,	Scott,	Whalley,
Ehrgood,	McCreesh,	Seyler,	Wolfe,
Elliott,	McGinnis,	Silvert,	Yosko,
Flack,	McMenamin,	Stevenson,	Fleming,
Harney,		Stiefel,	Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 246, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for records compensation of teachers penalties for failure to attend and audits and reports where in-service education programs replace teachers' meetings and imposing the expenses thereof on counties

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Hays,	Mullin,	Taylor,
Berger,	Kalman,	Murray,	Van Sant,
Blass,	Kessler,	Pechan,	Wade,
Camiel,	Kopriver, Jr.,	Propert,	Wagner,
Chapman,	Kromer,	Ruth,	Walker,
Dent,	Lane,	Sarraf,	Watkins,
Derk,	Madigan,	Schmidt,	Watson,
DiSilvestro,	Mahany,	Scott,	Weiner,
Donolow,	Mallery,	Seyler,	Whalley,
Ehrgood,	McCreesh,	Silvert,	Wolfe,
Elliott,	McGinnis,	Stevenson,	Yosko,
Flack,	McMenamin,	Stiefel,	Fleming,
Harney,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 299 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 321, entitled:

An Act amending the act of August 22 1953 (P. L. 1344) entitled "The Marriage Law" further regulating the issuance of marriage licenses.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred):

Mr. CAMIEL. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman from Philadelphia will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Berger,	Harney,	Pechan,	Wagner,
Blass,	Kessler,	Propert,	Walker,
Chapman,	Kopriver, Jr.,	Scott,	Watkins,
Derk,	Kromer,	Stevenson,	Watson,
Ehrgood,	Madigan,	Taylor,	Whalley,
Elliott,	Mahany,	Van Sant,	Wolfe,
Flack,	Mallery,	Wade,	Fleming,
			Presiding Officer

NAYS—17

Barr,	Kalman,	Mullin,	Seyler,
Camiel,	Lane,	Murray,	Silvert,
Donolow,	McGinnis,	Sarraf,	Stiefel,
Hays,	Miller,	Schmidt,	Weiner,
			Yosko,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 326, Printer's No. 143, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 423, entitled:

An Act amending the act of May 1, 1933 (P. L. 216) entitled "The Dental Law" regulating the use of dental

technician services by dentists imposing duties on dentists and dental technicians and prescribing penalties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 11.1) page 3, line 15 by striking out "be guilty of a misdemeanor and"; Amend Sec. 1 (Sec. 11.1) page 3, line 15 by inserting after "upon": "summary"; Amend Sec. 1 (Sec. 11.1) page 3, line 15 by striking out "shall"; Amend Sec. 1 (Sec. 11.1) page 3, lines 16 and 17 by striking out "five hundred dollars ($500) or to" on line 16 and all of line 17 and inserting in lieu thereof: "fifty dollars ($50) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than thirty days."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 423 (Pink), on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 425 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 734, entitled:

A Supplement to the act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" regulating expenditures and commitments by administrative bodies boards and commissions from the General Fund during a portion of each biennium.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President and Members of the Senate, it is useless for us to take up the time of the Senate by speaking in opposition to this piece of legislation if you, on the Republican side have caucused in favor of the bill. However, arguments were made against the bill in the House of Representatives. I have before me a considerable amount of literature which was sent to us by various departments of Government in opposition to this particular piece of legislation.

Therefore, Mr. President, I am calling upon the Members on the Democratic side of the Senate to vote unanimously "no" in regard to the passage of this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Kessler,	Propert,	Walker,
Blass,	Kopriver, Jr.,	Scott,	Watkins,
Chapman,	Kromer,	Stevenson,	Watson,
Ehrgood,	Madigan,	Taylor,	Whalley,
Elliott,	Mahany,	Van Sant,	Wolfe,
Flack,	Mallery,	Wade,	Fleming,
Harney,	Pechan,	Wagner,	Presiding Officer

NAYS—23

Barr,	Hays,	Miller,	Seyler,
Camiel,	Kalman,	Mullin,	Silvert,
Dent,	Lane,	Murray,	Stiefel,
Derk,	McCreesh,	Ruth,	Weiner,
DiSilvestro,	McGinnis,	Sarraf,	Yosko,
Donolow,	McMenamin,	Schmidt,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 11, Printer's No. 98, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispeneed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 114, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route in Marianna Borough Washington County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 164, entitled:

An Act to further amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949" further providing for sabbatical leaves of absence and harmonizing the language of existing amendments.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendments:

Amend Sec. 2 (Sec. 1169), page 3, line 18, by striking out the bracket before "but"; Amend Sec. 2 (Sec. 1169), page 3, line 19, by inserting a bracket before "two" and after "($2,500)" and inserting immediately thereafter: "three thousand dollars ($3000)"; Amend Sec. 2 (Sec. 1169), page 3, line 20, by inserting a bracket before "one"; Amend Sec. 2 (Sec. 1169), page 3, line 20, by striking out the bracket after "one"; Amend Sec. 2 (Sec. 1169), page 4, line 1, by striking out the bracket before "thousand"; Amend Sec. 2 (Sec. 1169), page 4, line 1, by inserting a bracket after "($1,250)" and inserting immediately thereafter: "one thousand five hundred dollars ($1500)"; Amend Sec. 2 (Sec. 1169), page 4, line 2, by striking out the bracket after "act".

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. PECHAN offered the following amendments:

Amend Title, page 1, lines 1 to 4 of Title, by striking out all of lines 1, 2 and 3 and "Laws 30)" in line 4 and inserting in lieu thereof: "Amending the act of March 10, 1949 (P. L. 30)"; Amend Title, page 1, last line of Title, by striking out "harmonizing the language of existing amendments" and inserting in lieu thereof: "increasing maximum salary payable".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 204, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law" excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children to and from school sponsored extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

REQUEST THAT BILL GO OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 204, Printer's No. 135, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. PECHAN. Mr. President, I object to this bill being put over.

The PRESIDING OFFICER. The Chair hears objection to the bill going over in its order.

Mr. SEYLER. Mr. President, I do not know whether Senator Pechan realizes that Senator Hays is having amendments prepared, which he would like to offer to this bill. If he did not realize that, perhaps he would reconsider his decision, and at least wait to look at the amendments that Senator Hays is preparing.

Mr. PECHAN. Mr. President, in answer to Senator Seyler, I might say that I will not object tomorrow to having Senator Hays offer those amendments.

Mr. SEYLER. Mr. President, did I understand that the gentleman will not object tomorrow to having those amendments offered?

The PRESIDING OFFICER. As the Chair understands Senator Pechan, he will not object to the offering of amendments tomorrow. He does not, however, agree to support the amendments. Is that correct, Senator Pechan?

Mr. PECHAN. That is right, Mr. President.

Mr. SEYLER. Mr. President, Senator Hays feels that will be satisfactory.

Mr. LANE. Mr. President, may we be at ease a moment?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

BILL OVER IN ORDER

Mr. LANE. Mr. President, I now move that House Bill No. 204, Printer's No. 135, on second reading, go over in its order.

Mr. STIEFEL. Mr. Persident, I second the motion.

Mr. WATKINS. Mr. President, I would like to second that motion that the bill go over in its order until Monday.

On the question,

Will the Senate agree to the motion?

Mr. SEYLER. Mr. President, I ask for a roll call.

Mr. LANE. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. SEYLER and Mr. LANE, and were as follows, viz:

YEAS—28

Barr,	Hays,	Murray,	Stiefel,
Camiel,	Kalman,	Pechan,	Taylor,
Dent,	Kopriver, Jr.,	Propert,	Wade,
Derk,	Lane,	Ruth,	Watkins,
Donolow,	McGinnis,	Sarraf,	Watson,
Ehrgood,	Miller,	Schmidt,	Weiner,
Flack,	Mullin,	Seyler,	Yosko,

NAYS—17

Berger,	Kessler,	Mallery,	Wagner,
Blass,	Kromer,	Scott,	Walker,
Chapman,	Madigan,	Stevenson,	Wolfe,
Elliott,	Mahany,	Van Sant,	Fleming,
Harney,			Presiding Officer

So the question was determined in the affirmative.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 205, Printer's No. 104, on second reading, go over in its order. If there is objection, Mr. President, I will accept the previous roll call.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 265, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts page 110 Act No. 146-A) entitled "An act to provide for the ordinary expenses of the Department of Welfare for two years beginning June first one thousand nine hundred fifty-five and . . .," making certain appropriations for research and training applicable only to State-owned institutions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 279 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 292, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" further defining and limiting the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders and employes establishing additional limitations of actions and imposing additional duties on the Department of Banking

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sections were read and agreed to.

The eleventh section was read.

On the quetsion,

Will the Senate agree to the section?

Mr. WAGNER offered the following amendments:

Amend Sec. 11 (Sec. 903), page 16, line 7, by striking out the brackets before and after "seventy" and striking out "the maximum"; Amend Sec. 11 (Sec. 903), page 16, line 7, by striking out the bracket before "of"; Amend Sec. 11 (Sec. 903), page 16, line 8, by striking out the bracket after "family" and striking out "hereinafter authorized for other types of"; Amend Sec. 11 (Sec. 903), page 16, line 9, by inserting after "property": "or sixty per centum of the fair market value of a seven to twelve family property"; Amend Sec. 11 (Sec. 903), page 16, line 9, by striking out the bracket before "the"; Amend Sec. 11 (Sec. 903), page 16, line 9, by striking out the bracket before "the"; Amend Sec. 11 (Sec. 903), page 16, line 10, by striking out the bracket after "made" and striking out "an association may grant a loan"; Amend Sec. 11 (Sec. 903), page 16, line 11, by striking out the bracket before "to" and after "shall" and striking out "only when the"; Amend Sec. 11 (Sec. 903), page 16, lines 12 to 14, by striking out all of lines 12 and 13, and "for four families or less does" in line 14; Amend Sec. 11 (Sec. 903), page 16, line 14, by striking out the brackets before and after "fifteen" and striking out "twenty"; Amend Sec. 11 (Sec. 903), page 16, line 15, by striking out the brackets before and after "such" and striking out "the"; Amend Sec. 11 (Sec. 903), page 16, line 18, by striking out the bracket before "the"; Amend Sec. 11 (Sec. 903), page 16, line 19, by inserting a bracket before and after "six" and inserting immediately thereafter: "twelve"; Amend Sec. 11 (Sec. 903), page 16, line 20, by striking out the bracket after "purposes"; Amend Sec. 11 (Sec. 903), page 18, line 10, by striking out "twenty" and inserting: "fifteen"; Amend Sec. 11 (Sec. 903), page 18, lines 11 and 12, by striking out "excluding one to four family property"; Amend Sec. 11 (Sec 903), page 18, line 13, by striking out "secured by such other types"; Amend Sec. 11 (Sec. 903), page 18, line 13, by striking out "and up to the" and inserting: "other than one to four family property on which the maximum loans shall not exceed the following"; Amend Sec. 11 (Sec. 903), page 18, line 14, by striking out "as follows"; Amend Sec. 11 (Sec. 903), page 18, lines 17 to 19, by striking out "and fifty per centum of the value of" in line 17, all of line 18, and "and factories" in line 19; Amend Sec. 11 (Sec. 903), page 21, line 13, by striking out ::C"; Amend Sec. 11 (Sec. 903), page 21, line 14, by striking out "thirty-five" and inserting: "forty-five"; Amend Sec. 11 (Sec. 903), page 21, line 15, by striking out the bracket before "or"; Amend Sec. 11 (Sec. 903), page 21, line 15, by inserting brackets before and after "forty" and inserting immediately thereafter: "sixty"; Amend Sec. 11 (Sec. 903), page 21, line 16, by striking out the bracket after "property" and inserting immediately thereafter: "or seventy-five thousand dollars upon the security of any seven to twelve family property."

They were agreed to.

The section was agreed to as amended.

The twelfth, thirteenth and fourteenth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WAGNER. Mr. President, I ask unanimous consent that Senate Bill No. 292, Printer's No. 97, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills. on second reading, go over in their order:

Senate Bill No. 316 (Pink); and

Senate Bill No. 317 (Pink).

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 319, on second reading, entitled:

An Act providing for a referendum to determine the will of the electorate on certain contracts between any political subdivision and Authorities

be recommitted to the Committee on State Government.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 342, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route in Centreville Borough Washington County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 453, entitled:

An Act transferring money from the Banking Department Fund to the General Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 490, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" changing a route in Chester County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 589, entitled:

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled "An act making and appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August one thousand nine hundred fifty-five" making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before completion of projects

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE CONCURRENT RESOLUTION, SERIAL No. 112, TAKEN FROM TABLE

Mr. PECHAN. Mr. President, I call from the table Senate Concurrent Resolution, Serial No. 112.

The resolution was read by the Clerk as follows:

JOINT COMMITTEE TO STUDY CONSTRUCTION PROJECTS OF STATE TEACHERS COLLEGES AND RECOMMENDATIONS MADE BY OUT OF STATE CONSULTANTS

In the Senate, March 11, 1957.

Whereas, the General State Authority has adopted construction projects at several of the State Teachers Colleges of the Commonwealth, and

Whereas, the Department of Public Instruction has employed consultants from outside the Commonwealth to survey said State Teachers Colleges, and

Whereas, recommendations are being made to the Superintendent of Public Instruction which are impractical and impossible of accomplishment, and

Whereas, this has resulted in unnecessary delay in making critically needed repairs and expansions for a long period of time after money has been made available for this purpose, therefore be it

Resolved, (if the House of Representatives concur) that a committee be appointed, three by the President Pro Tempore of the Senate and three by the Speaker of the House, to make a study of this matter and report to the Legislative not later than May 1, 1957, in order that this unfortunate situation may be corrected.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL No. 112, AMENDED

Mr. WAGNER. Mr. President, I offer the following amendments to this resolution, which was introduced by Senator Harney and Senator Madigan on March 11, 1957.

The PRESIDING OFFICER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend second paragraph of preamble, line 2 by striking out "from outside the Commonwealth"; Amend third paragraph of preamble, line 2 by inserting after "are"; "deemed"; Amend resolution, lines 1 to 6 of resolution, by striking out all of said lines and inserting in lieu thereof:

"Resolved, That the Senate Committee on Education be directed to confer with the Department of Public Instruction, its Superintendent and all personnel concerned, to ascertain and resolve the issues involved; and be it further

"Resolved, That the committee make a report of their findings and recommendations to the Senate on or before May 1, 1957."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

The PRESIDING OFFICER. The resolution, as amended, will lie over for printing.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, for the information of the Senate, the bill I am about to report from the Committee on Forests and Waters, Game and Fish, as amended, is the "Hawk Bill." It contains the amendments which have been agreed upon by the Hawk Committee of the Pennsylvania Federation of Sportsmen and "the hawks."

REPORT FROM COMMITTEE

Mr. BERGER. Mr. President, I now ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 247, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," changing the definition of "unprotected birds" to exclude hawks in a certain area for a portion of each year.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 62, entitled:

An Act granting ambulances and fire apparatus free passage over all turnpikes and extensions thereof under the supervision and control of the Pennsylvania Turnpike Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 247, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law," changing the definition of "unprotected birds" to exclude hawks in a certain area for a portion of each year.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 298, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273) entitled "The Private Detective Act of 1953," providing for additional penalties for violation of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 341, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273) entitled "The Private Detective Act of 1953," permitting former members of the Pennsylvania State Police to apply for licenses

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 352, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," defining imprisonment in relation to the crime of prison breach.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 365, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 376, entitled:

An Act amending the act of June 27, 1923 (P. L. 858) entitled "State Employes' Retirement Law," further providing for payment of compensation to judges upon retirement under certain conditions and imposing duties on certain State officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 377, entitled:

An Act amending the act of January 21, 1947 (P. L. 3) entitled "An act relating to officers and employes of the General Assembly; . . .," changing the compensation of certain officers and employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 406, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to sell and convey a tract of land situate in the Borough of Lewistown, Mifflin County, Pennsylvania, to The General State Authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 409, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987) entitled, as amended, "Sanitary Water Law," further regulating and defining rights and duties with respect to waters of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 421, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," changing the period for titling new two-axle commercial motor vehicles and truck tractors in certain classes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 487, entitled:

An Act amending the act of June 29, 1937 (P. L. 2423) entitled, as amended "An act establishing a Pennsylvania State Police Retirement System; . . .," changing the definition of "final salary" upon which a contributor's retirement allowance is based.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 499, entitled:

An Act amending the act of May 27, 1893 (P. L. 171), entitled as amended "An act providing for the acquisition of land and the erection, equipment, management, and operation of the Scotland School for Veterans' Children; . . .," making the superintendent the trustee of the funds of the children of the school, and providing for the filing of a bond by such trustee.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 500, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 501, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding new routes in Cambria County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 502, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," deleting a certain route and adding certain new route in Pottstown Borough, Montgomery County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 503, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," deleting a certain route and adding certain new routes in Montgomery County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 579, entitled:

An Act requiring the Pennsylvania Turnpike Commission to change the names of certain interchanges on the Pennsylvania Turnpike.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 74, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," further regulating the issuance of registration plates to news photographers.

House Bill No. 98, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," permitting the prothonotary to appoint a solicitor, and prescribing a means for paying the cost of prothonotary's litigation.

Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

Senate Bill No. 216, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," empowering the chairman of the Board of Finance and Revenue to appoint a secretary and make certain rules and regulations.

House Bill No. 266, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), permitting city council to hold its organiaztion meeting on first day after a holiday.

Senate Bill No. 277, entitled:

An Act authorizing and empowering the Delaware River Port Authority, a body corporate and politic, functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey, and the express consent of the Congress of the United States, to appoint policemen; make rules and regulations for the prevention of disorder, the preservation of safety, and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate; to prevent the evasion of the payment of tolls; and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls.

House Bill No. 335, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149) extending the provisions of one additional tax for a limited time.

House Bill No. 336, entitled:

An Act amending the "Fuel Use Tax Act" of January 14, 1952 (P. L. 1965), extending the provisions of one additional tax for a limited time.

House Bill No. 458, entitled:

An Act validating the assessment rolls of counties from the fourth to eighth class.

House Bill No. 479, entitled:

An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases.

House Bill No. 521, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further regulating ordinances opening, changing or vacating roads and highways.

House Bill No. 564, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) providing penalties for violation of rules governing State Parks, State Forest Picnic Areas, State Forest Monuments and State Historical Parks.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair

PETITIONS AND REMONSTRANCES

Mr. DONOLOW. Mr. President, I feel that I am compelled at this time to make an explanation as to a committee which was appointed by the President pro tempore at the last Session of the Legislature, as a result of a resolution which was passed unanimously on the floor for the examination of the activity of boxing in Pennsylvania. I know that from time to time we have read articles in the newspapers, calling the attention of the public in Pennsylvania to what has happened to that investigation. I feel that the people of Pennsylvania, Mr. President, at this time are entitled to an explanation.

The members of the committee, who were appointed by the President pro tempore, consisted of Senator Watkins, Senator Van Sant, Senator Kopriver, Senator Di-Silvestro and myself. That committee, in all fairness, decided not to have any sort of an examination of boxing until after the last election. We did not feel that it should become involved in an election which was taking place in Pennsylvania and in the Nation.

After the election, Mr. President, the committee was polled by Senator Watkins and we all agreed that in order to undertake a successful examination of boxing in Pennsylvania, it would be necessary that this committee have funds. It was unanimously decided by all the members that when we came back to this Session of the Legislature, we would introduce a bill calling for the allocation of some $20,000 in order for this project to be undertaken.

I may say to the Members of the Senate at this time that we are going to draw up such a bill. We hope to secure the approval of both the House and Senate in order to have an examination of boxing in Pennsylvania in the past and its lack of activity in the present.

Mr. President, I have used the word "examination" because that is exactly what we intend to do. This committee is not for the purpose of investigating. We are not looking for any victims. We are trying to find an answer or a solution to a problem which faces us.

Therefore, Mr. President, I feel that this explanation should take any sort of suspicion off of the members of the committee that there was any idea in our minds that we were attempting to forget about this examination. It shall be forthcoming at the earliest possible time when we get our appropriation.

Mr. STIEFEL. Mr. President, just as a matter of a prelude to what I intend saying within the next few days, I am rather astonished by the publicity which is given to some fellows who hail from the fringe of lunacy.

These hearings, which are being held before the committee that is examining the Board of Pardons, have many quasi-lunatics appearing there and just consuming a lot of paper and a lot of time without producing anything.

Preparatory to what I am going to say, either tomorrow or Monday, I do express my hope that the hearings will be brought up to a finer plane of decency and respect than listening to people who, perhaps, should be sent to an insane asylum rather than appear before a committee.

Mr. YOSKO. Mr. President, the statement just made by Senator Stiefel is about as clear as mud. Whatever he has to say, I wish he would say it now in order for us to understand what he is driving at.

Mr. STIEFEL. Mr. President, I read in the newspapers that an attorney from one of the neighboring counties of Philadelphia appeared before the committee and he spoke, and apparently the members of the committee are highly tolerant when they listen to matters which are unimportant and matters which should never have even been heard. This fellow, a practicing attorney, tried to impute to the Board certain political inclinations, maintaining that in the good, olden times, before the present Administration, he was favored. Now he has lost one case after another. For his information, Mr. President, and to show him that things do not work that way, I am happy to state—I say I am happy and I say it emphatically—that I lost five cases in succession. Yet, I do not blame the Board of being partisan. The fact that you lose cases before the Board of Pardons does not necessarily indicate that it is acting with political inclinations. However, he tried to create that impression.

During the course of the hearing, this attorney, one of Senator Propert's constituents, said that he saw me there several times. In other words, it is now a sin to appear or even be present in the room where the hearings are held, lest you be accused of trying to curry favors with the Board. According to these gentlemen, we are gradually approaching the police state where whatever you do militates against you. My very presence before the Board, in the capacity of an attorney—I was representing one of my clients—was already interpreted as though I was interceding on behalf of somebody. I want to say that the intercession on behalf of somebody, when you write a letter to the Board, is nothing because that is expected of us.

After all, in my opinion, although I voted for the resolution, this is a blunder of the first magnitude. Who can assay and who can measure leniency, clemency and mercy?

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Stiefel.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Stiefel, permit himself to be interrogated?

Mr. STIEFEL. I will, Mr. President.

Mr. YOSKO. Senator Stiefel, the attorney who testified before the Board did not complain too much about your

appearing before the Pardons Board with cases you might have. If my memory serves me correctly, he testified that there was political influence exerted on the Board while it was conducting hearings on applications. When he was pressed to give us the names of the so-called politicians who were up in the anteroom, outside the Pardons Board hearing room, he named you as one of the so-called politicians who was supposed to be up there putting pressure on the Board.

I ask you, Senator Stiefel, have you ever campaigned or tried to put pressure on any member of any Board of Pardons to act favorably or unfavorably on an application pending before it?

Mr. STIEFEL. Mr. President, I am glad that Senator Yosko presented that question. I would say that if I would be successful in prevailing upon the members of the Board, I would not have lost the cases which I did. I took it on the chin and I kept quiet. I did win one case, I think it was won by former Judge Schaeffer, from Reading, who came to testify. Perhaps, if it would not have been for the presence of Judge Shaeffer, I would have lost that case, too.

Furthermore, Mr. President, there is one thing for which I am very thankful and that is this Mr. Smith, who appeared before the committee, never received so much publicity in his life. The Philadelphia Bulletin and the Philadelphia Inquirer gave full front pages to Mr. Smith's ravings. Anyway, some people considered me, until now, as a statesman. During the recent campaign, when I ran for re-election, that charge was hurled at me. They said I was a statesman and not a politician. Now that I have either been demoted or promoted to the rank of a politician, I am very happy.

Mr. YOSKO. Senator Stiefel, you did not answer my question. It can be answered with a "yes" or "no." My question was, did you ever campaign in the anteroom, outside the Supreme Court room, where the Board of Pardons meets? Did you every try in that anteroom to exert pressure on any member of any Board of Pardons to act favorably or unfavorably on an application pending before the Board?

Mr. STIEFEL. I never did, Mr. President. I would say this, however, if anybody would come to me and would say, "Would you kindly write a letter to the members of the Board asking for mercy and clemency for my son or for my brother," or whoever it may be, I would be only too glad to write the letter. I would not consider this to be a transgression. I believe, I maintain, I submit, I underscore and I stress that when it comes to questions of clemency or mercy, there can be no imputation of politics and no imputation of slanted attitudes. Mercy and clemency are above that.

For this reason, Mr. President, I maintain that this entire expedition, known as the investigation of the Darcy case, is the matter of a fishing expedition and groping in the dark.

Mr. WATKINS. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Stiefel.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Stiefel, permit himself to be interrogated?

Mr. STIEFEL. I will, Mr. President.

Mr. WATKINS. Senator Stiefel, you referred to a neighboring county. May I ask you, Senator, what county you referred to and what case?

Mr. STIEFEL. Mr. President, when I say neighboring county, I am not referring to Delaware County because Delaware County is above any reproach, and the fact that I refer to Montgomery County should not militate against that county. The fact that Mr. Smith happens to live in Montgomery county should not militate against it

Mr. WATKINS. Thank you, Senator, as long as you are not trading in my County it is all right.

Mr. STIEFEL. Mr. President, this particular attorney,—pardon me, I am afraid I will involve now Senator Harney—is from Chester County. Furthermore, once upon a time I spent two of my most pleasant years in Delaware County, and I am very fond of it. I am very fond of Brandywine, and I am very fond of the "Baron of Brandywine," my friend, Senator Watkins.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 3, 1957, at 10:00 o'clock, a. m., Eastern Standard Time.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:58 o'clock, p. m., Eastern Standard Time, until Wednesday, April 3, 1957, at 10:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 2, 1957

The House met at 1:00 p. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Thomas F. Luce, Pastor of the First Presbyterian Church, Kittanning, guest Chaplain and guest of the Speaker, Mr. Helm, offered the following prayer:

O Lord, Thou hast searched us, and known us. Thou understandest our thoughts afar off. Thou art acquainted with all our ways. Whither could we go from Thy Spirit, or whither flee from Thy presence? Surely, O God, Thou art in this place.

Grant that Thy light within us may enable us to live this day in honesty with ourselves and in charity with our neighbors. Help us to know ourselves more truly; to discern our motives more clearly; and to be ready to admit that we can do neither of these things completely. Give us the grace to seek Thy forgiveness and the healing which it brings. and then to walk and talk and think as children of the light.

Keep us, O Lord, from straining and embittering our earthly relationships; and grant us, we beseech Thee, a courteous and forbearing spirit, so that we may be makers of peace.

So grant such a blessing to the members of this House this day, that the cause of peace and justice may be furthered in our Commonwealth by their labors. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, April 1, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. BOWMAN. HOUSE BILL No. 1025.

An Act reenacting and amending the second paragraph of section 5 of the act approved April 29, 1874 (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations," providing for action of directors in writing and without meeting and for an executive committee of the board of directors.

Referred to the Committee on Judiciary.

By Messrs. FOSTER, LAFORE and FLYNN.
HOUSE BILL No. 1026.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905), authorizing the erection of "Yield Right of Way" signs, in townships of the first class.

Referred to the Committee on Motor Vehicles.

By Mr. AGNEW. HOUSE BILL No. 1027.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) making further provision for supervisory staffs for State regional and county vocational schools and classes.

Referred to the Committee on Education.

By Messrs. MIHM, VARNER and STRAUSSER.
HOUSE BILL No. 1028.

An Act to further amend the act, approved the ninth day of April, one thousand and nine hundred twenty-nine (Pamphlet Laws 177), known as "The Administrative Code of 1929", by authorizing the Department of Property and Supplies to acquire title to real property and to provide for the construction of public buildings thereon by rental purchase contracts.

Referred to the Committee on State Government.

By Mr. ISAACS. HOUSE BILL No. 1029.

An Act amending "The vehicle Code" approved May 1, 1929 (P. L. 905), exempting from payment of fees buses owned by nonprofiit organizations and operated for transportation of school children.

Referred to the Committee on Motor Vehicles.

By Mr. AGNEW. HOUSE BILL No. 1030.

A Joint Resolution proposing an amendment to Article V, section 25 of the Constitution of the Commonwealth of Pennsylvania, establishing a method for the selection of judges of the appellate courts and the courts of record of the First and Fifth Judicial Districts and the adoption of the same method for other courts of record upon approval of the electors.

Referred to the Committee on Judiciary.

By Messrs. IDE, MOYER and RAGOT.
HOUSE BILL No. 1031.

An Act amending the act approved May 29, 1945 (P. L. 1108), entitled "An act authoriizng the establishment, construction and maintenance of limited access highways and local service highways;" etc., by expressly authorizing the lighting of limited access highways.

Referred to the Committee on Highways.

By Messrs. IDE, MOYER and RAGOT.
HOUSE BILL No. 1032.

An Act amending the act approved June 1, 1945 (P. L. 1242), entitled "An act relating to roads, streets, highways, and bridges;" etc., by authorizing the Department of Highways to provide highway lighting equipment and to contract for the lighting thereof.

Referred to the Committee on Highways.

By Messrs. WILLAREDT, BRENNINGER, ASHTON and UJOBAI. HOUSE BILL No. 1033.

An Act authoriizng and directing the Department of Highways, with the approval of the Governor, to construct a highway and to erect and maintain a bridge over the Schuylkill River in Chester and Montogmery Counties, between Firestone Boulevard in Lower Pottsgrove Township, Montgomery County, and a point on Route 201 in East Coventry Township, Chester County, * * *.

Referred to the Committee on Highways.

By Mr. De LONG. HOUSE BILL No. 1034.

An Act amending the Local Tax Enabling Law approved June 25, 1947 (P. L. 1145), providing that no tax shall be levied, assessed or collected on admissions to places offering certain participating sports.

Referred to the Committee on Municipal Corporations.

By Messrs. PAUL G. MURRAY and LAFORE.
HOUSE BILL No. 1035.

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) changing the inspection period for antique motor vehicles.

Referred to the Committee on Motor Vehicles.

By Messrs. PIPER and ISAACS.
HOUSE BILL No. 1036.

An Act regulating the sale and disposal of psittacine birds.

Referred to the Committee on Public Health and Sanitation.

By Messrs. RIGBY, FILO, COOPER and BOIES.
HOUSE BILL No. 1037.

An Act making an appropriation to the Thorn Hill School for Boys, situate in Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. FILO, RIGBY, COOPER and BOIES.
HOUSE BILL No. 1038.

An Act making an appropriation to the Gumbert School for Girls, situate in Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. ASHTON, SNIDER, BREISCH and FARABAUGH. HOUSE BILL No. 1039.

An Act regulating the sale and purchase of eggs; conferring powers and imposing duties upon the Secretary of Agriculture; prescribing fees and penalties; and making an appropriation.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. GIBSON, JOHNSON, BREISCH and STAUSSER. HOUSE BILL No. 1040.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228).

Referred to the Committee on Ways and Means.

By Messrs. KELLER, BRAND and ANDREWS.
HOUSE BILL No. 1041.

An Act amending the "State Employes' Retirement Law," approved June 27, 1923 (P. L. 858), extending the act to registers of wills to the extent they are compensated by the Commonwealth.

Referred to the Committee on State Government.

By Messrs. BRAND and KELLER.
HOUSE BILL No. 1042.

An Act amending the "Fiduciaries Act of 1949," approved April 18, 1949 (P. L. 512), requiring bonds from resident and nonresident individual executors.

Referred to the Committee on Judiciary.

By Messrs. UJOBAI, BRENNINGER and FOSTER.
HOUSE BILL No. 1043.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety," etc., providing that certain refrigerating devices shall be disregarded in measuring the length of semi-trailers.

Referred to the Committee on Motor Vehicles.

By Mrs. VARALLO and Mrs. MILLER.
HOUSE BILL No. 1044.

An Act making an appropriation to the trustees of the Academy of Natural Sciences of Philadelphia to be used for salaries, supplies and equipment and in providing certain services and facilities to the public and to students at all levels interested in scientific studies and research.

Referred to the Committee on Appropriations.

By Messrs. DONALDSON and GIBB.
HOUSE BILL No. 1045.

A Joint Resolution proposing an amendment to article eighteen, section one, of the Constitution * * *, providing for one session of the legislature to act upon a proposed amendment before submitting it to the electors for approval; * * *

Referred to the Committee on State Government.

By Messrs. LIMPER and GELFAND.
HOUSE BILL No. 1046.

An Act amending the Motion Picture Censorship Law of May 15, 1915 (P. L. 534), authorizing the disapproval of any real, film or view which is obscene, lewd, lascivious, indecent or incites to crimes of violence, or advocates the use of narcotics or habit forming drugs; * * * imposing penalties and repealing certain sections of the act.

Referred to the Committee on Law and Order.

By Messrs. PIPER, DUNN, WEIDNER and STIMMEL.
HOUSE BILL No. 1047.

An Act amending the act of May 17, 1956 (P. L. 1626), entitled "An act limiting in certain cases the right of appeal to the court of common pleas from decisions of magistrates, aldermen and justices of the peace," including the action of assumpsit within the provisions of the act.

Referred to the Committee on Judiciary.

By Messrs. MIKULA, JUMP, LOVETT and PETROSKY.
HOUSE BILL No. 1048.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), authorizing and regulating the formation of a State association of treasurers of third class cities; * * *

Referred to the Committee on Cities—Third Class.

By Messrs. MIKULA, JUMP, LOVETT and PETROSKY.
HOUSE BILL No. 1049.

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), changing the salaries of the tax collector in cities of the third class.

Referred to the Committee on Municipal Corporations.

By Messrs. MIKULA, JUMP, LOVETT and PETROSKY.
HOUSE BILL No. 1050.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), fixing the minimum salary of city treasurers.

Referred to the Committee on Cities—Third Class.

By Messrs. JENKINS, JOHNSTON, STEVENS and SPRAY. HOUSE BILL No. 1051.

An Act amending the "Second Class County Code," of July 28, 1953 (P. L. 723) placing members of the fire department under civil service.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

RESOLUTIONS INTRODUCED AND REFERRED

By Mrs. MARKLEY and Mr. STECKEL.

RESOLUTION No. 74.

In the House of Representatives, April 1, 1957.

Congratulations are certainly in order for the Fountain Hill High School backetball team upon winning the State Class B basketball championship. The "Hillers" won by defeating a scrappy Shannock Valley High quintet, holder of the WPIAL "B" title, and a team undefeated in twenty-six contests prior to the championship game. The final game, played on Friday, March 29th at Westminster College, New Wilmington, Pennsylvania, ended in a 72-64 victory for Fountain Hill.

Fountain Hill, a small community in the Lehigh Valley, was full of admiration for their team, and rightly so. Under the brilliant coaching of Charlie Dubbs, the team had achieved perfection in their class for the second year in a row. Last season the "Hillers" won the State crown by downing East Pittsburgh. This year more than 3,800 spectators saw the Lehigh-Northampton League Champion roar into the lead against the Spartans of Shannock Valley and hold it all the way to the championship.

The spectacular teamwork and excellent sportsmanship which the team displayed throughout the season culminated in this great victory and earned them the admiration of all. Without the support of the entire student body and the teaching staff such a championship would not be possible; therefore be it

Resolved, That the House of Representatives extends its warmest congratulations to the students, the teaching staff, the coaches, and above all the basketball team of Fountain Hill School upon winning the P.I.A.A. Class B State Basketball Championship, and be it further

Resolved, That a copy of this resolution be transmitted to Fountain Hill High School.

Referred to the Committee on Rules.

By Mr. TOMPKINS. (Concurrent) RESOLUTION No. 75.

In the House of Representatives, April 1, 1957.

Resolved (the Senate concurring), That the second Resolved Clause of House Resolution No. 1, Printer's No. 8, Session of 1957, is amended to read:

Resolved, That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed [sixty] ninety days.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 257.

An Act amending the act of May 3, 1909 (P. L. 408) entitled as amended "An act authorizing the merger or consolidation of certain corporations" providing for the merger of a domestic corporation into a foreign corporation and for the merger into a holding company of a subsidiary corporation incorporated under or subject to the Business Corporation Law and eliminating any requirement of stockholder approval and any right of objecting stockholders to payment for their stock if the holding company is the owner of all the outstanding stock of the subsidiary corporation.

Referred to the Committee on Judiciary.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 97, 125, 165, 318, 331, 379, 385, 386, 395 and 396.

Resolution for concurrence Serial No. 117.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 98

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) permitting the prothonotary to appoint a solictor and prescribing a means for paying the cost of prothonotary's litigation.

HOUSE BILL No. 266

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) permitting city council to hold its organization meeting on first day after a holiday.

HOUSE BILL No. 458

An Act validating the assessment rolls of counties from the fourth to eighth class.

HOUSE BILL No. 521

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) further regulating ordinances opening changing or vacating roads and highways.

HOUSE BILL No. 564

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) providing penalties for violation of rules governing State Parks State Forest Picnic Areas State Forest Monuments and State Historical Parks.

With the information that the Senate has passed the same without amendment.

CONCURRENT RESOLUTION

RECALLING HOUSE BILL NO. 250 FROM GOVERNOR

Mr. STONER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, April 2, 1957.

Resolved (if the Senate concur), that House Bill No. 250, Printer's No. 73, entitled "An act amending the act of May 2, 1925 (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsmen's shows," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

WOMEN'S COMMITTEE, PENNSYLVANIA FARMERS ASSOCIATION WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House the Women's Committee, Pennsylvania Farmers Association. They are guests of the lady from Lehigh, Mrs. Markley and the gentlemen from Lehigh, Messrs Steckel, DeLong and Stimmel.

The Chair hopes that the delegation will enjoy their visit with us today

STUDENTS OF TUNKHANNOCK JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair weelcomes to the Hall of the House today a delegation of students from the Civics Class of Tunkhannock Junior High School, Wyoming County, under the supervision of their teachers, Mrs. Gaul, Mr. Holdridge and Mr. Phillips. They are the guests of the gentleman from Wyoming, Mr. Wynd.

The Chair hopes the delegation will enjoy its visit with us today.

REPORTS FROM COMMITTEES

Mr. STRAUSSER from the Committee on Motor Vehicles, reported as amended, House Bill No. 19, entitled:

An Act amending "The Vehicle Code," aprpoved May 1, 1929 (P. L. 905), directing the issuance of special registration plates for suburban motor vehicles, and prescribing the fee thereof.

Mr. JOHNSTON from the Committee on Motor Vehicles, reported as amended, House Bill No. 44, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) providing special registration provisions for motor buses of certain common carriers of passengers for hire.

Mr. HARVEY P. MURRAY from the Committee on Municipal Corporations, reported as amended, House Bill No. 348, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) granting income tax deductions to residents of other states if similar deductions are granted to Pennsylvania residents.

Mr. DENNISON from the Committee on Motor Vehicles, reported as committed, House Bill No. 437, entitled:

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), fixing registration fees for trailers used for office purposes.

Mr. HAMILTON from the Committee on Education, reported as committed, House Bill No. 504, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for equal reimbursement to school districts of the first class A and first class for the school years 1955-1956 and 1956-1957.

Mr. ASHTON from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 596, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417), requiring testing of composite sample within five days after taken.

Mr. DENNISON from the Committee on Motor Vehicles, reported as committed, House Bill No. 644, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929, P .L. 905, restricting the provisions to the limitations on size of certain vehicles.

Mr. DeLONG from the Committee on Cities—Third Class, reported as committed, House Bill No. 753, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), prescribing method for codification of ordinances.

Mr. HAMILTON from the Committee on Education, reported as committed, House Bill No. 792, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing minimum reimbursements on account of instruction and tuition in the case of union and merged school districts and jointures.

Mr. GOLDSTEIN from the Committee on Cities—Counties First—Second and Second Class A, reported as committed, House Bill No. 893, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *" further regulating payments to certain beneficiaries under the fund.

Mr. GOLDSTEIN from the Committee on Cities—Counties First—Second and Second Class A, reported as committed, House Bill No. 894, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), changing the amount of payments to certain beneficiaries.

Mr. STUART from the Committee on Cities—Counties First—Second and Second Class A, reported as committed, House Bill No. 904, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing administrative tasks, functions or duties required to be performed on Saturdays in certain offices to be performed on Mondays; regulating the number of employes to be maintained for such purposes.

Mr. GOLDSTEIN from the Committee on Cities—Counties First—Second and Second Class A, reported as amended, House Bill No. 907, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, * * *," increasing the amount of pensions and increasing the minimum and maximum amount of pensions in certain cases.

Mr. RIGBY from the Committee on Cities—Counties First—Second and Second Class A, reported as committed, Senate Bill No. 222, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class' authorizing salaries of city officials and employes who are not elected to be increased or dimished during their terms of office.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 98

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) permitting the prothonotary to appoint a solicitor and prescribing a means for paying the cost of prothonotary's litigation.

HOUSE BILL No. 266

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) permitting city council to hold its organization meeting on first day after a holiday.

HOUSE BILL No. 458

An Act validating the assessment rolls of counties from the fourth to eighth class.

HOUSE BILL No. 521

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) further regulating ordinances opening changing or vacating roads and highways.

HOUSE BILL No. 564

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) providing penalties for violation of rules governing State Parks State Forest Picnic Areas State Forest Monuments and State Historical Parks.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 56, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the sale or other disposal of morphine or facilitating or conspiring to sell or otherwise dispose of morphine to minors under eighteen years of age.

The first section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. TOMPKINS offerd the following amendment.

Amend Title, page 1, line 4 of Title, by striking out "morphine' 'and inserting in lieu thereof: heroin

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 511, entitled:

An Act amending the "Commodities Weight and Measure Law" approved July 24, 1913 (P. L. 965) regulating the sale and delivery of agricultural horiticultural and floricultural seeds.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. FARABAUGH. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture and Dairy Industries for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 636, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) further regulating the filing of vacancies in the office of controller and treasurer.

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for third reading.

PARLIAMENTARY INQUIRY

Mr. GOLDSTEIN. I rise to a parliamentary inuqiry.

The SPEAKER. The gentleman will state it.

Mr. GOLDSTEIN. Mr. Speaker, under House Rule 49 which governs the House today is it not the Rule that where a bill has been defeated one similar in character cannot be introduced during the same session?

The SPEAKER. The gentleman from Allegheny, Mr. Goldstein, raises a very important question of parliamentary inquiry.

> "When a bill has been defeated by the House it shall not be re-introduced, nor shall it be in order to consider a similar one or act on a Senate bill of like import during the same session."

There has been no change of substance in this Rule over old House Rule No. 60.

It has been the practice of the House where a bill has been rejected, that the same bill cannot be again introduced, but a new bill which really presents a different question for the decision of the House on the same subject in a modified form may be introduced.

Points of order on similarity of bills previously defeated during the same session have been raised since 1865. In most instances the Speaker has submitted the question to the House for decision.

However, since the creation of the Legislative Reference Bureau, the legal arm of the General Assembly, where the question of re-introduction of identical or similar bills is raised, the Speaker has requested the Bureau to examine the bills and report to the House its findings, after which the question whether the bill violates the Rule or not is submitted to the House.

Does that answer the gentleman's question?

Mr. GOLDSTEIN. It does, Mr. Speaker.

I would request that you refer to the Legislative Reference Bureau the question as to whether the introduction of House Bill 904 violates Rule No. 49, inasmuch as it seems to be identical or similar in character to House Bill No. 97, which was defeated on March 12th of this year.

The SPEAKER. House Bill No. 904 will be submitted to the Legislative Reference Bureau for a report on its findings concerning the question raised.

Mr. GOLDSTEIN. Thank you Mr. Speaker.

BILL ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 9 Printers' No. 192

was passed over temporarily at the request of Mr. BREON.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BREISCH asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 121, Printers' No. 190

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 160, entitled as follows:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing for audits of accounts by independent accountants appointed by council.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fetterolf,	Lovett,	Rigby,
Amarando,	Filo,	Lutty,	Rovansek,
Anderson, M. S.,	Fineman,	Magee,	Royer,
Anderson, S. A.,	Floyd,	Mahan,	Rudisill,
Ashton,	Flynn,	Markley,	Scarcelli,
Barton,	Fox,	Marsh,	Schuster,
Bell,	Garlock,	Maxwell,	Schwartz,
Boles,	Gelfand,	McCann,	Seltzer,
Bower,	Gibb,	McCormack,	Sherman,
Bowman,	Gibson,	McGee,	Shields,
Brand,	Goldstein,	McInroy,	Silverman,
Breisch,	Goodling,	McKeever,	Smith,
Brennan,	Goodrich,	McLaughlin,	Snare,
Brenninger,	Gramlich,	Merry,	Snider,
Breon,	Gross,	Metz,	Spray,
Brown,	Guthrie,	Mikula,	Steckel,
Brucker,	Hamilton,	Miller, B. Z.,	Stevens,
Bucchin,	Haudenshield,	Miller, H. G.,	Stimmel,
Buchanan,	Henzel,	Miller, W. H.,	Stone,
Capano,	Hocker,	Mills,	Stoner,
Carson,	Holt,	Monroe,	Strausser,
Cianfrani,	Horst,	Moody,	Stuart,
Cioffi,	Ide,	Moscrip,	Taylor,
Cleveland,	Isaacs,	Moyer,	Toll,
Comer,	Jenkins,	Muldowney,	Tompkins,
Cooper,	Jim,	Mullen,	Thompson,
Cummins,	Johnson,	Munley,	Ujobai,
Curwood,	Johnston,	Murphy,	Varallo,
Dalrymple,	Jones, G. E.	Murray, H. P.,	Varner,
Davis,	Jones, T. H.,	Murray, P. G.,	Vaughan,
DeLong,	Jump,	Musto,	Verona,
Dengler,	Kamyk,	Naugle,	Wall,
Dennison,	Kehler,	O'Dell,	Walsh,
Devlin,	Keller,	Ogilvie,	Weidner,
Dietterick,	Kernaghan,	Parry,	Welsh,
Donahue,	Kooker,	Pashley,	Wheeler,
Donaldson,	Kornick,	Petrosky,	Whittaker,
Dougherty,	Korns,	Phillips,	Willaredt,
Down,	Krakow,	Piper,	Williams,
Duffy,	Lafore,	Polaski,	Wilt,
Dunn,	Lee, A. M.,	Pomeroy,	Wood,
Edwards,	Lee, K. B.,	Post,	Worley,
Eilberg,	Leonard,	Pursley,	Wyatt,
Erb,	Light,	Ragot,	Wynd,
Eshleman,	Limper,	Readinger,	Yatron,
Ewing,	Lippincott,	Reidenbach,	Zimmerman,
Farabaugh,	Lopresti,	Renwick,	Helm, Speaker

NAYS—4

Andrews	Boory,	O'Brien,	Wargo,

NOT VOTING—17

Agnew,	Frascella,	Heffner,	Stroup,
Auker,	Gailey,	Knecht,	Trusio,
Blair,	George,	Mihm,	Wescott,
Breth,	Heavey,	Price,	Willard,
Foster,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. If there is no objection, the Chair will return to page 2 of today's calendar, House Bill No. 9. The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 9, entitled as follows:

An Act amending the "Vital Statistics Law of 1953" approved June 29, 1953 (P. L. 304) making it unlawful for unauthorized persons to copy duplicate or issue certificates of birth death or fetal death.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 356, entitled as follows:

An Act amending the "Liquor Code" aprpoved April 12, 1951 (P. L. 90) further regulating the application for an issuance of hotel restaurant and club liquor licenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Farabaugh,	Lutty,	Rovansek,
Amarando,	Fetterolf,	Magee,	Royer,
Anderson, M. S.,	Filo,	Mahan,	Rudisill,
Anderson, S. A.,	Fineman,	Markley,	Scarcelli,
Andrews,	Floyd,	Marsh,	Schuster,
Ashton,	Flynn,	Maxwell,	Schwartz,
Auker,	Fox,	McCann,	Seltzer,
Barton,	Gelfand,	McCormack,	Sherman,
Bell,	Gibb,	McGee,	Shields,
Boles,	Gibson,	McInroy,	Silverman,
Boory,	Goldstein,	McKeever,	Smith,
Bower,	Goodling,	McLaughlin,	Snare,
Bowman,	Goodrich,	Merry,	Snider,
Brand,	Gramlich,	Metz,	Spray,
Breisch,	Gross,	Mikula,	Steckel,
Brennan,	Guthrie,	Miller, B. Z.,	Stevens,
Brenninger,	Hamilton,	Miller, H. G.,	Stimmel,
Breon,	Haudenshield,	Miller, W. H.,	Stone,
Brown,	Henzel,	Mills,	Stoner,
Brucker,	Hocker,	Monroe,	Strausser,
Bucchin,	Holt,	Moody,	Stuart,
Buchanan,	Horst,	Moscrip,	Taylor,
Capano,	Ide,	Moyer,	Thompson,
Carson,	Isaacs,	Muldowney,	Toll,
Cianfrani,	Jenkins,	Mullen,	Tompkins,
Cioffi,	Jim,	Munley,	Ujobai,
Cleveland,	Johnson,	Murray, H. P.,	Varallo,
Comer,	Johnston,	Murray, P. G.,	Varner,
Cooper,	Jones, G. E.	Murphy,	Vaughan,
Cummins,	Jones, T. H.,	Musto,	Verona,
Curwood,	Jump,	Naugle,	Wall,
Dalrymple,	Kamyk,	O'Brien,	Walsh,
Davis,	Kehler,	O'Dell,	Wargo,
DeLong,	Keller,	Ogilvie,	Weidner,
Dengler,	Kernaghan,	Parry,	Welsh,
Dennison,	Kooker,	Pashley,	Wheeler,
Devlin,	Kornick,	Petrosky,	Whittaker,

Dietterick,	Korns,	Phillips,	Willaredt,
Donahue,	Krakow,	Piper,	Williams,
Donaldson,	Lafore,	Polaski,	Wilt,
Dougherty,	Lee, A. M.,	Pomeroy,	Wood,
Down,	Lee, K. B.,	Post,	Worley,
Duffy,	Leonard,	Pursley,	Wyatt,
Dunn,	Light,	Ragot,	Wynd,
Edwards,	Limper,	Readinger,	Yatron,
Eilberg,	Lippincott,	Reidenbach,	Zimmerman,
Erb,	Lopresti,	Renwick,	Helm,
Eshleman,	Lovett,	Rigby,	Speaker
Ewing,			

NAYS—1

Garlock,

NOT VOTING—16

Agnew,	Frascella,	Heffner,	Stroup,
Blair,	Gailey,	Knecht,	Trusio,
Breth,	George,	Mihm,	Wescott,
Foster,	Heavey,	Price,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 454, Printer's No. 173

was passed over at the request of Mr. READINGER.

House Bill No. 565, Printer's No. 199

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceed to the third reading and consideration of House Bill No. 601, entitled as follows:

An Act amending the act of February 24, 1806 (P. L. 334 4 Sm L 270) entitled "An act to alter the Judiciary System of this Commonwealth" requiring that certain confession of judgment proceedings be docketed in the Municipal Court of Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Farabaugh,	Lovett,	Rigby,
Amarando,	Fetterolf,	Lutty,	Rovansek,
Anderson, M. S.,	Filo,	Magee,	Royer,
Anderson, S. A.,	Fineman,	Mahan,	Rudisill,
Andrews,	Floyd,	Markley,	Scarcelli,
Ashton,	Flynn,	Marsh,	Schuster,
Auker,	Fox,	Maxwell,	Schwartz,
Barton,	Garlock,	McCann,	Seltzer,
Bell,	Gelfand,	McCormack,	Sherman,
Boies,	Gibb,	McGee,	Shields,
Boory,	Gibson,	McInroy,	Silverman,
Bower,	Goldstein,	McKeever,	Smith,
Bowman,	Goodling,	McLaughlin,	Snare,
Brand,	Goodrich,	Merry,	Snider,
Breisch,	Gramlich,	Metz,	Spray,
Brennan,	Gross,	Mikula,	Steckel,
Brenninger,	Guthrie,	Miller, B. Z.,	Stevens,
Breon,	Hamilton,	Miller, H. G.,	Stimmel,
Brown,	Haudenshield,	Miller, W. H.,	Stone,
Brucker,	Henzel,	Mills,	Stoner,
Bucchin,	Hocker,	Monroe,	Strausser,
Buchanan,	Holt,	Moody,	Stuart,
Capano,	Horst,	Moscrip,	Taylor,
Carson,	Ide,	Moyer,	Thompson,
Cianfrani,	Isaacs,	Muldowney,	Toll,
Cioffi,	Jenkins,	Mullen,	Tompkins,
Cleveland,	Jim,	Munley,	Ujobai,
Comer,	Johnson,	Murphy,	Varallo,
Cooper,	Johnston,	Murray, H. P.,	Varner,
Cummins,	Jones, G. E.,	Murray, P. G.,	Vaughan,
Curwood,	Jones, T. H. W.,	Musto,	Verona,
Dalrymple,	Jump,	Naugle,	Wall,
Davis,	Kamyk,	O'Brien,	Walsh,
DeLong,	Kehler,	O'Dell,	Wargo,
Dengler,	Keller,	Ogilvie,	Weidner,
Dennison,	Kernaghan,	Parry,	Welsh,
Devlin,	Kooker,	Pashley,	Wheeler,
Dietterick,	Kornick,	Petrosky,	Whittaker,
Donahue,	Korns,	Phillips,	Willaredt,
Donaldson,	Krakow,	Piper,	Williams,
Dougherty,	Lafore,	Polaski,	Wilt,
Down,	Lee, A. M.,	Pomeroy,	Wood,
Duffy,	Lee, K. B.,	Post,	Worley,
Dunn,	Leonard,	Pursley,	Wyatt,
Edwards,	Light,	Ragot,	Wynd,
Eilberg,	Limper,	Readinger,	Yatron,
Erb,	Lippincott,	Reidenbach,	Zimmerman,
Eshleman,	Lopresti,	Renwick,	Helm,
Ewing,			Speaker

NAYS—0

NOT VOTING—16

Agnew,	Frascella,	Heffner,	Stroup,
Blair,	Gailey,	Knecht,	Trusio,
Breth,	George,	Mihm,	Wescott,
Foster,	Heavey,	Price,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 602, entitled as follows:

An Act amending the act of March 21, 1806 (P. L. 558 4 Sm L 326) entitled "An act to regulate Arbitration and Proceedings in Courts of Justice" requiring certain judgments in amicable actions to be filed in the Municipal Court of Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Farabaugh,	Lovett,	Rovansek,
Amarando,	Ewing,	Lutty,	Royer,
Anderson, M. S.,	Fetterolf,	Magee,	Rudisill,
Anderson, S. A.,	Filo,	Mahan,	Scarcelli,
Andrews,	Fineman,	Markley,	Schuster,
Ashton,	Floyd,	Marsh,	Schwartz,
Auker,	Flynn,	Maxwell,	Seltzer,
Barton,	Fox,	McCann,	Sherman,
Bell,	Garlock,	McCormack,	Shields,
Blair,	Gelfand,	McGee,	Silverman,
Boies,	Gibb,	McInroy,	Smith,
Boory,	Gibson,	McKeever,	Snare,
Bower,	Goldstein,	McLaughlin,	Snider,
Bowman,	Goodling,	Merry,	Spray,
Brand,	Goodrich,	Metz,	Steckel,
Breisch,	Gramlich,	Mikula,	Stevens,
Brennan,	Gross,	Miller, H. G.,	Stimmel,
Brenninger,	Guthrie,	Miller, B. Z.,	Stone,
Breon,	Hamilton,	Miller, W. H.,	Stoner,
Brown,	Haudenshield,	Mills,	Strausser,
Brucker,	Henzel,	Monroe,	Stuart,
Bucchin,	Hocker,	Moody,	Taylor,
Buchanan,	Holt,	Moscrip,	Thompson,
Capano,	Horst,	Moyer,	Toll,
Carson,	Ide,	Muldowney,	Tompkins,
Cianfrani,	Isaacs,	Mullen,	Trusio,
Cioffi,	Jenkins,	Munley,	Ujobai,
Cleveland,	Jim,	Murphy,	Varallo,
Comer,	Johnson,	Murray, H. P.,	Varner,
Cooper,	Johnston,	Murray, P. G.,	Vaughan,

Cummins,	Jones, G. E.	Musto,	Verona,
Curwood,	Jones, T. H. W.,	Naugle,	Wall,
Dalrymple,	Jump,	O'Brien,	Walsh,
Davis,	Kamyk,	O'Dell,	Wargo,
DeLong,	Kehler,	Ogilvie,	Weidner,
Dengler,	Keller,	Parry,	Welsh,
Dennison,	Kernaghan,	Pashley,	Wheeler,
Devlin,	Kooker,	Petrosky,	Whittaker,
Dietterick,	Kornick,	Phillips,	Willaredt,
Donahue,	Korns,	Piper,	Williams,
Donaldson,	Krakow,	Polaski,	Wilt,
Dougherty,	Lafore,	Pomeroy,	Wood,
Down,	Lee, A. M.,	Post,	Worley,
Duffy,	Lee, K. B.,	Pursley,	Wyatt,
Dunn,	Leonard,	Ragot,	Wynd,
Edwards,	Light,	Readinger,	Yatron,
Eilberg,	Limper,	Reidenbach,	Zimmerman,
Erb,	Lippincott,	Renwick,	Helm,
Eshleman,	Lopresti,	Rigby,	Speaker

NAYS—0

NOT VOTING—14

Agnew,	Gailey,	Heffner,	Price.
Breth,	George,	Knecht,	Stroup,
Foster.	Heavey,	Mihm,	Wescott,
Frascella,			Willard.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 603, entitled as follows:

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207) requiring the filing and certain municipal claims in the Municipal Court of Philadelphia

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Ewing,	Lovett,	Rovansek,
Amarando,	Farabaugh,	Lutty,	Royer,
Anderson, M. S.,	Fetterolf,	Magee,	Rudisill,
Anderson, S. A.,	Filo,	Mahan,	Scarcelli,
Andrews,	Fineman,	Markley,	Schuster,
Ashton,	Floyd,	Marsh,	Schwartz,
Auker,	Flynn,	Maxwell,	Seltzer,
Barton,	Fox,	McCann,	Sherman,
Bell,	Garlock,	McCormack,	Shields,
Blair,	Gelfand,	McGee,	Silverman,
Boies,	Gibb,	McInroy,	Smith,
Boory,	Gibson,	McKeever,	Snare,
Bower,	Goldstein,	McLaughlin,	Snider,
Bowman,	Goodling,	Merry,	Spray,
Brand,	Goodrich,	Metz,	Steckel,
Breisch,	Gramlich,	Mikula,	Stevens,
Brennan,	Gross,	Miller, B. Z.,	Stimmel,
Brenninger,	Guthrie,	Miller, H. G.,	Stone,
Breon,	Hamilton,	Miller, W. H.,	Stoner,
Brown,	Haudenshield,	Mills,	Strausser,
Bucchin,	Henzel,	Monroe,	Stuart,
Brucker,	Hocker,	Moody,	Taylor,
Buchanan,	Holt,	Moscrip,	Toll,
Capano,	Horst,	Moyer,	Thompson,
Carson,	Ide,	Muldowney,	Tompkins,
Cianfrani,	Isaacs,	Mullen,	Trusio,
Cioffi,	Jenkins,	Munley,	Ujobai,
Cleveland,	Jim,	Murphy,	Varner,
Comer,	Johnson,	Murray, H. P.,	Varallo,
Cooper,	Johnston,	Murray, P. G.,	Vaughan,
Cummins,	Jones, G. E.,	Musto,	Verona,
Curwood,	Jones, T. H. W.,	Naugle,	Wall,
Dalrymple,	Jump,	O'Brien,	Walsh,
Davis,	Kamyk,	O'Dell,	Wargo,
DeLong,	Kehler,	Ogilvie,	Weidner,
Dengler,	Keller,	Parry,	Welsh,
Dennison,	Kernaghan,	Pashley,	Wheeler,
Devlin,	Kooker,	Petrosky,	Whittaker,
Dietterick,	Kornick,	Phillips,	Willaredt,
Donahue,	Korns,	Piper,	Williams,
Donaldson,	Krakow,	Polaski,	Wilt,
Dougherty,	Lafore,	Pomeroy,	Wood,
Down,	Lee, A. M.,	Post,	Worley,
Duffy,	Lee, K. B.,	Pursley,	Wyatt,
Dunn,	Leonard,	Ragot,	Wynd,
Edwards,	Light,	Readinger,	Yatron,
Eilberg,	Limper,	Reidenbach,	Zimmerman,
Erb,	Lippincott,	Renwick,	Helm,
Eshleman,	Lopresti,	Rigby,	Speaker

NAYS—0

NOT VOTING—14

Agnew,	Gailey,	Heffner,	Price,
Breth,	George,	Knecht,	Stroup,
Foster,	Heavey,	Mihm,	Wescott,
Frascella,			Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 604, entitled as follows:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia * * * regulating the procedure therein and appeals therefrom and providing for the expenses thereof" further providing for the transfer of cases by and to the court of common pleas

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Ewing,	Lovett,	Rovansek,
Amarando,	Farabaugh,	Lutty,	Royer,
Anderson, M. S.,	Fetterolf,	Magee,	Rudisill,
Anderson, S. A.,	Filo,	Mahan,	Scarcelli,
Andrews,	Fineman,	Markley,	Schuster,
Ashton,	Floyd,	Marsh,	Schwartz,
Auker,	Flynn,	Maxwell,	Seltzer,
Barton,	Fox,	McCann,	Sherman,
Bell,	Garlock,	McCormack,	Shields,
Blair,	Gelfand,	McGee,	Silverman,
Boies,	Gibb,	McInroy,	Smith,
Boory,	Gibson,	McKeever,	Snare,
Bower,	Goldstein,	McLaughlin,	Snider,
Bowman,	Goodling,	Merry,	Spray,
Brand,	Goodrich,	Metz,	Steckel,
Breisch,	Gramlich,	Mikula,	Stevens,
Brennan,	Gross,	Miller, B. Z.,	Stimmel,
Brenninger,	Guthrie,	Miller, H. G.,	Stone,
Breon,	Hamilton,	Miller, W. H.,	Stoner,
Brown,	Haudenshield,	Mills,	Strausser,
Brucker,	Henzel,	Monroe,	Stuart,
Bucchin,	Hocker,	Moody,	Taylor,
Buchanan,	Holt,	Moscrip,	Thompson,
Capano,	Horst,	Moyer,	Toll,
Carson,	Ide,	Muldowney,	Tompkins,
Cianfrani,	Isaacs,	Mullen,	Trusio,
Cioffi,	Jenkins,	Munley,	Ujobai,
Cleveland,	Jim,	Murray, H. P.,	Varallo,
Comer,	Johnson,	Murray, P. G.,	Varner,
Cooper,	Johnston,	Murphy,	Vaughan,
Cummins,	Jones, G. E.,	Musto,	Verona,
Curwood,	Jones, T. H. W.,	Naugle,	Wall,

Dalrymple,	Jump,	O'Brien,	Walsh,
Davis,	Kamyk,	Ogilvie,	Wargo,
DeLong,	Kehler,	O'Dell,	Weidner,
Dengler,	Keller,	Parry,	Welsh,
Dennison,	Kernaghan,	Pashley,	Wheeler,
Devlin,	Kooker,	Petrosky,	Whittaker,
Dietterick,	Kornick,	Phillips,	Willaredt,
Donahue,	Korns,	Piper,	Williams,
Donaldson,	Krakow,	Polaski,	Wilt,
Dougherty,	Lafore,	Pomeroy,	Wood,
Down,	Lee, A. M.,	Post	Worley,
Duffy,	Lee, K. B.,	Pursley,	Wyatt,
Dunn,	Leonard,	Ragot,	Wynd,
Edwards,	Light,	Readinger,	Yatron,
Eilberg,	Limper,	Reidenbach,	Zimmerman,
Erb,	Lippincott,	Renwick,	Helm,
Eshleman,	Lopresti,	Rigby,	Speaker

NAYS—0

NOT VOTING—14

Agnew,	Gailey,	Heffner,	Price,
Breth,	George,	Knecht,	Stroup,
Foster,	Heavey,	Mihm,	Wescott,
Frascella,			Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 659, entitled as follows:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) regulating contract procedures and advertising for bids

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Farabaugh,	Lutty,	Rovansek,
Amarando,	Fetterolf,	Magee,	Royer,
Anderson, M. S.,	Filo,	Mahan,	Rudisill,
Anderson, S. A.,	Fineman,	Markley,	Scarcelli,
Ashton,	Floyd,	Marsh,	Schuster,
Auker,	Flynn,	Maxwell,	Schwartz,
Barton,	Fox,	McCann,	Seltzer,
Bell,	Gelfand,	McCormack,	Sherman,
Blair,	Gibb,	McGee,	Shields,
Boies,	Gibson,	McInroy,	Silverman,
Boory,	Goldstein,	McKeever,	Smith,
Bower,	Goodling,	McLaughlin,	Snare,
Bowman,	Goodrich,	Merry,	Snider,
Brand,	Gramlich,	Metz,	Spray,
Breisch,	Gross,	Mikula,	Steckel,
Brennan,	Guthrie,	Miller, B. Z.,	Stevens,
Brenninger,	Hamilton,	Miller, H. G.,	Stimmel,
Breon,	Haudenshield,	Miller, W. H.,	Stone,
Brown,	Henzel,	Mills,	Stoner,
Brucker,	Hocker,	Moody,	Strausser,
Bucchin,	Holt,	Monroe,	Stuart,
Buchanan,	Horst,	Moscrip,	Taylor,
Capano,	Ide,	Moyer,	Thompson,
Carson,	Isaacs,	Muldowney,	Tompkins,
Cianfrani,	Jenkins,	Mullen,	Toll,
Cioffi,	Jim,	Munley,	Trusio,
Cleveland,	Johnson,	Murphy,	Ujobai,
Comer,	Johnston,	Murray, H. P.,	Varallo,
Cooper,	Jones, G. E.	Murray, P. G.,	Varner,
Cummins,	Jones, T. H.,	Musto,	Vaughan,
Curwood,	Jump,	Naugle,	Verona,
Dalrymple,	Kamyk,	O'Brien,	Wall,
Davis,	Kehler,	O'Dell,	Walsh,
DeLong,	Keller,	Ogilvie,	Wargo,
Dengler,	Kernaghan,	Parry,	Weidner,
Dennison,	Kooker,	Pashley,	Welsh,
Devlin,	Kornick,	Petrosky,	Wheeler,
Dietterick,	Korns,	Phillips,	Whittaker,
Donahue,	Krakow,	Piper,	Willaredt,
Donaldson,	Lafore,	Polaski,	Williams,
Dougherty,	Lee, A. M.,	Pomeroy,	Wilt,
Down,	Lee, K. B.,	Post,	Wood,
Duffy,	Leonard,	Pursley,	Worley,
Dunn,	Light,	Ragot,	Wyatt,
Edwards,	Limper,	Readinger,	Wynd,
Eilberg,	Lippincott,	Reidenbach,	Yatron,
Erb,	Lopresti,	Renwick,	Zimmerman,
Eshleman,	Lovett,	Rigby,	Helm,
Ewing,			Speaker

NAYS—2

Andrews,	Garlock,

NOT VOTING—14

Agnew,	Gailey,	Heffner,	Price,
Breth,	George,	Knecht,	Stroup,
Foster,	Heavey,	Mihm,	Wescott,
Frascella,			Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 666, Printer's No. 211

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 737, entitled as follows:

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905) requiring the notation on certificates of title of the use of motor vehicles for rental purposes in certain cases and prescribing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Farabaugh,	Lovett,	Rovansek,
Amarando,	Fetterolf,	Lutty,	Royer,
Anderson, M. S.,	Filo,	Magee,	Rudisill,
Anderson, S. A.,	Fineman,	Mahan,	Scarcelli,
Andrews,	Floyd,	Markley,	Schuster,
Ashton,	Flynn,	Marsh,	Schwartz,
Auker,	Fox,	Maxwell,	Seltzer,
Barton,	Garlock,	McCann,	Sherman,
Bell,	Gelfand,	McCormack,	Shields,
Blair,	Gibb,	McGee,	Silverman,
Boies,	Gibson,	McInroy,	Smith,
Boory,	Goldstein,	McKeever,	Snare,
Bower,	Goodling,	McLaughlin,	Snider,
Bowman,	Goodrich,	Merry,	Spray,
Brand,	Gramlich,	Metz,	Steckel,
Breisch,	Gross,	Mikula,	Stevens,
Brennan,	Guthrie,	Miller, B. Z.,	Stimmel,
Brenninger,	Hamilton,	Miller, H. G.,	Stone,
Breon,	Haudenshield,	Miller, W. H.,	Stoner,
Brown,	Henzel,	Mills,	Strausser,
Bucchin,	Hocker,	Monroe,	Stuart,
Brucker,	Holt,	Moody,	Taylor,
Buchanan,	Horst,	Moscrip,	Thompson,
Capano,	Ide,	Moyer,	Toll,
Carson,	Isaacs,	Muldowney,	Tompkins,
Cioffi,	Jenkins,	Mullen,	Trusio,
Cleveland,	Jim,	Munley,	Ujobai,
Comer,	Johnson,	Murphy,	Varallo,
Cooper,	Johnston,	Murray, H. P.,	Varner,

Cummins,	Jones, G. E.	Murray, P. G.,	Vaughan,
Curwood,	Jones, T. H.,	Musto,	Verona,
Dalrymple,	Jump,	Naugle,	Wall,
Davis,	Kamyk,	O'Brien,	Walsh,
DeLong,	Kehler,	O'Dell,	Wargo,
Dengler,	Keller,	Ogilvie,	Weidner,
Dennison,	Kernaghan,	Parry,	Welsh,
Devlin,	Kooker,	Pashley,	Wheeler,
Dietterick,	Kornick,	Petrosky,	Whittaker,
Donahue,	Korns,	Phillips,	Williams,
Donaldson,	Krakow,	Piper,	Willaredt,
Dougherty,	Lafore,	Polaski,	Wilt,
Down,	Lee, A. M.,	Pomeroy,	Wood,
Duffy,	Lee, K. B.,	Post,	Worley,
Dunn,	Leonard,	Pursley,	Wyatt,
Edwards,	Light,	Ragot,	Wynd,
Eilberg,	Limper,	Readinger,	Yatron,
Erb,	Lippincott,	Reidenbach,	Zimmerman,
Eshleman,	Lopresti,	Rigby,	Helm,
Ewing,			Speaker

NAYS—2

Cianfrani,	Renwick.

NOT VOTING—14

Agnew,	Gailey,	Heffner,	Price,
Breth,	George,	Knecht,	Stroup,
Foster,	Heavey,	Mihm,	Wescott,
Frascella,			Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 216, entitled as follows:

An Act amending "The Administrative Code of 1929" entitled "* * *" empowering the chairman of the Board of Finance and Revenue to appoint a secretary and make certain rules and regulations

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1 (Section 405), page 3, line 3, by striking out the brackets before and after "board"

Amend Section 1 (Section 405), page 3, line 3, by striking out "chairman"

Amend Section 1 (Section 405), page 3, line 3, by striking out the brackets before and after "elect"

Amend Section 1 (Section 405), page 3, line 3, by striking out "appoint"

Amend Section 1 (Section 405), page 3, line 5, by striking out the brackets before and after "its"

Amend Section 1 (Section 405), page 3, line 5, by striking out "the board's"

Amend Section 1 (Section 405), page 3, line 6, by striking out "revocation" and inserting approval

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. LIPPINCOTT. Mr. Speaker, I desire to interrogate the gentleman from Berks, Mr. Readinger.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, will the gentleman state what these amendments do?

Mr. READINGER. I will be happy to do that. Senate Bill 216 as it now appears before us would remove from the Board of Finance and Revenue, as a board, the right to select a secretary and other employes and place that power in the hands of the chairman.

These amendments seek to put Senate Bill 216 back in the form of the law at the present time, to continue the Board as a board, as the group to make this choice. The amendments do not disturb the other amendment to the law made by Senate Bill 216, which provides that the Board's work shall be subject to revocation by majority of the Board, to adopt, prescribe and promulgate such rules and regulations as shall be necessary for the performance of the Board's functions and duties.

We have no objection to the secretary of the Board making such rules and regulations subject to revocation by the Board. So those amendments of 216 are being left in

But we are attempting to take out, by the amendments I just offered, this ripper provision which would transfer the appointing authority from the Board itself to the Chairman of the Board.

Mr. LIPPINCOTT. Mr. Speaker, is it not true that under the present law the Board of Finance and Revenue has the right to appoint the secretary, while this bill would put the power to appoint back in the chairman of the Board?

Mr. READINGER. This bill very definitely gives the chairman of the Board, who happens to be the State Treasurer, the power to name all the personnel for the Board's operation.

Mr. LIPPINCOTT. Is it not true that these amendments would completely negative that intention in the bill?

Mr. READINGER. There is no question about it.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. READINGER. The bill rips out and we would stop the ripper with these amendments.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. Speaker, I rise to oppose these amendments and since they are so closely related to the bill, I would also like permission to speak on the bill at the same time in the interest of brevity.

I oppose these amendments, first, because the complete purpose of the bill is changed by the amendments. In other words, as the gentleman frankly admitted, the purpose of the amendments is to put the law back into its present form, which would, of course, change the bill.

I say this is clearly in violation of the Constitution which states that no bill shall be amended during its passage through either House so as to change its original purpose. However, I am not raising that point. But I do say that is one reason to oppose the amendments.

I also oppose the amendments and ask the Members to vote for the bill in its present form on its merits. This bill authorizes the State Treasurer, as chairman of the five member Board of Finance and Revenue, to appoint the personnel of the Board and to make rules and regulations to supervise it.

Under the present law, as set forth in the Administrative Code, the State Treasurer is named by law as chairman of the Board of Finance and Revenue. He is, therefore, the responsible person on that Board.

Until last year the chairman always, as a matter of custom, named the secretary and personnel of the Board and had power to supervise them and to make rules and regulations.

I have been advised, there are members of both parties on the Board, and that the personnel of the Board is more or less in the nature of career personnel, many of them serving under both Democratic and Republican State Treasurers.

On April 6, 1956 the then Attorney General Cohen ruled that the chairman did not have the power to appoint or supervise but the Board did, even though the State Treasurer was named by law as the chairman. As a result, the secretary for a great many years, a Mr. Elmer Graham, an experienced career man, was asked to resign and was replaced by one Julius Brenner, who I understand resigned a couple of weeks ago, leaving a present vacancy on the Board.

The purpose of the present bill is to correct an obvious mistake in the Administrative Code as it is interpreted. to permit the chairman to appoint the secretary and personnel of the Board and to make rules and regulations subject to the approval of the Board. The amendments offered by Mr. Readinger, of course, would completely nullify the bill and return the law to its present bad situation.

We say that the present law is bad administratively since the State Treasurer as statutory chairman has the responsibility of running the Board but he has no power to supervise or deal with his own employes. We say someone has to be boss. Since the employes occupy space, use supplies of the Treasury Department, and are paid out of Treasury Department funds budgeted to the Treasury Department by the Legislature, we say that the State Treasurer should be the responsible person.

This bill without the amendments would not change the law that a majority of the Board determine all matters before it. In other words, the Board will pass on the decisions as a Board. We say that the present law as it has been interpreted is ridiculous from an administrative viewpoint. Therefore, I ask all Members to vote against the amendments and for the bill.

Mr. READINGER. Mr. Speaker, I think that is one of the weakest arguments in favor of a bill and against amendments I have ever heard.

The law since 1939 has been as it was up until this time, or is right now, without any change. It provides that the Board select a secretary and personnel.

I will grant that what the gentleman says is true. that probably the Chairman has been doing it. But that does not change the fact that whoever is appointed secretary and whoever the employes are, should not be obnoxious to the majority of that Board, because the Board must perform and it can only perform when it has employes with whom it can agree.

It just so happens that the State Treasurer now is a Republican. The next one, who will take office in May. is a Republican. The other four members of this Board are Democrats. I would like to know what the gentleman would argue if the shoe was on the other foot, if we had four Republicans on the Board and a Democratic State Treasurer. I suppose he would just reverse his argument at that time.

The first point made by the gentleman that we should not change a bill in the course of its passage to nullify it, is not well taken at all because by these amendments I have offered we are not taking out the rule-making amendment in Senate Bill 216.

I think we might as well be honest about this thing all the way through. This is, pure and simple, a ripper bill. If this bill passes and is signed by the Governor, which I seriously doubt, the Republican State Treasurer will name all of the people who are going to work for the Board and the Democrats on the Board are not going to have a word to say about it. It is just that simple.

The way the law is now, the Democrats are naming these people. The Democrats are in control of the Board. They are responsible for its functions and I say they should have the right to appoint the personnel because they are the ones who will be held responsible if this Board does not function well.

I do not know anything about the career man who has left or his successor who has since resigned. I do not know them. I do not know what kind of work they have been doing.

I say basically this is a ripper bill and if you vote for it, you are voting politically to rip out some powers the Democrats now hold and you want to transfer them to the Republicans.

Mr. Speaker, I ask for a slow roll call on the amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. READINGER and PETROSKY and were as follows:

YEAS—74

Amarando,	Filo,	McCann,	Scarcelli,
Anderson, M. S.,	Fineman,	McCormack,	Schwartz,
Anderson, S. A.,	Floyd,	McGee,	Sherman,
Andrews,	Flynn,	McKeever,	Shields,
Boles,	Garlock,	McLaughlin,	Silverman,
Boory,	Gelfand,	Monroe,	Smith,
Brennan,	Hamilton,	Mullen,	Snider,
Bucchin,	Holt,	Munley,	Stone,
Capano,	Jim,	Musto,	Taylor,
Cianfrani,	Jones, G. E.	O'Brien,	Toll,
Cioffi,	Kamyk,	Pashley,	Trusio,
Comer,	Kornick,	Petrosky,	Varallo,
Cummins,	Krakow,	Polaski,	Verona,
Curwood,	Leonard,	Readinger,	Walsh,
Devlin,	Limper,	Reidenbach,	Wargo,
Dougherty,	Lopresti,	Renwick,	Welsh,
Duffy,	Lovett,	Rovansek,	Wheeler,
Eilberg,	Lutty,	Rudisill,	Williams,
Farabaugh,			Yatron,

NAYS—120

Adams,	Erb,	Lafore,	Pursley,
Agnew,	Eshleman,	Lee, A. M.,	Ragot,
Ashton,	Ewing,	Lee, K. B.,	Rigby,
Auker,	Fetterolf,	Light,	Royer,
Barton,	Foster,	Lippincott,	Seltzer,
Bell,	Fox,	Magee,	Snare,
Blair,	Gibb,	Mahan,	Spray,
Bower,	Gibson,	Markley,	Steckel,
Bowman,	Goldstein,	Marsh.	Stevens,
Brand,	Goodling,	McInroy,	Stimmel,
Breisch,	Goodrich,	Merry.	Stoner,
Brenninger,	Gramlich,	Mikula,	Strausser
Breon,	Gross,	Miller, B. Z.,	Stuart,
Brown,	Guthrie,	Miller, H. G.,	Thompson,
Brucker,	Haudenshield,	Miller, W. H.,	Tompkins,
Buchanan,	Henzel,	Moody,	Ujobai,
Carson,	Hocker,	Moscrip,	Varner,
Cleveland,	Horst,	Moyer,	Vaughan,
Cooper,	Ide,	Murphy,	Wall,
Dalrymple,	Isaacs,	Murray, H. P.,	Weidner,
Davis,	Jenkins,	Murray, P. G.,	Wescott,
DeLong,	Johnson,	Naugle,	Whittaker,
Dengler,	Johnston,	O'Dell,	Willaredt,

Dennison,	Jones, T. H.,	Ogilvie,	Wilt,
Dietterick,	Jump,	Parry,	Wood,
Donahue,	Keller,	Phillips,	Worley,
Donaldson,	Kernaghan,	Piper,	Wyatt,
Down,	Knecht,	Pomeroy,	Wynd,
Dunn,	Kooker,	Post,	Zimmerman,
Edwards,	Korns,	Price,	Helm, Speaker

NOT VOTING—15

Breth,	Heavey,	Metz,	Schuster,
Frascella,	Heffner,	Mihm,	Stroup,
Gailey,	Kehler,	Mills,	Willard,
George,	Maxwell,	Muldowney,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I am rising now to oppose the passage of this bill.

I would like to point out that during the debate the gentleman from Delaware, Mr. Lippincott, spoke about the Chairman being the responsible person on ths Board. I do not know whether he means that other than the Chairman they are not responsible persons. Certainly the Chairman is not charged with the duty of running and operating the entire Board, nor performing all of its functions, so you have five responsible people on this Board.

By voting for this bill you vote to allow somebdy to make a choice of personnel, which personnel might be completely obnoxious to the other four members of the Board. If you vote for this bill, it will come back to haunt you some day.

I remember back in the days of the Earle administration and other administrations when various bills of this type were being proposed. I think it was during the Earle administration that a few ripper bills were passed and we were told then they would come back to haunt us, and they did. This one, too, will come back to haunt you some day, because we will have a Democratic State Treasurer again who will do the appointing and he will be kicking out everybody you might want on that Board. So I ask you again to vote against this bill.

Mr. LIPPINCOTT. Mr. Speaker, I thought we had concluded our debate before. I will say that when I stated the chairman is the responsible person on this Board, I meant that he, the State Treasurer, is appointed chairman by law.

There are a great many other Boards, and they are all set forth in the Administrative Code, in which the chairman is elected by the members of the Board. In this instance, there is no choice in the matter since the State Treasurer is automatically named chairman.

I say this is not a ripper bill. The purpose of this bill is to secure an efficient operation of a board that at the present time is in a bad situation with the chairman, as State Treasurer, having no authority whatsoever over the personnel. I say it is not good administration if you do not have someone as the responsible person.

Mr. READINGER. Mr. Speaker, recognizing the political stability of the opposition, I would be willing to take the last roll call vote in reverse.

The SPEAKER. The Chair thanks the gentleman.

Mr. LOPRESTI. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Lippincott.

The SPEAKER. Will the gentleman from Delaware, Mr. Lippincott, permit himself to be interrogated?

Mr. LIPPINCOTT. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, will the gentleman agree that the employes of this Board are employes of the entire Board and not just the chairman?

Mr. LIPPINCOTT. I would agree with that.

Mr. LOPRESTI. Does the gentleman from Delaware believe that in all cases where employes are to be hired by a Board, they should be hired by the chairman alone?

Mr. LIPPINCOTT. I would say not in all cases, but in this case the Board requires someone to supervise it currently. This Board is composed of the Attorney General, the Secretary of the Commonwealth, the Auditor General and the Secretary of Revenue. The direct supervision of the Board is in the Treasury Department, under the State Treasurer. It is in that department that the space is provided, the money is appropriated, and the supplies are used. He is the one, for example, responsible for refunds to farmers of the gasoline taxes. I understand there has been a considerable backlog in those refunds as a result of the lack of a secretary because of the ruling by the Attorney General.

Mr. LOPRESTI. Mr. Speaker, I would suggest the gentleman answer the questions and not debate the bill until after we are through, then if he has any further debate I would be willing to listen to it.

Is it not a fact that the Chairman of the Board can do nothing more than to carry into execution the decisions of the Board?

Mr. LIPPINCOTT. Mr. Speaker, I would say that is true, but he must carry them out through the personnel, and if that is his duty he should have the right to supervise them.

Mr. LOPRESTI. Then he, himself, has no power to take action without the Board's permission in other matters?

Mr. LIPPINCOTT. I agree. That is correct.

Mr. LOPRESTI. I thank the gentleman.

Mr. Speaker, it must be quite evident to everyone in the House that this is no more than another attempt at political action. I have repeatedly suggested to the Republican majority of this House that we quit playing politics and get down to the business for which we were elected.

I cannot call upon the good sense of the majority in these matters when they want to present them, but I would like to point out to them that they are merely wasting the time of the House and the time of the Senate on these particular bills.

I do not believe the majority is so foolish as to think that the Governor, under the present circumstances, would approve this bill. So I cannot see any other reason for it than to make political capital, and I think it is about time that we quit wasting the time of the House and the Senate with political matters.

Mr. BELL. Mr. Speaker, would the Minority Leader consent to be interrogated?

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. BELL. Mr. Speaker, is it not a fact that this Board

is composed of two elected officials and three members appointed by the Governor?

Mr. READINGER I think that is correct. The Attorney General, the Secretary of Revenue and the Secretary of the Commonwealth—three are appointed and two are elected. Treasurer and Auditor General are elected.

Mr. BELL. That is all. Thank you, sir.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—120

Adams,	Erb,	Lafore,	Pursley,
Agnew,	Eshleman,	Lee, A. M.,	Ragot,
Ashton,	Ewing,	Lee, K. B.,	Rigby,
Auker,	Fetterolf,	Light,	Royer,
Barton,	Foster,	Lippincott,	Seltzer,
Bell,	Fox,	Magee,	Snare,
Blair,	Gibb,	Mahan,	Spray,
Bower,	Gibson,	Markley,	Steckel,
Bowman,	Goldstein,	Marsh,	Stevens,
Brand,	Goodling,	McInroy,	Stimmel,
Breisch,	Goodrich,	Merry,	Stoner,
Brenninger,	Gramlich,	Mikula,	Strausser,
Breon,	Gross,	Miller, B. Z.,	Stuart,
Brown,	Guthrie,	Miller, H. G.,	Thompson,
Brucker,	Haudenshield,	Miller, W. H.,	Tompkins,
Buchanan,	Henzel,	Moody,	Ujobai,
Carson,	Hocker,	Moscrip,	Varner,
Cleveland,	Horst,	Moyer,	Vaughan,
Cooper,	Ide,	Murphy,	Wall,
Dalrymple,	Isaacs,	Murray, H. P.,	Weidner,
Davis,	Jenkins,	Murray, P. G.,	Wescott,
DeLong,	Johnson,	Naugle,	Whittaker,
Dengler,	Johnston,	O'Dell,	Willaredt,
Dennison,	Jones, T. H.,	Ogilvie,	Wilt,
Dietterick,	Jump,	Parry,	Wood,
Donahue,	Keller,	Phillips,	Worley,
Donaldson,	Kernaghan,	Piper,	Wyatt,
Down,	Knecht,	Pomeroy,	Wynd,
Dunn,	Kooker,	Post,	Zimmerman,
Edwards,	Korns,	Price,	Helm, Speaker

NAYS—74

Amarando,	Filo,	McCann,	Scarcelli,
Anderson, M. S.,	Fineman,	McCormack,	Schwartz,
Anderson, S. A.,	Floyd,	McGee,	Sherman,
Andrews,	Flynn,	McKeever,	Shields,
Boles,	Garlock,	McLaughlin,	Silverman,
Boory,	Gelfand,	Monroe,	Smith,
Brennan,	Hamilton,	Mullen,	Snider,
Bucchin,	Holt,	Munley,	Stone,
Capano,	Jim,	Musto,	Taylor,
Cianfrani,	Jones, G. E.	O'Brien,	Toll,
Cioffi,	Kamyk,	Pashley,	Trusio,
Comer,	Kornick,	Petrosky,	Varallo,
Cummins,	Krakow,	Polaski,	Verona,
Curwood,	Leonard,	Readinger,	Walsh,
Devlin,	Limper,	Reidenbach,	Wargo,
Dougherty,	Lopresti,	Renwick,	Welsh,
Duffy,	Lovett,	Rovansek,	Wheeler,
Eilberg,	Lutty,	Rudisill,	Williams,
Farabaugh,			Yatron,

NOT VOTING—15

Breth,	Heavey,	Metz,	Schuster,
Frascella,	Heffner,	Mihm,	Stroup,
Gailey,	Kehler,	Mills,	Willard,
George,	Maxwell,	Muldowney,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

STUDENTS OF MAYTOWN ELEMENTARY SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Maytown Elementary School of Lancaster County under the supervision of their teachers, Miss Mischlish and Miss Henderson. They are the guests of the gentlemen from Lancaster, Messrs. Wood, Eshleman, Royer and Murray.

BILL PASSED OVER

There being no objection

Senate Bill No. 281, Printer's No. 87

was passed over temporarily at the request of Mr. READINGER.

BILLS ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar Mr. WOOD.

The House resumed the consideration on third reading of House Bill No. 582, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) requiring the Budget Secretary to submit budget material to the chairman of the Committees on Appropriations of the House of Representatives and the Senate within a specfied time

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WOOD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 601), page 2, line 6, by inserting a bracket before and after "fifteenth" and inserting immediately thereafter: "first".

Amend Sec. 1 (Sec. 601), page 3, line 1, by inserting a bracket before and after "August" and inserting immediately thereafter: "July".

Amend Sec. 1 (Sec. 601), page 3, line 9, by inserting a bracket before "first" and after "November" and inserting immediately thereafter: "fifteenth day of September".

Amend Sec. 1 (Sec. 601), page 4, lines 8 and 9, by inserting a bracket before "November" and after "first" and inserting immediately thereafter: "September fifteenth".

Amend Sec. 1 (Sec. 601), page 4, line 10, by striking out "Within fifteen (15) days after receipt thereof" and inserting in lieu thereof: "Not later than November fifteenth of such even-numbered years".

Amend Sec. 1 (Sec. 601), page 4, line 11, by inserting after "shall" "in the case of information relating to existing programs and in the case of information relating to those proposed new programs and additions to the scope of existing programs approved by the Governor for administrative implementation or submission to the General Assembly."

Amend Sec. 1 (Sec. 601), page 4, lines 18 and 19, by striking out "Copies of all supplemental information and" in line 18, and all of line 19.

Amend Sec. 1 (Sec. 601), page 5, lines 1 to 3, by striking out all of lines 1 and 2, and "chairman of the Committee on Appropriations of the Senate" in line 3.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question.

Will the House agree to the amendments?

They were agreed to.

On the question.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOHNSON.

The House resumed the consideration on third reading of Senate Bill No. 140, entitled:

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

And said bill having read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Farabaugh,	Lovett,	Rudisill,
Agnew,	Fetterolf,	Lutty,	Scarcelli,
Amarando,	Filo,	Magee,	Schuster,
Anderson, M. S.,	Fineman,	Mahan,	Schwartz,
Anderson, S. A.,	Floyd,	Markley,	Seltzer,
Andrews,	Flynn,	Marsh,	Sherman,
Ashton,	Fox,	Maxwell,	Shields,
Barton,	Garlock,	McCann,	Silverman,
Bell,	Gelfand,	McCormack,	Smith,
Blair,	Gibb,	McGee,	Snare,
Boles,	Gibson,	McInroy,	Snider,
Boory,	Goldstein,	McKeever,	Spray,
Bower,	Goodling,	McLaughlin,	Steckel,
Bowman,	Goodrich,	Merry,	Stevens,
Brand,	Gramlich,	Metz,	Stimmel,
Breisch,	Gross,	Mikula,	Stone,
Brennan,	Guthrie,	Miller, B. Z.,	Stoner,
Brenninger,	Hamilton,	Miller, H. G.,	Strausser,
Breon,	Haudenshield,	Miller, W. H.,	Stuart,
Brown,	Henzel,	Mills,	Taylor,
Brucker,	Hocker,	Monroe,	Thompson,
Bucchin,	Holt,	Moody,	Toll,
Buchanan,	Horst,	Moscrip,	Tompkins,
Carson,	Ide,	Moyer,	Trusio,
Cianfrani,	Isaacs,	Muldowney,	Ujobai,
Cioffi,	Jenkins,	Mullen,	Varallo,
Cleveland,	Jim,	Munley,	Varner,
Comer,	Johnson,	Murphy,	Vaughan,
Cooper,	Johnston,	Murray, H. P.,	Verona,
Curwood,	Jones, G. E.	Murray, P. G.,	Wall,
Dalrymple,	Jones, T. H.,	Musto,	Walsh,
Davis,	Jump,	Naugle,	Wargo,
DeLong,	Kamyk,	O'Brien,	Weidner,
Dengler,	Kehler,	O'Dell,	Welsh,
Dennison,	Keller,	Ogilvie,	Wheeler,
Devlin,	Kernaghan,	Parry,	Whittaker,
Dietterick,	Kooker,	Pashley,	Willaredt,
Donahue,	Kornick,	Phillips,	Williams,
Donaldson,	Korns,	Piper,	Wilt,
Dougherty,	Krakow,	Polaski,	Wood,
Down,	Lafore,	Pomeroy,	Worley,
Duffy,	Lee, A. M.,	Post,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,	Lippincott,	Rigby,	Speaker
Ewing,	Lopresti,	Royer,	

NAYS—6

Auker,	Cummins,	Petrosky,	Renwick,
Capano,			Rovansek,

NOT VOTING—13

Breth,	George,	Knecht,	Stroup,
Foster,	Heavey,	Mihm,	Wescott,
Frascella,	Heffner,	Price,	Willard,
Gailey,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

REPORTS FROM COMMITTEES

Mr. KELLER from the Committee on Education, reported as committed, House Bill No. 847, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), prohibiting pupils from wearing shoes equipped with metal cleats while playing football.

Mr. THOMPSON from the Committee on Ways and Means, reported as committed, House Bill No. 1040, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228).

BILL ON FIRST READING

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent for House Bill No. 1040 to be read for the first time.

The SPEAKER. Will the House give its unanimous consent to the reading of this bill for the first time? Is there objection?

Mr. LOVETT. Mr. Speaker, may I inquire if the tax bill has been reported from the Ways and Means Committee?

The SPEAKER. The bill has been reported out but not read.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, I say to you today, let's be fair. The General Assembly of Pennsylvania has increased the salaries of its Members, which was very badly needed, but I feel since we as Members of the General Assembly in this house of democracy in Pennsylvania have received an increase in salary, therefore, we should not short-cut democracy.

The bill which has been reported to the House at this particular time is meaningless to my mind. I am going to ask after I finish my remarks, if the gentleman asks for first reading of this bill, that the gentleman rise and explain just exactly what this bill does.

I have not finished my remarks yet, so the gentleman can rest for a few minutes. I say to you that the intelligentsia is at work in Pennsylvania, the intelligentsia that worked on our tax program, that amended a six page bill to a 44 page bill just a week or so ago, is still at work in Pennsylvania.

I say to you gentlemen, let's be fair to the people of Pennsylvania. We are Members of the Legislature. We were elected by the people and sent here to work under a democracy which you cannot short-change.

I say to you in all fairness the short cuts, these hurries, the very things we are doing today, are what have our people of Pennsylvania confused. Everybody is confused. They try to make sense out of what we are doing, and it is impossible to make sense out of it. You and I can't make sense out of it.

So I say, let's be fair, let's take our time, let's do the things we should do as Members of the General Assembly.

Let's do them when we should do them and not be in a hurry.

Mr. JOHNSON. Mr. Speaker, I am sure that no one in Pennsylvania will criticize this General Assembly for trying to do an expeditious job. I wonder if the gentleman realizes that all over the nation many of the general assemblies which started in January have already finished their work.

The New York State Legislature adjourned Saturday night with a tremendous job done and with the adoption of a $1.6 billion budget for the State of New York. Nobody in the State of New York is saying the Legislature was rushing things through when they completed their session in just the months of January, February and March. Certainly nobody will criticize us for trying to do an expeditious businesslike job here this session.

There is nothing wrong with reporting out this skeleton bill. There is plenty of precedent for it in this General Assembly. We have reported out appropriation bills in skeleton form, and then have added to them agreed-upon amounts. We have done it and do it always on the highway omnibus bill. There are plenty of situations where we release a skeleton bill to the floor and amend it either on the floor or send it back to committee for amendment.

The reason we want to move this bill is to show good faith on the part of all parties. We are sitting and meeting with the Attorney General, representatives from the Governor's office, from the Senate, the minority, and we are going to meet later today and are hoping before the day is over to have agreed upon suitable amendments to place in the bill tomorrow on second reading.

We will save a legislative day that way and have the job done and wrapped up before we close for the Holy Week recess. I am sure both caucuses have heard about it this week.

There is nothing wrong with what we are doing. It is doing the job expeditiously. We are carrying out the good faith which was expressed in our meeting Sunday night with the Governor and in our meeting yesterday with the Attorney General. I do not believe anybody can criticize anyone for proceeding the way we have.

PERMISSION TO INTERROGATE

Mr. McCORMACK asked and obtained unanimous consent to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, just what is this bill?

Mr. JOHNSON. Was the gentleman listening?

Mr. McCORMACK. The bill was not read.

Mr. JOHNSON. Thank you. I think the question is reasonable. Yesterday we introduced a sales tax bill and it is House Bill No. 1040. The bill which is to be read for the first time merely says it is "An Act to amend the Act of 1956 as amended by" meaning the bill that is presently on the Governor's desk. Then it has an effective date in the bill.

The idea was to get the bill out and on the calendar tomorrow so that before this House we can offer and debate amendments to be placed in the bill which will be agreed upon by both the minority and majority party. It will save a legislative day, so that next week we will be here Monday, Tuesday and Wednesday. The thought is that the Senate would pass the bill finally next Wednesday, and it would save the House coming back here on Thursday of next week. That is the real reason for having the bill released today and read for the first time.

As I am saying, we hope before midnight tonight to have agreed with the Attorney General, the Governor's office and the minority on reasonable amendments to the bill, and they will be offered tomorrow on second reading.

Mr. McCORMACK. There are going to be amendments offered on second reading is that correct?

Mr. JOHNSON. That is correct. The plan is to offer amendments to the bill tomorrow which have been agreed upon between the minority, the majority and the Governor's office.

Mr. McCORMACK. Is the gen leman asking us now to vote on a bill, an amendment to an act, when we do not even have the amendments here?

Mr. JOHNSON. No. All we are doing is asking you to agree to the reading of a bill for the first time which has been reported out of committee.

Mr. McCORMACK. The bill is an amendment, is that correct, Mr. Speaker?

Mr. JOHNSON. Do I understand the gentleman correctly?

Mr. McCORMACK. Yes, I say this bill which was just reported out of committee is an amendment to an Act which has not been signed by the Governor, is that correct?

Mr. JOHNSON. The bill as reported out for the first time says that it amends the Act of 1956, and then there is a blank space where we will insert into the bill tomorrow the fact that it also amends the Act of 1957, the presumption being that the Governor will sign this bill, or let it become law without his signature, on Thursday. It is presently on his desk.

Mr. McCORMACK. The gentleman says the presumption is that he will, or that he will let it go into law without signing it? He will sign it or let it go into law without his signature? Is that the presumption?

Mr. JOHNSON. The gentleman can call it whatever he wants to.

Mr. McCORMACK. No, I am using the gentleman's language. Is that a presumption? I do not want to be technical — — —

Mr. JOHNSON. I would say we would not be spending many, many long hours in conferences on this matter only to have the Governor kill the bill on Thursday. If that is what he intends to do, we might as well tear up the the bill we just reported out of committee.

Mr. McCORMACK. In other words, Mr. Speaker, the gentleman does not know what the Governor is going to do, is that correct?

Mr. JOHNSON. I suggest the gentleman confer with the Governor or the Minority Leader.

Mr. McCORMACK. Frankly, I am not interested in what the Governor is going to do, I am interested in what we are going to do in this House.

Since the gentleman said there is a presumption that he is going to sign it, or that it is going to become law without his signature, I want to know on what facts the gentleman bases his presumption?

Mr. JOHNSON. I base the presumption on the good faith of all parties concerned.

Mr. McCORMACK. Was there an agreement reached,

then, that the Governor would sign the bill or allow it to come into law without his signature? Was there an agreement reached between both sides?

Mr. JOHNSON. I would say there is no agreement that the Governor is going to do one thing or another. I would say that everything we are doing is based on good faith. If that is not enough, then it is time we did something else.

Mr. McCORMACK. The gentleman says there is precedent for reporting a bill out and asking for first reading, is that correct?

Mr. JOHNSON. I would say we have read bills for the first time in this House since time immemorial when they are reported out of committee as committed.

Mr. McCORMACK. I want to refer the gentleman to a couple of the Rules of this House, Mr. Speaker, and ask whether I am interpreting the Rules correctly.

> Rule 13 of the House: "Every bill, after introduction and reference to committee, shall be printed."

Is the gentleman aware of that Rule?

Mr. JOHNSON. The bill is in print and is down in the bill room right now, if the gentleman wants a copy of it.

Mr. McCORMACK. The bill is in print? I am sorry Mr. Speaker—

Mr. JOHNSON. That is what I said, yes. The bill is in print and is down in the bill room.

Mr. McCORMACK. I see. Rule 39, which embodies Article III, Section 2 of the Constitution, says:

> No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the Members.

Mr. Speaker, if I were to tell the gentleman that the Members did not have the printed bill in committee today, would he say that that is a violation of the Constitution of Pennsylvania?

Mr. JOHNSON. The gentleman did not read the last sentence of Rule 39, which says:

> Bills shall not be considered beyond first reading until the latest print thereof is on the desks of the Members.

I say we have answered the requirements of our Constitution by reason of the fact that the bill is presently in print and is down in the bill room. If any Member would like the bill, he can go down and get a copy of it. So we have answered the requirement of the Constitution.

Mr. McCORMACK. Mr. Speaker, Rule 41 says:

> Bills amending existing laws shall indicate present language to be omitted by placing it within brackets — — —

That is an interpretation of the Constitution, Article III, Section 6.

This amendment does not bracket any amendments to existing law, does it?

Mr. JOHNSON. Mr. Speaker, if the gentleman wants to be technical about this—

Mr. McCORMACK. I am not being—

Mr. JOHNSON. If the gentleman wants to be an obstructionist and destroy the good faith and feeling which is prevailing despite the vitriolic situations which occurred here last week, he can go ahead and do it. We feel we are proceeding in a proper way with good faith, and I think the gentleman to stand here and question that good faith is certainly not in keeping with good parliamentary practice.

Mr. McCORMACK. I want to say, Mr. Speaker—

Mr. ANDREWS. Would the gentleman from Philadelphia yield?

The SPEAKER. Will the gentleman from Philadelphia, Mr. McCormack, yield to the gentleman from Cambria, Mr. Andrews?

Mr. McCORMACK. I shall, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I think perhaps I may be able to say something to clear up this situation.

First, I want to tell the Members of the House on both sides that in this matter now pending the Republican leadership is playing in absolutely good faith. There was, as you all know, a conference last Sunday evening in the Governor's Mansion.

Certain understandings were arrived at. It was understood that the Republican leadership would not accept any amendments in so far as the tax levying portions of the bill were concerned.

It was pointed out by the Attorney General and others who were at that conference that there were portions of the bill which as written impeded collection, made it difficult to collect. It was understood there would be a conference at which certain procedural amendments would be agreed upon.

It was further agreed that these amendments would be formulated and started on their way before the time came for the Governor to act upon the bill.

Now these amendments are desirable amendments from our point of view. We regret that we have not been able to amend some of the portions of the tax levying sections of the bill. The measure will be greatly improved procedurally by these amendments. Whether the Governor signs the bill or does not sign the bill, lets it become a law without his signature, does not have any application in the present situation.

The only thing is that we agreed on our side and the Republicans agreed on their side that, before the time came for the Governor to act, he should know what amendments the majority was willing to write into this bill. Tomorrow those amendments will be in shape. They will be an improvement on the bill and they will be in such shape that the Governor will know what changes in the bill have been made. With that knowledge in his possession, the range and sweep of the amendments, then the final decision as to what he does rests with the Governor.

It has been a proceeding in keeping with the highest traditions of this House so far as legislative procedure is concerned. It is a situation in which the good faith of the leadership on both sides of the House, in so far as the amendments are concerned, has been demonstrated.

I want to commend the majority for so quickly complying with the suggestions that amendments be made concerning the procedural aspect of the bill.

I can assure the gentleman from Philadelphia that this procedure is in no way in derogation of correct procedure. Indeed, it is in line with correct procedure and

it enables the Governor to have the final word as to how far the majority leadership in this House will go, along with the majority party, in suggestions concerning the amendments that go into the bill.

Mr. McCORMACK. Mr. Speaker, I have no further interrogation and I thank the Minority Whip for the anaylsis. I appreciate it and it satisfies me.

PERMISSION TO INTERROGATE

Mr. AUKER asked and obtained unanimous consent to interrogate the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Will the gentlman from Cambria, Mr. Andrews, permit himself to be interrogated?

Mr. ANDREWS. I shall, Mr. Speaker.

Mr. AUKER. I would like to ask the gentleman when this conference was held on the so-called high levels of both parties—that if these amendments pass, which are supposed to be introduced tomorrow on this particular bill, whether or not the Governor gave any indication whatsoever of what action he would take then on Bill 337, commonly known as the Sales Tax Bill?

Mr. ANDREWS. No such assurance was asked. No question was propounded. The Governor's ultimate decision is a decision in keeping with his own conscience. The majority did not demand to know what the Governor would do. The majority conceded that the Governor was entitled to know to what extent the bill would be amended before he made his final decision. It would have been incorrect for the leadership then to have dictated a final decision insofar as the executive branch of the government is concerned.

Mr. AUKER. I would like to ask the gentleman if these amendments as drawn, and as they will be introduced, would meet with the approval of the Governor in so far as his criticism of the sales tax bill is concerned as to the enforcement provisions of this bill.

Mr. ANDREWS. What is the gentleman's question?

Mr. AUKER. In other words, will the Governor know what these amendments are before they are introduced and will they have his definite approval before they are introduced?

Mr. ANDREWS. The amendments that will be offered will be amendments concerning procedure that have been agreed upon by the leadership in the legislative branch of the government. We do not know as we stand here whether this House will or will not adopt the amendments that will be proposed, but the majority party, as an evidence of good faith, is endeavoring to submit to the Governor their ultimate concession in so far as amending the pending tax bill is concerned. That is their ulitmate concession. Then it will be up to the Governor, consulting his conscience, to reach his decision.

We have no right to stride into the Governor's office and say, Governor, you must do this, anymore than the Governor has a right to stride into this Chamber, thinking he can command our action.

Mr. AUKER. Mr. Speaker, I thoroughly agree with the gentleman so far as that part of it is concerned.

What I am trying to get at is that there seem to have been meetings on high levels. The Governor was a part of those meetings. It is in response to his criticisim that these amendments are being offered and I want to know whether or not these amendments meet with the Governor's approval.

It seems to me that these amendments are being offered as a result of his specific criticism of the bill in reference to the enforcement part of the Tax Act, and I would like to ask the gentleman whether or not the Governor should have knowledge of and approve those amendments before they are introduced?

Mr. ANDREWS. Mr. Speaker, I have endeavored to answer the question. I cannot supply the gentleman with the mental powers to appreciate the answer, but I will try again.

In so far as the procedural amendments are concerned, a properly accredited spokesman for the Governor is in agreement with the procedural amendments that will be submitted. Whether the Governor's objections to other features of the bill lead him to the conclusion that he will act so and so remains to be seen. But the amendments that will be submitted, will be amendments to which a spokesman for the Governor and the leaders of the majority party have agreed.

Mr. AUKER. That is all I wanted to konw, Mr. Speaker.

Now one further question. Has there been any indication whatsoever on the part of the Governor or anybody representing the Governor, any indication in any way, shape or form, that if these amendments are adopted, the Governor will sign the sales tax bill that is on his desk?

Mr. ANDREWS. There absolutely has been no—

Mr. O'BRIEN. I would like to be recognized, Mr. Speaker.

The SPEAKER. The gentleman from Cambria has the floor.

Mr. O'BRIEN. There is nothing that stops the Speaker from recognizing somebody under a—

Mr. ANDREWS. I do not yield as long as the gentleman from Blair has the floor for the purpose of interrogation. As soon as the gentleman from Blair yields, or if the gentleman from Blair will yield to the gentleman from Philadelphia, or he can maintain his position,—

The SPEAKER. The Chair will rule that until the interrogation has been completed—

Mr. ANDREWS. After the gentleman from Blair has finished his interrogation, then if the gentleman from Philadelphia desires to interrogate, I will endeavor to answer.

Mr. O'BRIEN. Mr. Speaker—

Mr. ANDREWS. I refuse to yield, Mr. Speaker.

Mr. O'BRIEN. I rise to a parliamentary inquiry—

The SPEAKER. The gentleman is out of order. The gentleman from Cambria has the floor and has refused to yield. The gentleman will proceed with his interrogation.

Mr. O'BRIEN. Mr. Speaker—

The SPEAKER. The chair has not recognized the gentleman from Philadelphia. The gentleman from Cambria, Mr. Andrews has the floor and is attempting to answer an interrogation. The gentleman will proceed.

Mr. AUKER. Just one more question, Mr. Speaker, if I may. I would like to ask the gentleman, since these parleys and conferences have gone on, whether in his opinion there should not have been some indication from the Governor that, with the adoption of these amendments for which he and his party have asked and to which the majority party has agreed, he would act favorably on the bill.

Mr. ANDREWS. In reply to that, I say that it was the opinion of those who participated in the conference that no effort be made to obtain any final commitment as to the Governor's action, by reason of the fact that the spokesmen for the various parties recognized the final decision was an administrative decision and it was not in line with the purposes of the conference to demand a "yes" or "no" answer from His Excellency, the Governor.

Mr. AUKER. That is all, Mr. Speaker. I thank the gentleman.

The SPEAKER. Does the gentleman from Philadelphia, Mr. O'Brien, desire to be recognized?

Mr. O'BRIEN. Yes, I do, Mr. Speaker.

The SPEAKER. Has the gentleman from Cambria, Mr. Andrews, concluded his remarks?

Mr. ANDREWS. I did not understand whether the gentleman from Philadelphia arose to a point of order, a parliamentary inquiry, or for the purpose of interrogation.

Mr. O'BRIEN. I rose on the question of parliamentary inquiry. I think the two previous speakers were talking on a presupposition, and I think you, Mr. Speaker, should have recognized me and pointed out the fact to them that you just cannot presuppose what amendments are going to be offered tomorrow. They were wasting the time of the Legislature.

I call your attention to the fact that you should have recognized me under a parliamentary inquiry in spite of the fact that there was interrogation going on. The Parliamentarian is slipping if he would not direct you in that connection. I say to you that we presuppose what amendments are going to be offered. The only thing before this House is consent to read the bill for the first time. All of this has been just a lot of wishy-washy wasting of time.

The SPEAKER. For the information of the gentleman from Philadelphia, the interrogation was carried out under unanimous consent. Until that interrogation was completed the gentleman had no right to interrupt it without the consent of the persons who had the floor.

Mr. O'BRIEN. All I can say to you, Mr. Speaker, unfortunately this is the first time in my experience as a Legislator that we do not have a manual, but I can quote 500 times circumstances wherein we were discussing and asking permission to act on first reading on this particular bill, there should not be any presupposition of any amendments being offered tomorrow.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, when I arose a few minutes ago I was condemning the other side of this House for the action being taken at this particular time. I find out from my Whip that we have agreed with those actions. I did not know that before. Now I am going to condemn both sides of this House, at least, our leadership on this side of this House. If they have agreed to this action, they have not informed their Members to that effect.

The Majority Leader admits here on this floor there are going to be amendments to the bill which is now on the Governor's desk. Now, I say to you and I say to you Members here, in all fairness the proper thing to do is to recall this bill from the Governor. Then the deadline within which the Governor has to veto or sign no longer exists, the bill is back in our hands. If we agree that amendments should be put into the bill, why don't you do the right thing? Why don't you recall the bill from the Governor? Why don't you save the time of the House and recall the bill from the Governor and put your amendments in it? Then we will see what the Governor will do with the bill.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. Speaker, as one of the condemned leadership I would like to say there has been no agreement on this side that the skeleton bill would be reported out and the the amendments offered tomorrow, and so forth. That is a matter which has been decided by the majority of this House.

All of the remarks made by Mr. Andrews related to an agreement concerning the fact that the majority of the House and Senate would sit down with the administration and consider various procedural amendments to this Sales Tax Act.

The decision to move this bill as rapidly as it is being moved was the decision of the majority and not of the minority. I say that the gentleman from Westmoreland is confused in his thinking when he assumes that the agreements spoken about by Mr. Andrews included an agreement to move ahead at this rapid pace.

I am not complaining. I am not opposing the fact that you are doing as you are doing, but I did not enter into an agreement that it should be done that way. We were told that was the way it was going to be.

As I say, I have no objection if you want to be in a position to offer thes amendments tomorrow. That is your business. You have decided to do it. If you did not do it that way, it would probably delay the matter perhaps, the passage of these amendments or the rejection of them, until after our Holy Week recess. You have decided you do not want that long delay, so you have made the decision.

But when the gentleman from Westmoreland condemns us on this side for making an agreement, I say he is in error because it was not an agreement in that respect, it simply was a statement that we are not going to oppose what you are doing.

PERMISSION TO INTERROGATE

Mr. FILO asked and obtained unanimous consent to interrogate the gentleman from Blair, Mr. Auker.

The SPEAKER. Will the gentleman from Blair, Mr. Auker, permit himself to be interrogated?

Mr. AUCKER. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, I feel the questions put forth to our Minority Whip, Mr. Andrews, about what the Governor is going to do with the sales tax, if and when this bill is amended, were unfair.

I am going to ask the gentleman just to answer me one question:

How is the gentleman from Blair, Mr. Auker, going to vote on these amendments?

Mr. AUKER. Mr. Speaker, I think the gentleman is entirely out of order in asking me how I am going to vote on something that has not even been proposed in the House as yet. I cannot answer that question. I would

not even try to answer it, and neither would he under the same circumstances.

Mr. FILO. Mr. Speaker, by the same token, how is the Governor of Pennsylvania going to make a decision on a sales tax they expect to amend? How is he going to make that same decision without knowing what is going to happen with these amendments?

Mr. AUKER. Mr. Speaker, I can answer that question in this way, that was why I was trying to find out certain things as to what has happened in these conferences. As I understand it, the Governor was either there himself or had someone at this conference who had authority to speak for him. The amendments which were being considered were resulting entirely and directly from some of his main criticisms of the sales tax bill as passed by this House.

I would say further on this score, if the conference agreed certain amendments would be offered and if both sides of the House were going to be asked then to vote favorably on those amendments, and the Governor knowing, or being in a position to know, exactly what those amendments would be, he would have every right to say, knowing what was going to be in the final sales tax bill, how he would act on that bill. I think we have the right to have that answer from him before we vote on these amendments.

Mr. FILO. Mr. Speaker, I thank the gentleman.

The only thing that I can add is that Mr. Auker be appointed on this conference committee the next time.

PERMISSION TO INTERROGATE

Mr. LOPRESTI asked and obtained unanimous consent to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, not that I think it is pertinent to the debate, but the gentleman has injected into the debate the fact that the New York Legislature has already adjourned.

At this point, so that there will be no misconception, I would like to know whether the New York Legislature is working on annual sessions or on biennial sessions?

Mr. JOHNSON. They are an annual sessions and it is statutory that they must adjourn before the first of April.

Mr. LOPRESTI. That is correct. The budget to which the gentleman referred, would he state whether that was an annual budget or not?

Mr. JOHNSON. Their budget is an annual budget of $1.6 billion which was just adopted.

Mr. LOPRESTI. Would the gentleman therefore agree that his remarks, in so far as this particular debate is concerned, were out of order, or perhaps not pertinent, irrelevant and immaterial?

Mr. JOHNSON. No, I will not agree to that. I say this, a great state like New York with a $1.6 billion budget, even though by law they must quit by April 1st, shows that the job can be done by expeditious work and tending to business during that three-months period. There is no reason why, perhaps, this Legislature cannot eventually get around to where we could do the job in three months even on a two-year basis.

Mr. LOPRESTI. Mr. Speaker, does the gentleman suggest we are in proper order by comparing an annual session with a biennial session and an annual budget with a binnial budget? Would that be in order, making such a comparison?

Mr. JOHNSON. The answer is that we have already sent to the Senate a constitutional amendment passed by this House, we all voted for it, providing for annual sessions of the Legislature.

Mr. LOPRESTI. The gentleman evades the question, Mr. Speaker. I am asking whether he thinks it is proper to compare annual sessions with biennial sessions?

Mr. JOHNSON. I would say it is proper within the field in which I made the comparison, that in three months' time a great state like New York working expeditiously can do the job and pass a $1.6 billion budget.

Mr. LOPRESTI. I thank the gentleman.

Mr. LOPRESTI. Mr. Speaker, perhaps I am going to be called down for saying what I am going to say, but, nevertheless, one of my first lessons in logic was that you do not argue——(Expunged)

Mr. JOHNSON. I think that was a very unkind remark and I think it should be expunged from the record.

The SPEAKER. The gentleman from Cambria well knows that personalities are not permitted in debate. The remark should not have been made.

The Chair recognizes the gentleman from Cambria, Mr. Lopresti.

Mr. LOPRESTI. Mr. Speaker, I believe that is proper. I am wrong and I agree they should be expunged from the record, but I still think, however, that the gentleman is not willing to reason. Let us put it that way.

The SPEAKER. The Chair thanks the gentleman.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, our Floor Leader said I was somewhat confused. I would say most of you are confused if you would admit it. There could be no misinterpretation in my mind on what my Whip said on my side of the House, that you fellows were doing the right thing, and doing a very good job, and that he agreed with that.

I do not think I misheard the gentleman, and I say again that if my side was party to what you are doing today I condemn them, regardless of who did it.

If I may have permission, I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman admit that they are going to amend this bill which is on the Governor's desk?

Mr. JOHNSON. The bill we are reporting from committee for the first time, if it finally passes, will be a bill to amend the Act of 1956, as amended by the Act of 1957, that is correct.

Mr. LOVETT. The gentleman agrees he is going to amend the Act of 1957?

Mr. JOHNSON. The Act of 1956 as amended by the Act of 1957, so you are correct. We would be amending the bill on the Governor's desk after he has signed it and it becomes law.

Mr. LOVETT. May I ask the gentleman, Mr. Speaker, if in his mind there would be any time lost—. May I

first ask the gentleman, if he recalled the bill from the Governor's desk, then the deadline on the number of days the Governor has to sign or veto the bill would not be in effect? Is that correct?

Mr. JOHNSON. That is correct.

Mr. LOVETT. May I then ask the gentleman how long a period of time he thinks it would take to recall the bill from the Governor's desk, have this House put the amendments into the bill and send it back to the Governor? Could it be done in less time, or how much more time would it take to do it this way?

Mr. JOHNSON. I would say you could probably recall the bill and amend it in about the same length of time as the way we are proceeding, but we have elected to proceed in this manner and that is the way we hope to do it.

Mr. LOVETT. Then the gentleman will admit that there is no time saved by the method in which he has finally agreed to proceed?

Mr. JOHNSON. That is correct, to recall the bill from the Governor's desk, I believe the procedure would be to recall the bill and then reconsider the vote by which we agreed to the amendments inserted by the Senate. Then the question would recur, will the House agree to the amendments inserted by the Senate, and we would have to vote we do not agree. It would then go back to the Senate. The Senate would then, no doubt, vote that they insist on their amendments. It would come back here and we would insist on our non-concurrence and request a committee of conference. The Senate would do likewise, and the first thing you know the bill would be in conference and would—goodness knows how long that would take. I was on a conference committee last session on a bill that was wide open and I certainly do not hope to be on another one like it.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if the Senators were included in this meeting with the Governor, the Attorney General and the Members of this House?

Mr. JOHNSON. On the meeting with the Governor on Sunday evening the leaders of both the House and the Senate, majority and minority, were present. Yesterday at the meeting with the Attorney General there were present members of the House leadership and the Senate leadership on the majority side. We met for approximately three hours yesterday morning, took up each portion of the enforcement phases of the bill section by section and in detail. We explained the reason for the Republican amendments to the bill, we heard the Attorney General's reasons for areas in which they disagreed, and we reconciled, I would say, very pleasantly the areas in which there was agreement.

On some issues the Republicans gave in, on others the Attorney General gave in, and after the meeting was over, after the three hour conference, we all stood up and shook hands with each other and stated it was a very fine meeting, that great progress had been made, unbelievable progress had been made.

The understanding was that the young Deputy Attorney General who was present at the meeting would reduce the agrements to writing, and we have all the agreements now in our possession and we intend to meet with House and Senate leaders this evening to go over the draft with a view of having the amendments inserted in the bill tomorrow.

Mr. LOVETT. Mr. Speaker, may I say that the gentleman is more or less misleading this House when he says the bill would take all this time in having the Senate non-concur, having the House non-concur and sending it back to the Senate and the Senate insisting on its amendments, and then appointing a conference committee. The gentleman well knows if that agreement is true, the bill would go back to the Senate, the Senate would put the amendments they have agreed upon into this bill and then it would come back to this House for concurrence. The gentleman well knows that.

Mr. JOHNSON. I beg to differ with the gentleman. The amendments could only be inserted under our Rules in a committee on conference.

Mr. LOVETT. Mr. Chairman, I still insist if all the agreements have been reached, there would be no need for any delay and the time would not be any greater than to do it the way he is doing it today, which I say is not good procedure.

PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker, I believe the air has been considerably clarified. It puts me in mind of a story of the very well-known inebriate whose wife could not correct him. He would go home night after night pretty well under the influence of intoxicating beverages. She continually nagged him, and nagged him, and nagged him, but it did no good.

He came home one night in good shape, ate his dinner and started out. She thought, I'll fix him. So she followed him out, and from the time he entered the corner taproom she was right after him. When he had his little beverage in front of him, she had one like it. He sipped his, and she drank hers, made some awful faces and gurgled and gagged. He turned around and looked at her and said, "Well, I guess you were mistaken. You thought all this time I was having a good time."

The SPEAKER. Will the House give its unanimous consent to the reading of this bill for the first time? Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1040 entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228).

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES

Mr. KNECHT from the Committee on Education, reported as committed, House Bill No. 501, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) increasing maximum limits on per capita taxes with certain limitations.

Mr. BRUCKER from the Committee on Cities—Counties, First—Second and Second Class A, reported as amended. House Bill No. 634, entitled:

An Act amending the "First Class City Home Rule Act," approved April 21, 1949, (P. L. 665), imposing limitations

on the salary of members of city council or other legislative body.

Mr. VAUGHAN from the Committee on Cities—Counties, First—Second and Second Class A, reported as committed, House Bill No. 852, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), authorizing recorders of deeds to appoint solicitors.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. JUMP. Asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

MEMBERS OF PHILADELPHIA SETTLEMENT AND NEIGHBORHOOD CENTERS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation from the Philadelphia Settlement and Neighborhood Centers, the City of Philadelphia. They are the guests of the entire Philadelphia delegation in the House of Representatives.

BILL ON THIRD READING

Mr. READINGER. Mr. Speaker, I call up on page 4 of today's calendar, bills on third reading, Senate Bill No. 281.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 281, entitled as follows:

An Act amending the act of June 1, 1956 (Appropriation Acts page 120 Act No. 150-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five" decreasing appropriations to the Department of Revenue.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Lancaster, Mr. Wood.

The SPEAKER. Will the gentleman from Lancaster, Mr. Wood, permit himself to be interrogated?

Mr. WOOD. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether this bill does not reduce the appropriation made to the Revenue Department for the present biennium by the sum of $5 million?

Mr. WOOD. That is correct.

Mr. READINGER. I desire to ask the gentleman whether he received from the Budget Secretary a letter dated March 20th in which he was given notice of certain lapses of appropriations totalling $9,166,714.96, which amounts are being lapsed by action of the Budget office and the administration?

Mr. WOOD. I did, Mr. Speaker.

Mr. READINGER. May I ask the gentleman whether or not the amount of lapse for the Department of Revenue in that letter was set forth at $3,100,000?

Mr. WOOD. I do not have the figures with me, Mr. Speaker.

Mr. READINGER. Will the gentleman take my word for it, that that was included in the list?

Mr. WOOD. I will take the gentleman's word for it.

Mr. READINGER. May I ask further whether this $5 million involved in Senate Bill 281 before us would not mean that a further lapse of $1,900,000 would take place if this bill were passed?

Mr. WOOD. That is correct.

Mr. READINGER. Now may I ask the gentleman why we should vote for this bill, lapsing an additional $1,900,000 in addition to the amounts already lapsed? How is this justified?

Mr. WOOD. Well, we figured that a different way, I guess, than they did.

Mr. READINGER. I did not hear the gentleman.

Mr. WOOD. I guess we figured that a different way than the Budget office did.

Mr. READINGER. Well, I am asking the gentleman, if he will, to justify and to inform this House why we should vote for an additional lapse of $1,900,000 for the Department of Revenue. We are certainly entitled to some figures to base a judgment upon.

Mr. WOOD. First we took $1.5 million from the appropriation to the Department of Revenue for all activities under the General Fund, except escheats and the operation of the sales tax bureau.

January 31, according to the statement of the Office of Administration—these are on an accrual basis, which is supposed to include all commitments, there was an unexpended balance of $2,692,677 in this item for the remaining four months of this biennium.

On February 28th the balance was $2,441,860.32, showing that only $250,817 was spent during the month of February. Multiply that amount by three the number of months still remaining and the salaries and expenses for March, April and May would amount to no more than $750,000.

If you subtract $750,000 from the $2,441,000 balance on February 28, you get a balance of $1,691,000. We propose to lapse $1,500,000 of that figure.

Now in the Sales Tax Bureau, on January 31, there was a balance $4,511,845 in the appropriation for this Bureau. On February 28, the balance was $4,230,152 indicating $281,693 was spent during February.

We propose to take $3,200,000 from this appropriation, or leave the Department $1,030,152 to operate during the months of March, April and May.

If the expenditures in those months average those in February, the total will be $845,679, leaving a cushion of $185,000 for any unforseen increase in expenses.

We also took $200,000 off of escheats. That makes up the $5 million.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Auker.

The SPEAKER. Will the gentleman from Blair, Mr. Auker, permit himself to be interrogated?

Mr. AUKER. I will, but I do not know what about.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether he understands the reasons for voting

for or against Senate Bill 281 which is now before us?

Mr. AUKER. Mr. Speaker, any time I see a decrease in appropriations for any department, I will vote for it. It does not matter whether it is Republican or Democratic.

Mr. READINGER. May I ask the gentleman further whether he would vote for it if he did not feel that the decrease in appropriation should be made? Or was not founded on good reason?

Mr. AUKER. I feel that they should be made and I feel that they evidently are on a good sound basis or they would not have been reported out.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether he understands the figures which have just been given by the House Appropriation Chairman to this House?

Mr. AUKER. I understood the figure of $5 million. I have read the bill. I am not too familiar with the other figure, the $1.5 million that the speaker mentioned.

Mr. READINGER. One further question, would the gentleman state categorically that the Department of Revenue does not need this $1,900,000 which is being taken from it for the rest of this biennium?

Mr. AUKER. Based on what I feel has been adequate research by the Appropriations Committee, I would say that would be correct, that they do not need it. Otherwise, it would not have been taken away from them.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, the Budget Office is set up by law to handle budgetary matters, to keep in close touch with the amounts of money that are available to the various departments, the controls over the spending of it, and so forth.

Our Budget Office has already lapsed by its action under the law $3,100,000 of the appropriation made to the Department of Revenue. Now it is true that if the department does not spend the amount of its appropriation during the biennium for which it was given, it lapses. So would this $1,900,000 involved in this bill lapse if it were not needed by the department.

What are we doing again today? We are passing a bill, or voting on a bill which, contrary to the advise of the Budget Office, would cut and lapse further funds from the Department of Revenue and we do not know what we are doing. We do not know whether it is going to be necessary to have some of those funds available or not.

I bet there is not one man in this House, other than Mr. Wood, who has any figures which would justify a decision to do this in opposition to the suggestion made by the Budget Office that we should not make further lapses until the end of the biennium when we will know how much money is left.

What this will save, if anything, I have not the slightest idea. Certainly if the ordinary functions of the Department of Revenue cannot continue without this money, they are going to come back here and ask you for a deficiency appropriation.

To me it does not make good sense to pass this bill without knowing any more about it than we do, when the money that we are talking about is going to lapse anyway at the end of the biennium.

I am asking the membership of the House to vote against this bill.

Mr. WOOD. Mr. Speaker, I would like to say that when we had the Secretary of Revenue before our committee we asked him whether he could get along with this $5 million, and he said he could live with it.

I would like to interrogate the gentleman from Berks, Mr. Readinger.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

Mr. WOOD. I would like to ask the gentleman how he expects to pay these deficiency bills, where we are going to get the money from, if we lapse these appropriations?

Mr. READINGER. Which deficiency bills?

Mr. WOOD. Well, we passed three. House Bill 8, House Bill 478 which is Public Assistance and House Bill 479, the Labor and Industry bill, Occuptional diseases, which have a total of $9,372,548.

Mr. READINGER. I have already stated to the House earlier that the total lapses instituted by the administration itself under this letter of March 20, 1957, totalled $9,166,714.96. That total seems to be higher than the total used by the gentleman for deficiencies.

Mr. WOOD. Mr. Speaker, we understand on this side of the House that the administration cannot decrease an appropriation. Nobody can do that but the Legislature, we have to pass a bill to do that. The Budget Department has no authority to lapse any money.

Mr. READINGER. I will read from the letter of the Budget Secretary of March 20th:

> "Dear Mr. Wood:
>
> "I am transmitting herewith a detailed list of lapsed appropriations totalling $9,166,714.96. These lapses are being submitted to the fiscal offices on the appropriate forms today. This will make the lapses official and the amounts shown on the attached schedule will no longer be available for expenditures."

I do not profess to be a budget analyst or a budget expert, but I assume that the Budget Secretary knows how funds are lapsed and his letter states that those funds were being lapsed. So I presume there will be sufficient funds to take care of the deficiency appropriation bills the gentleman has referred to.

Mr. WOOD. Mr. Speaker, the gentleman did not read down quite far enough on that letter. It also says they could change their minds on these lapses and not lapse them after all.

Mr. READINGER. The letter states that these lapses are not necessarily all that will be done. There will be further lapses, depending on the amount of money necessary to run the departments. My argument still goes, I think it is still valid, that we should not force the lapse of money from this department than we have grounds upon which to base a belief that the lapse should be made. That is the business of the Budget Office to determine how much money a department reasonably needs to complete the biennium, and when it makes that determination to suggest and effect a lapse of the additional funds we appropriated to it. I certainly see more wisdom in not passing this bill and determining at the end of the biennium how much money is left and then lapse it.

Mr. WOOD. Mr. Speaker, I still contend that the Budget Office can change its mind about these lapses and maybe tomorrow say it will only lapse $6 or $7 million.

I think we should pass this bill and then we will be sure of it.

Mr. ANDREWS. Mr. Speaker, the gentleman from Lancaster wondered where we are going to get the money. I have an answer to that.

We are going to take this tax bill we have passed, pockmarked with exemptions, use the bill to tap the rock of our resources and with all the exemptions abundant streams of revenue will pour forth. Just as easy as that, $480 million of revenue notwithstanding the exemptions. That will be a part of the record.

Speaking on behalf of the Department of Revenue, I have always said the pending bill is an alibi. Do not tell the Governor I said it, nor the Secretary of Revenue, but the Department has not been running along at such a vigorous rate as it might have been, and it has been criticized for not being able to collect or failing to collect.

The Department has been trying to gather itself together, get organized for action and proceed to collect, and I presume that if it fails to collect the Department of Revenue will be very glad of a curtailment of funds to which it can point and say, if we had not been so shortchanged, we would have had personnel to collect.

This bill robs you of your fine opportunity to point and say, You had money enough, but you were not collecting.

Now the Department can reverse it and say, It's no use. You took our money away and we canot collect.

Maybe it is a good bargain for the Department of Revenue, but anyway I will oppose the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—120

Adams,	Eshleman,	Lee, A. M.,	Ragot,
Agnew,	Ewing,	Lee, K. B.,	Rigby,
Ashton,	Fetterolf,	Light,	Royer,
Auker,	Foster,	Lippincott,	Seltzer.
Barton,	Fox,	Mahan,	Snare,
Bell,	Gibb,	Markley,	Spray,
Blair,	Gibson,	Marsh,	Steckel,
Bower,	Goldstein,	McInroy,	Stevens,
Bowman,	Goodling,	Merry,	Stimmel,
Brand,	Goodrich,	Metz,	Stoner,
Breisch,	Gramlich,	Mikula,	Strausser,
Brenninger,	Gross,	Miller, B. Z.,	Stuart,
Breon,	Guthrie,	Miller, H. G.,	Thompson,
Brown,	Haudenshield,	Miller, W. H.,	Tompkins,
Brucker,	Henzel,	Moody,	Ujobai,
Buchanan,	Hocker,	Moscrip,	Varner,
Carson,	Horst,	Moyer,	Vaughan,
Cleveland,	Ide,	Murphy,	Wall,
Cooper,	Isaacs,	Murray, H. P.,	Weidner,
Dalrymple,	Jenkins,	Murray, P. G.,	Wescott,
Davis,	Johnson,	Naugle,	Whittaker,
DeLong,	Johnston,	O'Dell,	Willaredt,
Dengler,	Jones, T. H. W.,	Ogilvie,	Wilt,
Dennison,	Jump,	Parry,	Wood,
Dietterick,	Keller,	Phillips,	Worley,
Donahue,	Kernaghan,	Piper,	Wyatt,
Donaldson,	Knecht,	Pomeroy,	Wynd,
Down,	Kooker,	Post,	Zimmerman,
Dunn,	Korns,	Price,	Helm,
Edwards,	Lafore,	Pursley,	Speaker
Erb,			

NAYS—64

Amarando,	Duffy,	Lopresti,	Rovansek,
Anderson, M. S.,	Eilberg,	Lovett,	Rudisill,
Anderson, S. A.,	Farabaugh,	Lutty,	Scarcelli,
Andrews,	Filo,	McCann,	Sherman,
Boles,	Flynn,	McGee,	Snider,
Boory,	Garlock,	McKeever,	Stone,
Brennan,	Gelfand,	Monroe,	Toll,
Bucchin,	Hamilton,	Muldowney,	Trusio,
Capano,	Holt,	Mullen,	Varallo,
Cianfrani,	Jim,	Munley,	Verona,
Cioffi,	Jones, G. E.,	Musto,	Walsh,
Comer,	Kamyk,	O'Brien,	Wargo,
Cummins,	Kornick,	Pashley,	Welsh,
Curwood,	Krakow,	Polaski,	Wheeler,
Devlin,	Leonard,	Readinger,	Williams,
Dougherty,	Limper,	Reidenbach,	Yatron.

NOT VOTING—25

Breth,	Heffner,	Mihm,	Shields,
Fineman,	Kehler,	Mills,	Silverman,
Floyd,	Magee,	Petrosky,	Smith,
Frascella,	Maxwell,	Renwick,	Stroup,
Gailey,	McCormack,	Schuster,	Taylor,
George,	McLaughlin,	Schwartz,	Willard,
Heavey,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 124.

An Act amending the act of July 13, 1953 (P. L. 431) entitled "An act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers" further providing a procedure for enforcement of the act

Mr. GIBSON. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate to Senate Bill No. 124.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL FOR CONCURRENCE IN SENATE AMENDMENTS

Mr. GIBSON. Mr. Speaker, I call up on page 5 of to-day's calendar, Bills for Concurrence in Senate Amendments, House Bill No. 143.

The SPEAKER. The Clerk will read the message from the Senate.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 143.

An Act amending the act of May 2, 1945 (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct

improve maintain and operate projects and to borrow money and issue bonds therefore providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" requiring "Authorities" to submit annual reports to municipalities creating the "authorities" and to the Department of Internal Affairs.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 12, by inserting after the word "Affairs" the following:

"Every authority shall have it books accounts and records audited annually by a certified public accountant and a copy of his audit report shall be attached to and be made a part of the aforesaid annual report"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. GIBSON. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 2, 1957.

Resolved (if the Senate concur), that House Bill No. 250, Printer's No. 73, entitled "An act amending the act of May 2, 1925 (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' excluding from the provisions thereof the operation of and fishing from temporary water tanks in connection with indoor sportsmen's shows," be recalled from the Governor for the purpose of amendment.

PERMISSION TO ADDRESS HOUSE

Mr. LOPRESTI asked and obtained unanimous consent to address the House.

Mr. Speaker, several weeks ago I was appointed as the minority Member on a Committee of the House and Senate to investigate the actions of the Pardons Board. That Resolution called for an investigation over a period of five years.

In an effort to see that we had an impartial hearing and in order not to bring any politics whatsoever into the investigation, I have refrained from making newspaper statements and I have refrained from making statements on the floor of this House concerning the investigation. I believe an effort has been made and will be made on the part of the majority Members to have a full and fair investigation, an impartial investigation, of the operation of that Board over a period of five years.

Somehow or other it seems some of the newspapermen are not willing to allow the public to receive a fair and impartial comment on the investigation which is being conducted at the present moment.

In the paper this morning, The Inquirer of April 2, 1957, under the name of John M. Cummings appear the following words which are, I believe, an effort to disturb the minority Members and perhaps to quiet them in their efforts to see that this investigation is conducted impartially. I want to read some of the comments made by the gentleman from The Inquirer.

> "Unless some of the signs of the times are amiss an effort will be made by Attorney General Tom McBride and minority or Democratic members, of the investigating committee to shout down any serious effort to get all the facts in the Darcy case."

I submit there has been no evidence whatsoever that the minority Members intend to try to hide any of the facts or to shout down any person who has now or will later appear before the Committee. I personally resent the implication that the minority Members of this Committee are trying to hush or shout down any person.

Then he goes on further and says:

> The loud mouth diversionary weapon, employed last week by Senator Yosko and others,"—and I submit, Mr. Speaker, that "the others" must refer to myself because I am the only other minority Member—"is intended to smother the Darcy case under a blanket of sound."

I do not know up to this point that we have made any such effort and I am quite certain that I, as one Member of the Committee, will make no such effort. I resent the statements in the paper indicating that we might make such an effort.

If he is trying by this to silence us in taking exception to conduct which we think is improper or might tend to be impartial, I want to inform the gentleman it will not work, because if this Committee at any time—and I want to say in fairness to the majority they have not so done—should take a notion to make it a partisan or a political investigation or inquiry, I would be one of the first ones to except, and perhaps shout pretty loudly, even though Mr. Cummings has tried to close my mouth in advance.

I want to go a little further in his column where he says:

> Others are to be questioned—provided the interrogators are not shouted down.

I want to say to the gentleman who wrote this particular article that perhaps he should appear before this Committee more often, get the correct facts and then write his newspaper articles.

As I say, I have refrained from commenting on the case, and I have also refrained from speculating on the Inquirer's motives in printing these slanted headlines and these slanted and distorted stories. However, I believe this paper does this Legislature, this House and Senate, an injustice when they tend to create the impression that any member of any investigating committee, whether he be in the minority or the majority, is attempting to whitwash these investigations.

I will say, Mr. Speaker, for the benefit of the Members of this House—and this is not as a criticism as to what we have done so far—that from the time we started

our investigation to the present time we have not had any discussions of those cases which were handled prior to the present Pardons Board, with the exception of a few cases brought in by the Attorney General and briefly studied. I believe it is the intention of our Committee, I believe it is the intention of the majority and they have so stated, that before this inquiry is closed we will go into other cases involving the prior Pardons Boards. We will do this not for the purpose, mark you, of showing that prior Pardons Boards, or this Pardons, Board, have been influenced by political considerations, but for the purpose of showing that the procedures which were carried out by previous Pardons Boards are also being carried out by the present Pardons Board and that neither of the Pardons Boards, neither the present one nor the previous one, were involved in improper motives or in political considerations when they took certain procedural actions.

We propose to show by the actions of the previous Board that as to procedure they were doing some of the same things that the present Board is doing, but we are not going to imply that either Board has done anything improper. Until such time as we have evidence, conclusive evidence, that any member of this Board, or any member of our Investigating Committee, is dishonest, I think the newspapers should refrain from casting these aspersions.

PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, I am not going to comment one way or another upon the news article. I am not going to state to this House any conclusions I may have arrived at, because I have arrived at none since we have not as yet completed our hearings.

I merely want to make one statement, when anybody comes into our Committee Room—and I think the Committee Members, including Mr. Lopresti, will bear me out—and our respective counsel have completed the interrogation of the witness, every member of the committee is given an opportunity to interrogate the witness.

Nobody has even been denied that right up to this time, and we do not propose to deny them that right. It is the right of each member of the committee to interrogate witnesses and we do not propose to close them off. We want that understood.

Interruption, however, at improper times might be controlled, but to deny them the right to question the witness will not be denied.

As to prior Pardons Boards, I might state we have tried to program our hearings so that we will cover all matters. We cannot cover everything in one day.

I will say that one minority Member of the Committee has kept asking for three or four weeks when we are going to get into certain cases, and our counsel in my presence has asked him to furnish us with cases. We will cover any case they want investigated.

Only on Monday of this week was I furnished with a list of cases that that Member has been hollering about for about four weeks. The cases which were turned over to me as Chairman of the Committee will be given proper investigation.

We will make our conclusions when we complete our hearings, and not before.

PERMISSION TO HOLD COMMITTEE HEARING

Mr. TOMPKINS. Mr. Speaker, I would like to ask unanimous consent of the House to have a meeting of the Pardons Board Investigating Committee tomorrow, Wednesday, April 3, 1957, beginning at 10:00 a. m. in the Senate Caucus room.

PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address the House.

Mr. READINGER. Mr. Speaker, on March 11th, House Bill No. 734 was introduced in the House by Mr. Wood and Mr. Johnson and was passed finally by this House on March 19th. That is the bill which would have restricted the departments, boards and commissions to an expenditure of not more than one-eighth of the total appropriation for a biennium during the last three months of any biennium.

We debated the bill very fully at that time. It was pointed out by this side of the House that it was bad legislation and should not be passed. Nevertheless, it did pass by, as I recall practically a strict party vote, 124 to 75.

At that time it was pointed out that it would cover the Highway Department, as well as all other departments. It was also mentioned that it would unduly hamper and handcuff various departments in their activities. Nevertheless, it was passed.

Since that time it has been amended in the Senate so that it is now restricted only to General Fund appropriations and not the Highway Fund.

During the debate I mentioned the fact that I was going to pursue the matter further and obtain some precise information from some of the departments to find out what it might do. I have done that. I have before me several communications addressed to the Budget Secretary from the Game Commission, the Department of Property and Supplies and the Department of Highways.

I am not going to dwell on the Department of Highways inasmuch as it was probably intended originally that the bill should not apply to the Highway Department. It was so stated on the floor of this House by the Majority Leader.

I would like to call your attention to the fact that the Executive Director of the Game Commission objects seriously to the passage of such legislation. I do not believe there is a man in this House who wants to hurt the people who hunt and buy our fish and game licenses in Pennsylvania. I do not believe anybody in this House thought he was doing so when he voted for this bill.

I would like to read this letter from Logan J. Bennett, Executive Director, dated March 21st, addressed to the Budget Secretary, since it is not very long and it will point out what I am talking about.

> Our attention has been called to the provisions of House Bill No. 734, passage of which would seriously handicap the Pennsylvania Game Commission in the performance of many of our development and maintenance projects. For example, because of the highly seasonal nature of many of our activities, such as the propogation of game birds, agricultural development on State-owned Game Lands, surveys of lands purchased by the Commission, and the necessary employment of additional personnel to carry on

these seasonal activties, it is imperative that the Commission be permitted to expend more than ⅛ of the total budget in the final quarter of any biennium.

We ask that you use your influence to have this proposed legislation reconsidered for the above reasons.

He gives no figures in his letter. But I have one before me from John S. Rice, Secretary of the Department of Property and Supplies, addressed to the Budget Secretary, dated March 22, 1957:

With reference to House Bill 734, we wish to submit the following information as to the effect the passage of this bill would have on the Department of Property and Supplies.

On the item of salaries and expenses, the appropriation was $6,583,000. One-eighth of this is $822,875. Our estimated expenses for March, April and May, 1957, are $1,079,165, which will leave us short $256,290. The increased expenditure in this last three months is necessary in order to take care of the cost of the Pittsburgh office building, Labor and Industry building, Health and Welfare building and Commonwealth Garage, which buildings were either completed and operation expenses assumed very recently or during this biennium.

On the item of capital services the amount of the appropriation plus augmentations was $3,-019,000. One-eighth of this is $377,376. Our estimated expenditures for March, April and May, 1957, are $823,235. This would leave us a shortage of $445,859. This increase in this three-month period is due to the increased cost of utilities for the four buildings as listed above.

If this act were passed, it would be impossible to pay our utility bill for these three months.

Also, we are about to award contracts for renovations to buildings which could not be done during the winter period, but which need to be done now and have been planned out of this appropriation.

The plans for spending this appropriation could not be formulated until after the appropriation bill was finally passed, which was very late in the biennium. Consequently, the repairs could not be made uniformly throughout the biennium.

I am not going to read all of this letter because it goes into more figures in relation to legislative and judicial printing and inspection of construction projects in the General State Authority, and so forth, indicating that there would be another shortage of $136,000 in the one item and $3,100 in another.

I am using this material to point out to you one fact, and that is, while it is well to have a short businesslike session, it is not well to rush bills through this House blindly relying on your leadership, or whoever is guiding you in such matters, without looking into some of these facts.

Frankly, I have no worry about this bill becoming law. I think the Governor would strike it down if it ever got to his desk. It obviously will, because it is half-way through the Senate now.

If you think, Members, it is good legislation to pass a bill of this kind and practically handcuff a department which we charge with certain functions, which we have given certain duties to carry out, then I certainly cannot agree.

I am asking you now for the balance of this session to at least slow up long enough to understand what you are doing. Otherwise, if you say now you knew what you were doing and you intended to do it, you might as well write back home and tell all the people who are interested in fish and game propagation, and so forth, that you are against them, because you are doing exactly what they do not want done when you vote for legislation of this kind.

It is not my purpose to stand here and chide anybody. I tried at the time this bill was being debated to point out some of these things, but I had no figures. I could only try to point out what would happen and could happen. You have before you now the facts given to us by people who know what will happen if such legislation is put on the books.

I ask in the future that we take a little more time and give some of these things more consideration, stop playing politics, if that is what we think it is, and vote for bills which will help, and stop voting for bills which are going to hurt.

PERMISSION TO ADDRESS HOUSE

Mr. WOOD asked and obtained unanimous consent to address the House.

Mr. Speaker, in answer to the gentleman from Berks, Mr. Reading, I understand him to say the bill was amended over in the Senate to take out the Highway Department. Is that correct? He also said it was amended yesterday to include only the General Fund.

Mr. READINGER. That is right. It was amended in the Senate to restrict it to the General Fund appropriations.

Mr. WOOD. We do not consider the Game Commission or the Fish Commission in the General Fund, but if the gentleman wants to be sure about it, we are willing to take that out of it, because it was never the intention on this side of the House to include the Highway Department, or the Fish Commission, or the Game Commission.

I have here a statement on this matter and to save time I would like to file it and put it in the record.

As of Feb. 28, 1957, the Office of Administration, under the Governor, sent out a statement showing the balances remaining in the appropriations, after taking into account all expenditures, all requisitions and all encumbrances against those appropriations for the previous 21 months of the biennium.

In other words, the balances shown represent the amount of unexpended and uncommitted funds available for the last three months or one-eighth of the biennium.

The bill passed by this House, which was attacked here today, only proposes to limit the Departments, in their expenditures for salaries and expenses, to one-eighth of the original appropriation.

This means that if a Department received an appropriation of $1,600,000 for the 24-months, they could only spend $200,000 or one-eighth of the original appropriation in the last three months.

Here is how this would work out in practice, taking the appropriations for salaries and expenses in each case, for some of the larger departments is as follows:

1955-57	Appropriation	Balance February 28	One Eighth	Possible Saving
Governor's Office ..	1,080,000	260,240	135,000	$125,000
Dept. of Agriculture ..	4,950,000	892,931	619,000	173,000
Forests & Waters	6,949,000	787,919	868,500	.....
Dept. of Health	9,200,000	1,614,818	1,150,000	464,000
Insurance Dept.	2,100,000	493,000	262,500	231,000
Internal Affairs	1,895,074	488,135	236,600	252,000
Dept. of Justice	1,350,000	159,095	168,500	.....
Labor and Industry	5,400,000	905,000	650,000	255,000
Property and Supplies	6,583,000	1,421,000	824,000	597,000
Public Instruction ...	1,640,000	368,000	205,000	163,000
Dept. of Revenue ..	9,540,000	2,441,860	1,182,000	1,259,360
State Dept. ..	560,000	118,000	70,000	48,000
Welfare Dept.	143,550,000	29,253,580	17,840,000	11,413,000

But you say these Departments are spending more now than they did before.

If that is true in face of the fact that this Commonwealth is running into the red to the tune of $82,000,000, then I say it is high time that some curb be put on this spending and this legislation is more necessary than ever.

When you are running out of money, the wise man doesn't spend more, he spends less, so he doesn't go so far into the hole.

Mr. READINGER. Mr. Speaker, I do not want to prolong this, but I would like to point out to the gentleman from Lancaster that when we passed this bill in the House it pertained to all administrative bodies, boards and commissions, so the Fish Commission and Game Commission were included. The words "General Fund" were not in the bill until the Senate decided to insert them.

I am not arguing that it will interfere with the Fish and Game Commissions the way it is amended now, but I am arguing that we did that when this House passed the bill over our vehement opposition.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 74.

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" further regulating the issuance of registration plates to news photographers.

SENATE BILL No. 140.

An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission.

SENATE BILL No. 216.

An Act amending "The Administrative Code of 1929" entitled "* * *" empowering the chairman of the Board of Finance and Revenue to appoint a secretary and make certain rules and regulations.

SENATE BILL No. 277.

An Act authorizing and empowering the Delaware River Port Authority a body corporate and politic functioning under the legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey and the express consent of the Congress of the United States to appoint policemen make rules and regulations for the prevention of disorder the preservation of safety and the conservation of traffic on such bridges and in such tunnels and approaches thereto as the commission does or may hereafter operate to prevent the evasion of the payment of tolls and providing a penalty for the violation of any such rules or regulations or for the evasion or the attempt to evade the payment of tolls.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mrs. HENZEL from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 475, entitled:

An Act requiring the sale, possession and use of electrical devices as defined herein to conform to the standards of the Underwriters' Laboratories, Inc.

Mr. McGEE from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 492, entitled:

An Act amending the "Fire Safety Building Regulation Law" approved April 27, 1927 (P. L. 465), requiring the printing and showing of seating arrangements and exits in places of public amusement; imposing penalties and providing for the disposition of fines.

COMMITTEE MEETINGS

FISHERIES, Mr. Stoner, Chairman, Room 331, Wednesday, April 3, at 9:30 a.m.

STATE GOVERNMENT, Mr. Keller, Chairman, Room 324, Wednesday, April 3, at 9:30 a.m.

PUBLIC HEARING ON HOUSE BILL No. 91

A Public Hearing on House Bill No. 91, Printer's No. 181, entitled "Amending the Act of May 28, 1937, (P. L. 1053) An Act relating to the regulation of public utilities —redefining the conveying or transmission of messages or communications to include the transmission of television signals by cables to homes and business places for compensation," will be held in the House Caucus Room, first floor of Main Capitol Building, Harrisburg, Pa., on Wednesday, April 24, at 10 o'clock a.m.

ADJOURNMENT

Mr. HOLT. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 3, 1957 at 10:00 a.m.

The motion was agreed to, and (at 4:45 p.m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., WEDNESDAY, APRIL 3, 1957. No. 33.

SENATE

WEDNESDAY, APRIL 3, 1957

The Senate met at 10:00 o'clock, a.m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. J. B. WILLIAMS, Pastor of the Second Baptist Church, Harrisburg, offered the following prayer:

Let us pray.

Almighty God, our Heavenly Father, in Whose hands are the issues of men and nations, we bow in humble reverence before Thee, and with grateful hearts we acknowledge Thy manifold blessings to us as a people.

Through all the changed and changing circumstances of life, Thou hast made and preserved us as a Nation. Where we have been obedient to Thy will, Thou hast favored us. Where we have pursued our selfish aims, Thou hast justly punished us. With chastened humility, we confess our daunted pride, our boasted security and our avowed self-dependence. In our conceit, we have trusted in our own strength and have forgotten that Thou alone art the source of all peace and abiding happiness.

Give to each one of us freshened courage, renewed hope, a clearer vision of our duty to Thee and our fellowman. Restore to us as a people honorable industry, sound learning and pure manners. Save us from violence and lawlessness, discord and confusion. Endue with Thy spirit these to whom in Thy name we entrust the authority of government, that there may be justice and peace at home for all of Thy citizens

In the time of prosperity, fill our hearts with thankfulness. In the day of trouble, suffer not our trust in Thee to fail, all of which we ask through Him, Who for our sakes became poor that we, through his poverty, might be made rich. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

BILL SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

An Act transferring money from the Special Disaster Relief Fund to the General Fund.

Whereupon,

The President pro tempore, (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Carbon, Mr. Scott, to the rostrum to preside.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination, made by His Excellency, the Governor:

JUSTICE OF THE PEACE

March 11, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary Courtney, Jamestown, Mercer County, for appointment as Justice of the Peace in and for the Borough of Jamestown, Mercer County, to serve until the first Monday of January 1958, to fill a vacancy.

GEORGE M. LEADER.

CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nomination read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. MADIGAN,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at today's Session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. MADIGAN,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	Miller,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Kalman,	Murray,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Propert,	Walker,
Dent,	Kromer,	Ruth,	Watkins,
Derk,	Lane,	Sarraf,	Watson,
DiSilvestro,	Madigan,	Schmidt,	Weiner,
Donolow,	Mahany,	Seyler,	Whalley,
Ehrgood,	Mallery,	Silvert,	Wolfe,
Elliott,	McCreesh,	Stevenson,	Yosko,
Flack,	McGinnis,	Stiefel,	Scott,
Fleming,	McMenamin,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. MADIGAN. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 114, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route in Marianna Borough Washington County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	Miller,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Kalman,	Murray,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Propert,	Walker,
Dent,	Kromer,	Ruth,	Watkins,
Derk,	Lane,	Sarraf,	Watson,
DiSilvestro,	Madigan,	Schmidt,	Weiner,
Donolow,	Mahany,	Seyler,	Whalley,
Ehrgood,	Mallery,	Silvert,	Wolfe,
Elliott,	McCreesh,	Stevenson,	Yosko,
Flack,	McGinnis,	Stiefel,	Scott,
Fleming,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 146 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" authorizing courts to revoke or suspend operating privileges in certain cases.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, does Senator Schmidt have amendments to this bill?

Mr. SCHMIDT. Mr. President, I have been advised by the Legislative Reference Bureau that I should be patient. They have some other more important amendments, and they will have my two amendments on Monday.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 157, Printer's No. 56, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 164, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for sabbatical leaves of absence and increasing maximum salary payable.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	Miller,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Kalman,	Murray,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Propert,	Walker,
Dent,	Kromer,	Ruth,	Watkins,
Derk,	Lane,	Sarraf,	Watson,
DiSilvestro,	Madigan,	Schmidt,	Weiner,
Donolow,	Mahany,	Seyler,	Whalley,
Ehrgood,	Mallery,	Silvert,	Wolfe,
Elliott,	McCreesh,	Stevenson,	Yosko,

Flack,	McGinnis,	Stiefel,	Scott,
Fleming,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that Senate Bill No. 265, Printer's No. 100, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 299 (Pink); and

House Bill No. 326, Printer's No. 143.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 342, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route in Centerville Borough Washington County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	Miller,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Kalman,	Murray,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Propert,	Walker,
Dent,	Kromer,	Ruth,	Watkins,
Derk,	Lane,	Sarraf,	Watson,
DiSilvestro,	Madigan,	Schmidt,	Weiner,
Donolow,	Mahany,	Seyler,	Whalley,
Ehrgood,	Mallery,	Silvert,	Wolfe,
Elliott,	McCreesh,	Stevenson,	Yosko,
Flack,	McGinnis,	Stiefel,	Scott,
Fleming,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 423, entitled:

An Act amending the act of May 1, 1933 (P. L. 216) entitled "The Dental Law" regulating the use of dental technician services by dentists imposing duties on dentists and dental technicians and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SCHMIDT. Mr. President, is it my understanding that Senate Bill No. 423 was going to be amended?

Mr. BERGER. It was amended.

Mr. SCHMIDT. Has that been changed to summary conviction?

Mr. BERGER. Yes.

Mr. SCHMIDT. All right.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	Miller,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Kalman,	Murray,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Propert,	Walker,
Dent,	Kromer,	Ruth,	Watkins,
Derk,	Lane,	Sarraf,	Watson,
DiSilvestro,	Madigan,	Schmidt,	Weiner,
Donolow,	Mahany,	Seyler,	Whalley,
Ehrgood,	Mallery,	Silvert,	Wolfe,
Elliott,	McCreesh,	Stevenson,	Yosko,
Flack,	McGinnis,	Stiefel,	Scott,
Fleming,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that Senate Bill No. 425 (Pink), on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 453, entitled:

An Act transferring money from the Banking Department Fund to the General Fund.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Taylor,
Berger,	Hays,	Miller,	Van Sant,
Blass,	Kalman,	Mullin,	Wade,
Camiel,	Kessler,	Murray,	Wagner,
Chapman,	Kopriver, Jr.,	Pechan,	Walker,
Dent,	Kromer,	Propert,	Watkins,
Derk,	Lane,	Ruth,	Watson,

DiSilvestro,	Madigan,	Sarraf,	Weiner,
Donolow,	Mahany,	Seyler,	Whalley,
Ehrgood,	Mallery,	Silvert,	Wolfe,
Elliott,	McCreesh,	Stevenson,	Yosko,
Flack,	McGinnis,	Stiefel,	Scott,
Fleming,			Presiding Officer

NAYS—1

Schmidt,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 490, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" changing a route in Chester County

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	Miller,	Van Sant,
Berger,	Hays,	Mullin,	Wade,
Blass,	Kalman,	Murray,	Wagner,
Camiel,	Kessler,	Pechan,	Walker,
Chapman,	Kopriver, Jr.,	Propert,	Watkins,
Dent,	Kromer,	Ruth,	Watson,
Derk,	Lane,	Sarraf,	Weiner,
DiSilvestro,	Madigan,	Schmidt,	Whalley,
Donolow,	Mahany,	Seyler,	Wolfe,
Ehrgood,	Mallery,	Silvert,	Yosko,
Elliott,	McCreesh,	Stevenson,	Scott,
Flack,	McGinnis,	Stiefel,	Presiding Officer
Fleming,	McMenamin,	Taylor,	

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 589, entitled:

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled "An act making an appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August one thousand nine hundred fifty-five" making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before completion of projects

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	Miller,	Taylor,
Berger,	Hays,	Mullin,	Van Sant,
Blass,	Kalman,	Murray,	Wade,
Camiel,	Kessler,	Pechan,	Wagner,
Chapman,	Kopriver, Jr.,	Propert,	Walker,
Dent,	Kromer,	Ruth,	Watkins,
Derk,	Lane,	Sarraf,	Watson,
DiSilvestro,	Madigan,	Schmidt,	Weiner,
Donolow,	Mahany,	Seyler,	Whalley,
Ehrgood,	Mallery,	Silvert,	Wolfe,
Elliott,	McCreesh,	Stevenson,	Yosko,
Flack,	McGinnis,	Stiefel,	Scott,
Fleming,	McMenamin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 11, entitled:

An Act relating to and regulating atomic development activities within the Commonwealth providing for the appointment of a Coordinator of Atomic Development Activities and fixing his duties and salary and requiring certain departments and agencies to make continuing studies and recommendations relative to atomic industrial development.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 62, entitled:

An Act granting ambulances and fire apparatus free passage over all turnpikes and extensions thereof under the supervision and control of the Pennsylvania Turnpike Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, on behalf of Senator Watkins, I ask unanimous consent that the following bills, on second reading, go over in their order.

House Bill No. 204, Printer's No. 135; and

House Bill No. 205, Printer's No. 104.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 247. entitled:

An Act amending the act of June 3, 1937 (P. L. 1225)

entitled "The Game Law" changing the definition of "unprotected birds" to exclude hawks in a certain area for a portion of each year.

And said bill having been read at length the second time and agreed to,

Oredered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 279 (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. MAHANY. Mr. President, I have no objection today, but I hope that we may be able to act upon this bill on Monday of next week. I do not want it to appear on the Second Reading Calendar until we adjourn finally.

The PRESIDING OFFICER. There being no objection the bill will go over in its order.

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 292, Printer's No. 105, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 298, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273) entitled "The Private Detective Act of 1953" providing for additional penalties for violation of the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, I have no opinion at all on the merits of Senate Bill No. 298. It has a very fine sponsor and, therefore, it must be a pretty good bill. However, I have not had an opportunity to read it.

Here again we have a case, Mr. President, of a bill in the pink. It has not appeared on my desk. I have not received a copy in the Caucus Room because we have not had a Caucus. There are several other bills on the Calendar which put me in the same situation.

I have been unable to read the bill and I have some objection to allowing bills to move without any of us, except the leaders at the desk, presumably, reading them. I hope they have had an opportunity to read them. Most of us have not read them.

If I had been in time, I would have asked for Senate Bill No. 298 to go over in its order. I will not ask for us to go back, but I would like to make the point with Senator Mahany. He assured me that he will use his good offices with the Rules Committee to give us some action on this to continue his undoubtedly assiduous efforts toward that end.

The PRESIDING OFFICER. The Chair would like to inform Senator Seyler that Senate Bill No. 298 was reported from a very fine committee.

Mr. SEYLER. There is no question about that, Mr. President.

PERMISSION TO ADDRESS SENATE

Mr. MAHANY asked and obtained unanimous consent to address the Senate.

Mr. MAHANY. Mr. President, I will agree with Senator Seyler that he may have ample opporunity to study further this bill. We do not expect to act upon it until Monday, I hope he may take the opportunity, between now and Monday, to examine the contents of the bill.

However, Mr. President, I distinctly heard the Clerk read the bill. If Senator Seyler had been listening he probably would have heard the Clerk read the bill.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, in order for my constituents and the general public not to take the wrong inference from the gentleman's remarks, I was present. However, I was engaged in a very important discussion with a gentleman from the other side at the time the bill moved. I just woke up to the fact that we were proceeding with unusual celerity and, when I jumped to my feet, it was too late to make a motion.

Therefore, I would not want the remarks made by Senator Mahany to stand in the record, implying that I was absent from the hall of the Senate.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, I find myself concurring heartily with Senator Seyler. I think he should have all the time he requests to study this bill, because he might think I was employing the Pittsburgh muddle system when I was over talking to him at the time the bill passed second reading.

PERMISSION TO ADDRESS SENATE

Mr. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, for the information of the gentleman from York, Senator Seyler, during the 1951 Session of the Legislature we passed a Private Detective Law. Unfortunately, at that time, the sponsors of that bill neglected to put a penalty into the law and this bill just puts in a penalty for violation of the Private Detecive Law.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, I thank the gentleman for his explanation. If we would want to take the time, so that each time when one of these bills in the pink comes up, the sponsor could rise and give us an equally clear and lucid explanation of the bill, then I would have no objection, of course, to proceeding as we have been. It is

in the absence of such clear and lucid explanation that I feel I need time to read the bills.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 316 (Pink); and

Senate Bill No. 317 (Pink).

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 341, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273) entitled "The Private Detective Act of 1953" permitting former members of the Pennsylvania State Police to apply for license.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. MAHANY. Mr. President, for the information of my colleagues, I would say that the only thing this bill does is to permit a former Pennsylvania State Policeman to apply for a license under the Private Detective Act of 1953.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 352, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" defining imprisonment in relation to the crime of prison breach.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. MAHANY. Mr. President, if Senator Seyler wants an explanation of this bill, we will call on the sponsor and have him explain the bill to Senator Seyler.

Mr. SEYLER. Mr. President, I think I have made my point about this procedure. I am willing to let this bill, and other bills in the pink, go through today with the understanding that amendments will be permitted on third reading without objection.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 365, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

And said bill having been read at length the second time

Ordered, To be transcribed for a third reading.

and agreed to,

BILL RECOMMITTED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 35 (Pink), the bill just read, be recommitted to the Committee on Appropriations.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 376, entitled:

An Act amending the act of June 27, 1923 (P. L. 858) entitled "State Employes' Retirement Law" further providing for payment of compensation to judges upon retirement under certain conditions and imposing duties on certain State officers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 377, entitled:

An Act amending the act of January 21, 1947 (P. L. 3) entitled "An act relating to officers and employes of the General Assembly * * *" changing the compensation of certain officers and employes.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER. Mr. President, I would like to offer amendments to Senate Bill No. 377, Printer's No. 103, and also make a brief comment about the amendments.

Mr. MAHANY. Mr. President, may we be at ease?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. KESSLER. Mr. President, at the request of the leaders on both sides, I will not offer the amendments at this time, with the understanding that the bill will go over in its order until Monday.

And the question recurring,

Will the Senate agree to the section?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I now ask unanimous consent that Senate Bill No. 377, Printer's No. 103, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 406, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey a tract of land situate in the Borough of Lewistown Mifflin County Pennsylvania to The General State Authority.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 409, (Pink), on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 421, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" changing the period of titling now two-axle commercial motor vehicles and truck tractors in certain classes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 487, entitled:

An Act amending the act of June 29, 1937 (P. L. 2423) entitled as amended "An act establishing a Pennsylvania State Police Retirement System * * *," changing the definition of "final salary" upon which a contributor's retirement allowance is based.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 499, entitled:

An Act amending the act of May 27, 1893 (P. L. 171) entitled as amended "An act providing for the acquisition of land and the erection equipment management and operation of the Scotland School for Veterans' Children * * *," making the superintendent the trustee of the funds of the children of the school and providing for the filing of a bond by such trustee.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 500, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 501, entitled:

An Act amending the act of June 22, 1931 (P L 594) entitled "Rural State Highway Law" adding new routes in Cambria County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 502, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" deleting a certain route and adding certain new route in Pottstown Borough Montgomery County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 503, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" deleting a certain route and adding certain new routes in Montgomery County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 579, Printer's No. 212, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 538, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law," redefining "Public Utility" to include operation of certain itinerant amusements.

Which was committed to the Committee on Corporations.

Mr. PECHAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN read in place and presented to the Chair Senate Bill No. 539, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding a new route in Armstrong County.

Which was committed to the Committee on Highways.

HOUSE MESSAGES

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 143

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 143, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authoriites Act of 1945," requiring "Authorities" to submit annual reports to municipalities creating the "authorities" and to the Department of Internal Affairs.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 143

Mr. MAHANY. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 124

He also presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 124, entitled:

An Act amending the act of July 13, 1953 (P .L. 431), entitled "The Pennsylvania Civil Procedural Support Law," further providing a procedure for enforcement of the act.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 124

Mr. MAHANY. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 124, and that a Committee of Conference on the part of the Senate be appointed.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. WHALLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Elections, reported as committed, House Bill No. 87, entitled:

An Act amending the act of April 29, 1937 (P. L. 487) entitled as amended "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged by streets and house numbers or alphabetically.

BILL ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 87, entitled:

An Act amending the act of April 29, 1937 (P. L. 487) entitled as amended "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged by streets and house numbers or alphabetically.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 121, entitled:

A Joint Resolution proposing an amendment to Art. VIII, Sec. 12 of the Constitution of the Commonwealth of Pennsylvania, changing provisions relating to the election of county superintendents of public schools.

Which was committed to the Committee on Education.

House Bill No. 582, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring the Budget Secretary to submit budget materials to the chairman of the Committee on Appropriations of the House of Representatives and the Senate within a specified time.

Which was committed to the Committee on State Government.

House Bill No. 636, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931, (P. L. 932), further regulating the filling of vacancies in the office of controller and treasurer.

Which was committed to the Committee on Local Government.

LEGISLATIVE SCHEDULE

Mr. MAHANY. Mr. President, I desire to state to the Members of the Senate that we expect to go into recess shortly, until one o'clock, to await any communications from the House. After we receive the communications from the House, we will adjourn. Therefore, the Members will not have to stay for that purpose.

I had originally intended that we should have a Session tomorrow. However, since making that announcement last week, I find that the House is not going to meet tomorrow. We have pretty well cleaned up our Calendar and, therefore, there will not be any necessity for a Session tomorrow. I hope, however, that we will be able to hold a four-day Session next week and have the succeeding week of the Session in recess, including Easter Monday.

The PRESIDING OFFICER. The Chair thanks the gentleman for that information.

INTERROGATION

Mr. STIEFEL. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDING OFFICER. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. STIEFEL. Mr. President, I want to find out the fate of a certain resolution which I introduced yesterday. I wish to know whether its fate will be sealed during this recess.

Mr. President, I would like to ascertain as to whether or not that innocuous resolution, which I introduced yesterday, is already through the stage of perusal and examination. I would like to know whether or not when we reconvene, I could move for its adoption.

Mr. MAHANY. I did not understand your last sentence.

Mr. STIEFEL. I wonder whether that resolution which I introduced yesterday, which is a very innocuous, inoffensive, commendable resolution dealing with cultural matters, has already been perused and examined so that I can move for its adoption after we reconvene at one o'clock.

Mr. MAHANY. Mr. President, to answer the gentleman's question, as I understand it, the resolution was not referred to the Rules Committee. It was referred to the Education Committee, although I thought it was going to be referred to the Rules Committee.

I have not had an opportunity of checking this with Senator Wagner, who is the Chairman of the Education Committee. However, I will do so and if he is ready to report it out, we can then act upon it at one o'clock. Otherwise, I would suggest that you let it go until next Monday.

Mr. STIEFEL. Thank you.

The PRESIDING OFFICER. Will the gentleman delay that motion to recess for a few minutes? I think we have everything from the House that is coming over today.

Mr. MAHANY. Yes, Mr. President.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL No. 281

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 281, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts page 120 Act of No. 150-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five" decreasing appropriations to the Department of Revenue

with the information that the House has passed the same without amendments.

BILL SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

An Act amending the act of June 1, 1956 (Appropriation Acts page 120 Act No. 150-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five" decreasing appropriations to the Department of Revenue.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Monday, April 8, 1957, at 4:00 o'clock p. m., Eastern Standard Time.

Mr. BERGER. Mr. President, I second the motion.

The Motion was agreed to.

The Senate adjourned at 11:14 o'clock, a. m., Eastern Standard Time, until Monday, April 8, 1957, at 4:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 3, 1957

The House met at 10:00 a.m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Thomas F. Luce, Pastor of the First Presbyterian Church, Kittanning, Pa., guest Chaplain and guest of the Speaker, Mr. Helm, offered the following prayer:

O Thou to Whom we owe the gift of this day's life, give to us also, we beseech Thee, the spirit to use it as we ought.

Help us to stand this day
for whatever is pure and just and true and good
for the advancement of science and education and true learning
for the rights of the weak and the oppressed
for the conservation of the rich tradtiions of the past
for the recognition of new workings of Thy Spirit in the minds of the men of our own time. ''

Hear us now as we call down Thy blessing upon all of the people of this Commonwealth. We remember especially before Thee, those who are in special need:

those who are in debt or poverty
those whose homes are broken
those who suffer sickness of mind or body in our hospitals
those whose work is a burden to them and those who can find no work to do
all prisoners
all the lost sheep of our human society.

Lay the burdens of these upon the hearts of the strong and able, and give us such wisdom and compassion that we may serve one another in all lowliness.

Use the labors of this assembly this day to further Thy righteous and loving purpose among all of our people.

Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, April 2, 1957 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. WEIDNER, PIPER and ADAMS.
HOUSE BILL No. 1052.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) prohibiting the cashing of unemployment compensation or any other types of relief checks.

Referred to the Committee on Liquor Control.

By Messrs. ROVANSEK and DUNN.
HOUSE BILL No. 1053.

An Act amending the "Liquor Code" of April 12, 1951 (P. L. 90), advancing the hours prescribed for the sale of liquor or malt or brewed beverages in municipalities observing daylight saving time for certain periods.

Referred to the Committee on Liquor Control.

By Mr. MUSTO. HOUSE BILL No. 1054.

An Act amending the "Anthracite Strip Mining Law" approved June 27, 1947 (P. L. 1095), further providing for the planting of lands affected, or payments in lieu thereof.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. WESCOTT and KNECHT, Mrs. VARALLO and Mr. McCANN.
HOUSE BILL No. 1055.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), fixing the annual salaries and increments of certain members of the professional staff of the Department of Public Instruction; conferring powers and imposing duties on the Superintendent of Public Instruction and the State Council of Education with respect to salaries and qualifications of certain members of the staff and repealing inconsistent acts.

Referred to the Committee on Education.

By Messrs. SNARE, SELTZER and STRAUSSER.
HOUSE BILL No. 1056.

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) providing for the issuance of temporary residents' fishing licenses to certain members of the armed forces of the United States.

Referred to the Committee on Fisheries.

By Messrs. PIPER and WEIDNER.
HOUSE BILL No. 1057.

An Act amending the "Commodities Weight and Measure Law," approved July 24, 1913 (P. L. 965) requiring gasoline pumps to be marked with octant ratings and providing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. ASHTON and BROWN.
HOUSE BILL No. 1058.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases, and imposing liability for school taxes upon the owners thereof.

Referred to the Committee on Education.

By Mr. GOODRICH. HOUSE BILL No. 1059.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103) regulating the issuance of permits for construction upon, across or in township roads, regulating fees, and providing for inspection and enforcement.

Referred to the Committee on Townships.

By Mrs. PASHLEY and Mrs. BEATRICE Z. MILLER. HOUSE BILL No. 1060.

An Act fixing the fees to be charged by the Department of Internal Affairs.

Referred to the Committee on State Government.

By Mr. FILO. HOUSE BILL No. 1061.

An Act amending the "Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), providing for thirty days notice of cancellation of fire insurance policies.

Referred to the Committee on Insurance.

By Messrs. POMEROY, CARSON, Mrs. BEATRICE Z. MILLER and Mr. HEAVEY.

HOUSE BILL No. 1062.

An Act making an appropriation to the Philadelphia College of Osteopathy, Philadelphia, Pennsylvania, for maintenance and support.

Referred to the Committee on Appropriations.

By Messrs. POST, PARRY, DIETTERICK and MIKULA. HOUSE BILL No. 1063.

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1949, (P. L. 1095), further regulating strip mining operations; making changes with respect to backfilling, restoration, accumulation of water, permits, bonds, penalties and fees.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. BLAIR, POLASKI, DALRYMPLE and O'DELL. HOUSE BILL No. 1064.

An Act making an appropriation to the Department of Property and Supplies for payment of the cost of necessary improvements at the Edinboro State Teachers College and for the Commonwealth's share of expenses incurred by the Borough of Edinboro in connection therewith.

Referred to the Committee on Appropriations.

By Mr. DALRYMPLE. HOUSE BILL No. 1065.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) prohibiting certain officers of school boards from actively engaging in political activities.

Referred to the Committee on Education.

By Messrs. DALRYMPLE and TAYLOR.

HOUSE BILL No. 1066.

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) requiring the Public Utility Commission of Pennsylvania to provide for arrangements for the protection of railroad employes interests in certain cases and authoriizng the Commission to approve certain agreements entered into between the employes and the railroad carrier.

Referred to the Committee on Railroads and Railways.

By Messrs. CURWOOD, POST, DIETTERICK and WALL. HOUSE BILL No. 1067.

An Act amending the act of September 3, 1955 (Appropriation Acts, page 18) entitled "An act providing for reconstruction and repair of roads, streets, highways and bridges, damaged or destroyed by the hurricane, flood or high water of August 1955; * * *" extending the time that appropriations to political subdivisions are available.

Referred to the Committee on Highways.

By Messrs. ESHLEMAN and WOOD.

HOUSE BILL No. 1068.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey one sixth acre, more or less, of land in the borough of Millersville, Lancaster County.

Referred to the Committee on State Government.

By Messrs. PETROSKY, ISAACS, FOSTER and LOVETT. HOUSE BILL No. 1069.

An Act providing a method for deciding the population of a political subdivision where the population is a determining factor under the provisions of any act of Assembly heretofore or hereafter enacted.

Referred to the Committee on Municipal Corporations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 97.

An Act to define and prohibit unauthorized interception divulgence or use of telephone and telegraph communications providing criminal penalties and civil damages including attorneys' fees for the violation thereof and limiting the admissibility of evidence.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 125.

An Act requiring the determination of value of property taken and amount allowed for delay in payment as separate items an eminent domain proceedings.

Referred to the Committee on Judiciary.

SENATE BILL No. 165.

An Act amending the act of May 17, 1929 (P. L. 1798) entitled "Law Fixing Annual Charge on Forest Lands" fixing the time of payment of the charges.

Referred to the Committee on State Government.

SENATE BILL No. 318.

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code" requiring entrance of bond in appeals from board of adjustment rulings affecting zoning regulations.

Referred to the Committee on Townships.

SENATE BILL No. 331.

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1335) entitled "The Pennsylvania Hospital Survey and Construction Act" by requiring that non-Federal funds be available before application shall be made for hospital construction projects to be owned or operated by the State.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 379.

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding a new route in Jefferson County.

Referred to the Committee on Highways.

SENATE BILL No. 385.

An Act amending the act of April 8, 1925 (P. L. 191) entitled "An act establishing certain public roads as State highways . . ." changing a route in Lancaster County.

Referred to the Committee on Highways.

SENATE BILL No. 386.

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" changing a route in Chester County.

Referred to the Committee on Highways.

SENATE BILL No. 395.

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" adding a new route in Luzerne County.

Referred to the Committee on Highways.

SENATE BILL No. 396.

An Act amending the act of June 22, 1931 (P. L. 720) entitled "City State Highway Law" adding routes in Luzerne County.

Referred to the Committee on Highways.

SENATE RESOLUTION SERIAL No. 117.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. DOWN, WILLARD and MURPHY.

RESOLUTION No. 76.

In the House of Representatives, April 2, 1957.

Sharon High School won the P. I. A. A. Class A high school basketball championship by defeating the Chester High School basketball team in the University of Pennsylvania's Palestra in Philadelphia, on Saturday, March 30, 1957.

The expert play, fine spirit and clean sportsmanship of the winning team reflects credit on itself, its coaches, its school, and the faculty of the school.

The play of the losing team was also of a high quality, and served to display its own fine mettle and ability while competing against the team which justly deserves the State championship of its class; therefore be it

Resolved, That the House of Representatives extend to the coaches and players of the Sharon High School basketball team its sincere and hearty congratulations on their magnificent victory in the final game of the P. I. A. A. Class A basketball championship playoff; and be it further

Resolved, That the congratulations of the House of Representatives be extended to the coaches and players of the Chester High School basketball team for their fine efforts in the P. I. A. A. Class A championship game; and be it further

Resolved, That the Chief Clerk be directed to send a copy of this resolution to Sharon and Chester High Schools.

Referred to the Committee on Rules.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair takes pleasure in introducing a former outstanding Member of this House from Schuylkill County who served from 1936 until the present session. The Chair has been informed that the gentleman had a perfect attendance record while he was a Member of this House. The gentleman from Schuylkill is the Honorable Edgar Kline.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 145, 206, 246 and 321.

Amended House Bill returned for concurrence No. 734.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 280.

An Act transferring money from the Special Disaster Relief Fund to the General Fund and disposing of certain tax collections

ANNOUNCEMENT

The SPEAKER. The Chair has been requested to make the following announcement:

The Legislative Banquet sponsored by the Pennsylvania Farmers Association scheduled for April 10th has been cancelled.

REPORTS FROM COMMITTEES

Mr. LIPPINCOTT from the Committee on State Government, reported as amended, House Bill No. 515, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land in the Borough of Slippery Rock, Butler County, for use of the Slippery Rock State Teachers' College, and making an appropriation.

Mr. RAGOT from the Committee on Fisheries, reported as committed, House Bill No. 1018, entitled:

An Act authorizing the Pennsylvania Fish Commission, with the approval of the Governor, to convey 78.841 acres of land, containing a body of water thereon known as Silver Lake situate in the Borough of Bristol and Township of Bristol and County of Bucks, for use as a public lake, fishing and recreation area.

The SPEAKER. The Chair requests the gentleman from Chester, Mr. Brown, to preside over the First Reading calendar.

MR. BROWN IN THE CHAIR.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 19, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) directing the issuance of special registration plates for suburban motor vehicles and prescribing the fee thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 44, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) providing special registration provisions for motor buses of certain common carriers of passengers for hire.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 348, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) granting income tax deductions to residents of other states if similar deductions are granted to Pennsylvania residents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 437, entitled:

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905) fixing registration fees for trailers used for office purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 475, entitled:

An Act requiring the sale possession and use of electrical devices as defined herein to conform to the standards of the Underwriters' Laboratories Inc.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 492, entitled:

An Act amending the "Fire Safety Building Regulation Law" approved April 27, 1927 (P. L. 465) requiring the printing and showing of seating arrangements and exits in places of public amusements imposing penalties and providing for the disposition of fines.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 501, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) increasing maximum limits on per capita taxes with certain limitations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 504, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for equal reimbursement to school districts of the first class A and first class for the school years 1955-1956 and 1956-1957.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 596, entitled:

An Act amending the "Milk Control Law" approved Aprl 28, 1937 (P. L. 417) requiring testing of composite sample within five days after taken.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 634, entitled:

An Act amending the "First Class City Home Rule Act" approved April 21, 1949 (P. L. 665) imposing limitations on the salary of members of city council or other legislative body.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 644, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) restricting the provisions relating to the limitations on size of certain vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 753, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) prescribing method for codification of ordinances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 792, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing minimum reimbursements on account of instruction and tuition in the case of union and merged school districts and jointures.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 847, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) prohibiting pupils from wearing shoes equipped with metal cleats while playing football.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 852, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing recorders of deeds to appoint solicitors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 893, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class * * *" further regulating payments to certain beneficiaries under the fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 894, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) changing the amount of payments to certain beneficiaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 904, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing administrative tasks functions or duties required to be performed on Saturdays in certain offices to be performed on Mondays regulating the number of employes to be maintained for such purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 907, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities * * *" increasing the amount of pensions and increasing the minimum and maximum amount of pensions in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 222, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The SPEAKER pro tempore. The Chair thanks the Members for their indulgence during the controversial First Reading Calendar.

The Chair requests the Speaker to return to the rostrum.

The SPEAKER (W. Stuart Helm) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Chester, Mr. Brown, for the able manner in which he presided over the First Reading calendar.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1040, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228)

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

On the question,

Will the House agree to the motion?

Mr. LOVETT. Mr. Speaker, on this motion to place this bill upon the Second Reading Postponed Calendar, I want to say I am opposed to this motion due to the fact that we certainly are not keeping faith with the Governor if we do not have these amendments prepared which they agreed to put into this bill today.

I said yesterday I could not see any reason for the speed. Today we find the speed is all over. You are not keeping faith.

I would suggest to the Governor of Pennsylvania that he veto the bill he now has before him due to the fact that you have not kept faith to have these amendments ready this morning.

Mr. JOHNSON. Mr. Speaker, I want to report to the House that the Republican conferees on the bill met yesterday afternoon and went over the rough draft which had been submitted by the Attorney General. We found them generally acceptable but there are one or two points of possible difference.

We came back after dinner last night and worked about another hour on them. The Members of the minority, by reason of a previous engagement, could not meet with us last evening. We are going to meet with them immediately after this Session.

The plan was to hold a caucus of the Republican Members, and I believe perhaps the Democratic Members would want to caucus at the close of our calendar today, to discuss the situation.

I therefore moved to place the bill on the Second Reading Postponed Calendar and have it remain there until we have had an opportunity to call a caucus, at least of the Republican Members, to discuss the situation and get permission from my caucus for further action with respect to the bill.

Mr. READINGER. Mr. Speaker, it was my intention to ask for a Democratic Caucus during today's session when we had completed some of the other bills on the calendar.

As stated by the Majority Floor Leader, the amendments which have been discussed are to be prepared for presentation today before this session adjourns for the week.

We want to caucus on them as soon as we are able to do so and discuss the whole situation.

I agree fully with the motion to place this bill on the postponed calendar so that the amendments can be offered today and not next week.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, is it the gentleman's program that these amendments should not be considered prior to the time the Governor must act upon the tax bill which is on his desk?

Mr. JOHNSON. Mr. Speaker, what I had hoped to do today was call a caucus of the Republican Members and endeavor to explain to them substantially what we had agreed upon with respect to these amendments.

We felt last evening it would not be good faith to have amendments drafted last evening without first having sat down with the minority and the Attorney General and completely agreeing on the amendments. What we would like to do is clear this calendar and then have a caucus and in so for as possible explain the matter to our Caucus and to yours, if you can get somebody to explain what has been done, and then have the amendments prepared and offer them later today.

Those who care to stay to debate the amendments, or any other matter, would be privileged to do so. That is one of the things we had in mind and we felt it very important that we have a caucus and get permission from our caucus.

To answer your question, yes, I would like very much before we go home this week to have an amended bill. Then we can send it out to the Members as soon as it is in print so they will have an opportunity to read it and know what is in the bill when they return next Monday and the bill is on third reading.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman.

In view of the situation as it has developed, it would be my opinion that it is the duty of the majority to maintain a working force and make certain the amendments are either in or out of the bill today. We should have assurance that that will be done, that the amendments either go into the bill today or they do not go into the bill today.

It will be possible then for the executive to act more intelligently upon the bill which he now has on his desk.

We should have enough Members in the House and enough Members on the majority side to make certain the amendments either stand or fall today.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 582, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) requiring the Budget Secretary to submit budget material to the chairmen of the Committees on Appropriations of the House of Representatives and the Senate within a specified time.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Adams,	Eshleman,	Light,	Readinger,
Agnew,	Ewing,	Limper,	Reidenbach,
Amarando,	Farabaugh,	Lippincott,	Rigby,
Anderson, M. S.,	Fetterolf,	Lopresti,	Rovansek,
Anderson, S. A.,	Filo,	Lovett,	Royer,
Andrews,	Flynn,	Lutty,	Rudisill,
Ashton,	Fox,	Magee,	Scarcelli,
Auker,	Gelfand,	Mahan,	Schuster,
Barton,	Gibb,	Markley,	Seltzer,
Bell,	Gibson,	Marsh,	Sherman,
Blair,	Goldstein,	McCann,	Snare,
Boory,	Goodling,	McGee,	Snider,
Bower,	Goodrich,	McInroy,	Spray,
Bowman,	Gramlich,	McKeever,	Steckel,
Brand,	Gross,	Merry,	Stevens,
Breisch,	Hamilton,	Metz,	Stimmel,
Brennan,	Haudenshield,	Mikula,	Stone,
Brenninger,	Heavey,	Miller, B. Z.,	Stoner,
Breon,	Heffner,	Miller, W. H.,	Strausser,
Brown,	Henzel,	Monroe,	Stroup,
Brucker,	Hocker,	Moody,	Stuart,
Bucchin,	Horst,	Moscrip,	Thompson,
Buchanan,	Ide,	Moyer,	Tompkins,
Carson,	Isaacs,	Muldowney,	Varallo,
Cleveland,	Jenkins,	Murphy,	Varner,
Comer,	Jim,	Murray, H. P.,	Vaughan,
Cooper,	Johnston,	Murray, P. G.,	Verona,
Curwood,	Johnson,	Musto,	Wall,
Dalrymple,	Jones, T. H. W.,	Naugle,	Walsh,
Davis,	Jump,	O'Brien,	Weidner,
DeLong,	Kamyk,	O'Dell,	Welsh,
Dengler,	Kehler,	Ogilvie,	Whittaker,
Dennison,	Keller,	Parry,	Willaredt,
Devlin,	Kernaghan,	Pashley,	Williams,
Dietterick,	Knecht,	Phillips,	Wilt,
Donahue,	Kooker,	Piper,	Wood,
Donaldson,	Korns,	Polaski,	Worley,
Dougherty,	Krakow,	Pomeroy,	Wyatt,
Down,	Lafore,	Post,	Wynd,
Dunn,	Lee, A. M.,	Price,	Yatron,
Edwards,	Lee, K. B.,	Pursley,	Zimmerman,
Eilberg,	Leonard,	Ragot,	Helm,
Erb,			Speaker

NAYS—5

Cummins,	Renwick,	Toll,	Wargo,
Munley,			

NOT VOTING—35

Boles,	Frascella,	McCormack,	Silverman,
Breth,	Gailey,	McLaughlin,	Smith,
Capano,	Garlock,	Mihm,	Taylor,
Cianfrani,	George,	Miller, H. G.,	Trusio,
Cioffi,	Guthrie,	Mills,	Ujobai,
Duffy,	Holt,	Mullen,	Wescott,
Fineman,	Jones, G. E.,	Petrosky,	Wheeler,
Floyd,	Kornick,	Schwartz,	Willard,
Foster,	Maxwell,	Shields,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 56, Printer's No. 214,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 121, entitled as follows:

A Joint Resolution proposing an amendment to Art VIII Sec 12 of the Constitution of the Commonwealth of Pennsylvania changing provisions relating to the election of county superintendents of public schools.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Adams,	Eshleman,	Lippincott,	Renwick,
Agnew,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Flynn,	Mahan,	Scarcelli,
Ashton,	Fox,	Markley,	Schuster,
Auker,	Gelfand,	Marsh,	Seltzer,
Barton,	Gibb,	McCann,	Sherman,
Bell,	Gibson,	McGee,	Snare,
Blair,	Goldstein,	McInroy,	Snider,
Boory,	Goodling,	McKeever,	Spray,
Bower,	Goodrich,	Merry,	Steckel,
Bowman,	Gramlich,	Metz,	Stevens,
Brand,	Gross,	Mikula,	Stimmel,
Breisch,	Hamilton,	Miller, B. Z.,	Stone,
Brennan,	Haudenshield,	Miller, W. H.,	Stoner,
Brenninger,	Heavey,	Monroe,	Strausser,
Breon,	Heffner,	Moody,	Stroup,
Brown,	Henzel,	Moscrip,	Stuart,
Brucker,	Hocker,	Moyer,	Thompson,
Bucchin,	Horst,	Muldowney,	Toll,
Buchanan,	Ide,	Munley,	Tompkins,
Carson,	Isaacs,	Murphy,	Varallo,
Cleveland,	Jenkins,	Murray, H. P.,	Varner,
Comer,	Jim,	Murray, P. G.,	Vaughan,
Cooper,	Johnson,	Musto,	Verona,
Cummins,	Johnston,	Naugle,	Wall,
Curwood,	Jones, T. H. W.,	O'Brien,	Walsh,
Dalrymple,	Jump,	O'Dell,	Wargo,
Davis,	Kamyk,	Ogilvie,	Weidner,
DeLong,	Kehler,	Parry,	Welsh,
Dengler,	Keller,	Pashley,	Whittaker,
Dennison,	Kernaghan,	Petrosky,	Williams,
Devlin,	Knecht,	Phillips,	Willaredt,
Dietterick,	Kooker,	Piper,	Wilt,
Donahue,	Korns,	Polaski,	Wood,
Donaldson,	Krakow,	Pomeroy,	Worley,
Dougherty,	Lafore,	Post,	Wyatt,
Down,	Lee, A. M.,	Price,	Wynd,
Dunn,	Lee, K. B.,	Pursley,	Yatron,
Edwards,	Leonard,	Ragot,	Zimmerman,
Eilberg,	Light,	Readinger,	Helm,
Erb,	Limper,	Reidenbach,	Speaker

NAYS—0

NOT VOTING—34

Boies,	Frascella,	McCormack,	Smith,
Breth,	Galley,	McLaughlin,	Taylor,
Capano,	Garlock,	Mihm,	Trusio,
Cianfrani,	George,	Miller, H. G.,	Ujobai,
Cioffi,	Guthrie,	Mills,	Wescott,
Duffy,	Holt,	Mullen,	Wheeler,
Fineman,	Jones, G. E.,	Schwartz,	Willard,
Floyd,	Kornick,	Shields,	
Foster,	Maxwell,	Silverman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 454, Printer's No. 173,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 565, entitled as follows:

An Act amending the act of June twenty-nine one thousand nine hundred fifty-three (P. L. 304) known as the "Vital Statistics Law of 1953" by providing for the registration of children born in countries other than the United States and the registration of foreign born children adopted in Pennsylvania.

On the question,

Will the House agree to the bill on third reading?

Mr. HORST. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, next to last line of Title, by inserting after "States" or state or territory other than the Commonwealth of Pennsylvania.

Amend Title, page 2, next to last line of Title, by striking out "foreign born."

Amend Sec. 1 (Sec. 403), page 3, line 1, by inserting after "States" or state or territory other than the Commonwealth of Pennsylvania.

Amend Sec. 1 (Sec. 403), page 3, line 3, by inserting after "States" or state or territory other than the Commonwealth of Pennsylvania.

Amend Sec. 1 (Sec. 403), page 3, line 5, by striking out "country" and inserting in lieu thereof "place."

Amend Sec. 2 (Sec. 604), page 3, line 14, by striking out "Foreign Born."

Amend Sec. 2 (Sec. 604), page 3, lines 15 and 16, by striking out "born in a foreign country but."

Amend Sec. 2 (Sec. 604), page 4, line 3, by striking out "country" and inserting in lieu thereof "place."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 636, entitled as follows:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) further regulating the filling of vacancies in the office of controller and treasurer.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

Adams,	Eshleman,	Lippincott,	Renwick,
Agnew,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Flynn,	Mahan,	Scarcelli,
Ashton,	Fox,	Markley,	Schuster,
Auker,	Gelfand,	Marsh,	Seltzer,
Barton,	Gibb,	McCann,	Sherman,
Bell,	Gibson,	McGee,	Snare,
Blair,	Goldstein,	McInroy,	Snider,
Boory,	Goodling,	McKeever,	Spray,
Bower,	Goodrich,	Merry,	Steckel,
Bowman,	Gramlich,	Metz,	Stevens,
Brand,	Gross,	Mikula,	Stimmel,
Breisch,	Hamilton,	Miller, B. Z.,	Stone,
Brennan,	Haudenshield,	Miller, W. H.,	Stoner,
Brenninger,	Heavey,	Monroe,	Strausser,
Breon,	Heffner,	Moody,	Stroup,
Brown,	Henzel,	Moscrip,	Stuart,
Brucker,	Hocker,	Moyer,	Thompson,
Bucchin,	Horst,	Muldowney,	Toll,
Buchanan,	Ide,	Munley,	Tompkins,
Carson,	Isaacs,	Murphy,	Varallo,

Cleveland,	Jenkins,	Murray, H. P.,	Varner,
Comer,	Jim,	Murray, P. G.,	Vaughan,
Cooper,	Johnson,	Musto,	Verona,
Cummins,	Johnston,	Naugle,	Wall,
Curwood,	Jones, T. H. W.,	O'Brien,	Walsh,
Dalrymple,	Jump,	O'Dell,	Wargo,
Davis,	Kamyk,	Ogilvie,	Weidner,
DeLong,	Kehler,	Parry,	Welsh,
Dengler,	Keller,	Pashley,	Whittaker,
Dennison,	Kernaghan,	Petrosky,	Willaredt,
Devlin,	Knecht,	Phillips,	Williams,
Dietterick,	Kooker,	Piper,	Wilt,
Donahue,	Korns,	Polaski,	Wood,
Donaldson,	Krakow,	Pomeroy,	Worley,
Dougherty,	Lafore,	Post,	Wyatt,
Down,	Lee, A. M.,	Price,	Wynd,
Dunn,	Lee, K. B.,	Pursley,	Yatron,
Edwards,	Leonard,	Ragot,	Zimmerman,
Eilberg,	Light,	Readinger,	Helm,
Erb,	Limper,	Reidenbach,	Speaker

NAYS—0

NOT VOTING—34

Boies,	Frascella,	McCormack,	Silverman,
Breth,	Gailey,	McLaughlin,	Smith,
Capano,	Garlock,	Mihm,	Taylor,
Cianfrani,	George,	Miller, H. G.,	Trusio,
Cioffi,	Guthrie,	Mills,	Ujobai,
Duffy,	Holt,	Mullen,	Wescott,
Fineman,	Jones, G. E.,	Schwartz,	Wheeler,
Floyd,	Kornick,	Shields,	Willard,
Foster,	Maxwell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 666, Printer's No. 211,

was passed over at the request of the SPEAKER

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

An Act amending the act of June 1, 1956 (Appropriation Acts page 120 Act No 150-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth for two years beginning June first one thousand nine hundred fifty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-five" decreasing appropriations to the Department of Revenue.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. OGILVIE ffrom the Committee on State Government, reported as committed, House Bill No. 446, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio, relative to the development, use and control of the Pymatuning Lake * * *," fixing the speed and horsepower of motor boats allowed on the lake; limiting operation of motor boats and prescribing penalties.

Mr. LUTTY from the Committee on State Government, reported as amended, House Bill No. 516, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire 253.1 acres, more or less, of land in Suippery Rock Township, Butler County, for use of Slippery Rock Teachers College; and making an appropriation.

Mr. PRICE from the Committee on State Government, reported as committed, House Bill 539, entitled:

An Act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duty and providing benefit to their widows and dependents in certain cases.

Mr. POLASKI from the Committee on State Government, reported as committed, House Bill No. 619, entitled:

An Act amending the "Law Fixing Annual Charge on Forest Lands," approved May 17, 1929 (P. L. 1798), changing limitations on the responsibility of the Commonwealth to pay charges to counties on certain Federal forest reserves.

RECESS

The SPEAKER. Without objection the Chair will declare a thirty-minute recess for the purpose of holding Republican and Democratic caucuses immediately. The Chair would like to advise the respective caucuses the House will reconvene at exactly 11:30 o'clock.

The Chair hears no objection and now declare a thirty-minute recess.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (W. Stuart Helm) IN THE CHAIR

CONGRATULATIONS

The SPEAKER. Today is the anniversary of the birth of the lady from Philadelphia, Mrs. Pashley. The Chair normally sends a greeting card to every Member of the House on their birthday, but was informed that the lady did not give her birthdate to the Chief Clerk's Office. The Chair wishes to inform the lady his Gestapo has found out that today is her birthday and the Chair extends greetings to her.

The Chair recognizes the lady from Philadelphia, Mrs. Pashley.

Mrs. PASHLEY. Mr. Speaker, I did not know we were required to give our birth dates to the Chief Clerk's office. It is in the Manual. I wish to thank everybody in the House. It has been very nice spending my birthday here today and I am glad I will be spending the remainder of it in Philadelphia tonight.

Mr. JOHNSON. Mr. Speaker, we have no further business at this time and I suggest the Chair declare a recess until 5:00 o'clock for purpose of offering amendments as previously indicated.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess until 5:00 p. m. The Chair hears no objection, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (W. Stuart Helm) IN THE CHAIR

RECESS

The SPEAKER. Without objection, the Chair will declare a recess until 10:00 p. m. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (W. Stuart Helm) IN THE CHAIR

BILL ON SECOND READING POSTPONED

Mr. JOHNSON. Mr. Speaker, I call up from the second reading postponed calendar, House Bill No. 1040.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. JOHNSON.

The House resumed the consideration on second reading of House Bill No. 1040, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228).

The first section was read.

On the question,

Will the House agree to the section?

Mr. JOHNSON offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "Section" where it appears the second time and inserting in lieu thereof "Clause (f) of section 2."

Amend Sec. 1, page 2, line 2, by striking out "amended" and inserting in lieu thereof "added May 24, 1956 (P. L. 1707)."

Amend Sec. 1, page 2, line 3, by striking out "to read" and inserting in lieu thereof by adding at the end, a new clause to read:

Section 2. Definitions.—The following words, terms and phrases when used in this act shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

(f) "Purchase Price."

* * *

(5) With respect to the tax imposed by subsection (b) of section 201 upon any tangible personal property originally purchased by the user of such property six months or longer prior to the first taxable use of such property within the Commonwealth, such user may elect to pay tax on a substituted base determined by considering the purchase price of such property for tax purposes to be equal to the prevailing market price of similar personal property at the time and place of such first use within the Commonwealth. Such election must be made by filing a notice thereof in the form specified by the department and reporting such tax liability and paying the proper tax due plus all accrued penalties and interest, if there be any, within one year of the due date of such report and payment, as provided for by subsection (a) and (c) of section 520 of this act.

* * *

tax liability and paying the proper tax due plus all accrued penalties and interest, if there be any, within one year of the due date of such report and payment, as provided for by subsections (a) and (c) of section 520 of this act.

* * *

Amend Sec. 2, page 2, line 4, by striking out "This act shall take effect immediately" and inserting in lieu thereof

Section 541 of the act, amended April , 1957 (Act No.) is amended to read:

Section 541. Mode and Time of Assessment.— (a) Underpayment of Tax. Within a reasonable time after any return is filed, the department shall examine it and, if the return shows a greater tax due or collected than the amount of tax remitted with the return, the department shall [forthwith assess] issue an assessment for the difference. The difference shown on the assessment, together with an addition of three percent of such difference shall be paid to the department within ten days after a notice of the assessment has been mailed to the taxpayer.

(b) Understatement of Tax. If the department determines that any return or returns of any taxpayer understates the amount of tax due, it shall [assess] determine the proper amount and shall [determine] ascertain the difference between the amount of tax shown in the return and the amount [assessed] determined such difference being hereafter sometimes referred to as the "deficiency." A notice of assessment for the deficiency shall then be sent to the taxpayer. Such notice shall set forth in a reasonable manner the basis of the assessment. The deficiency shall be paid to the department within thirty days after a notice of the assessment thereof has been mailed to the taxpayer.

(c) Failure to File Return. In the event that any taxpayer fails to file a return required by this act, the department may make an estimated assessment (based on [the best] information available) of the proper amount of tax owing by the taxpayer [and the]. A notice of assessment in the estimated amount shall be sent to the taxpayer. The tax shall be paid within thirty days after a notice of such estimated assessment has been mailed to the taxpayer.

(d) [Notice of Assessment or Estimated Assessment. The notice of any assessment or estimated assessment shall set forth explicity and in detail the amount of such assessment or estimated assessment and the grounds for making the assessment or estimated assessment.] Authority to Establish Effective Rates by Business Classification. The department is authorized to make the studies necessary to compute effective rates by business classification, based upon the ratio between the tax reuqired to be collected and taxable sales and to use such rates in arriving at the apparent tax liability of a taxpayer.

Any assessment based upon such rates shall be prima facie correct, except that such rate shall not be considered where a taxpayer establishes that such rate is based on a sample inapplicable to him.

Section 3. Section 542 of the act, amended May 24, 1956 (P. L. 1707) is amended to read:

Section 542. Reassessment.—Any taxpayer against whom an assessment is made may petition the department for a reassessment. Notice of an intention to file such a petition shall be given to the department [prior to the time the assessment becomes due and payable] within thirty days of the date the notice of assessment was mailed to the taxpayer, except that the department for due cause may accept such notice within ninety days of the date the notice of assessment was mailed. A petition for reassessment shall thereafter be filed within thirty days of the receipt by the department of the notice of intention. Such petition shall set forth in reasonable detail the grounds upon which the taxpayer claims that the assessment is erroneous or unlawful, in whole or in part, and shall be accompanied by an affidavit or affirmation that the facts contained therein are true and correct. An extension of time for filing the petition may be allowed for cause but in no case shall such extension exceed one hundred twenty days. The department shall hold such hearings as may be necessary for the purpose, at such times and places as it may determine, and each taxpayer who has duly [notified the department of an intention to file a] filed such petition for reassessment shall be notified by the department of the time when, and the place where, such hearing in his case will be held. [A petition for reassessment, if filed, shall set forth explicitly and in de-

tail the grounds upon which the taxpayer claims that the assessment is erroneous or unlawful, in whole or in part, and shall be accompanied by an affidavit under oath or affirmation certifying to the facts stated in the petition.]

It shall be the duty of the department, within six months [after the hearing, or] after receiving a filed petition for reassessment, to dispose of the issue raised [at such hearing or by such filed petition. Notice of the action taken shall be given to the petitioner promptly after the date of reassessment by the department] by such petition and mail notice of the department's decision to the petitioner: Provided, however, That the taxpayer and the department may, by stipulation, extend such disposal time by not more than six additional months.

Section 4. The act is amended by adding after section 542 a new section to read:

Section 542.1. Assessment to Recover Erroneous Refunds.—The department may, within two years of the granting of any refund or credit, or within the period in which an assessment could have been filed by the department with respect to the transaction pertaining to which the refund was granted, whichever period shall last occur, file an assessment to recover any refund or part thereof or credit or part thereof which was erroneously made or allowed.

Section 5. Section 543 of the act, amended May 24, 1956 (P. L. 1707), is amended to read:

Section 543. Review by Board of Finance and Revenue.—Within sixty days after the date of mailing of notice by the department of the [action taken] decision on any petition for reassessment filed with it, [or after the department's failure to act within the time specified] the person against whom such assessment was made may, by petition, request the Board of Finance and Revenue to review such [action] decision. The failure of the department to notify the petitioner of a decision within the time provided for by section 542 shall act as a denial of such petition, and a petition for review may be filed with the Board of Finance and Revenue within one hundred twenty days of the date prior to which the department should have mailed to the petitioner its notice of decision. Every petition for review filed hereunder shall state specifically the reasons on which the petitioner relies, or shall incorporate by reference the petition for reassessment in which the reasons are stated. The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true. The Board of Finance and Revenue shall act finally in disposing of petitions filed with it within six months after they have been received. In the event of the failure of the board to dispose of any petition within six months, the action taken by the department, upon the petition for reassessment, shall be sustained. The Board of Finance and Revenue may sustain the action taken by the department on the petition for reassessment, or it may reassess the tax due on such basis as it deems according to law. The board shall give notice of its action [by mail] to the department and to the petitioner.

Section 6. Subsection (c) of section 546 of the act, amended April 1957 (Act No.), is amended to read:

Section 546. Collection of Tax.—* * *

(c) Exemption Certificates. If the tax does not apply to the sale or lease of tangible personal property, the purchaser or leassee shall furnish to the vendor a certificate indicating that the sale is not legally subject to the tax. The certificate shall be in substantially such form as the department may by regulation prescribe. Where the tangible personal property is of a type which is never subject to the tax imposed or where the sale or lease is in interstate commerce, such certificate need not be furnished. Where the identity of the purchaser or user is such that all transactions with such person are never subject to tax, such purchaser or user may furnish the vendor with a single exemption certificate. An exemption certificate, which on its face discloses a valid basis of exemption, if taken in good faith, shall relieve the vendor from any liability for the tax:

Section 7. The act is amended by adding, after section 546, a new section to read:

Section 546.1. Collection of Tax on Motor Vehicles, Trailers and Semi-Trailers.—Notwithstanding the provisions of section 546 (b) (1) of this act, tax due on the sale at retail of a motor vehicle, trailer or semi-trailer by persons other than those registered with the department in "Dealer's Class" under the provisions of section 408 of The Vehicle Code of May 1, 1929 (P. L. 905) and the tax due upon the use of a motor vehicle, trailer or semi-trailer shall be collected by the department upon application to the department for an issuance of a certificate of title upon such motor vehicle, trailer or semi-trailer. The department shall not issue a certificate of title until the tax has been paid, or evidence satisfactory to the department has been given to establish that tax is not due.

Section 8. Section 550 of the act is amended to read:

Section 550. Refund or Credit for Overpayment.— [In] With respect to all taxes paid to a vendor or to the Commonwealth prior to the effective date of this amending act, in the case of any overpayment, the department, within the applicable period of limitations, may credit the amount of such overpayment against any liability in respect of the tax imposed by this act on the part of the person who made the overpayment and shall refund any balance to such person.

Section 9. Section 551 of the act, amended April , 1957 (Act No.), is repealed.

Section 10. The act is amended by adding, after section 550, six new sections to read:

Section 551. Restriction on Refunds.—No refund shall be made under section 550 without the approval of the Board of Finance and Revenue.

Section 552. Refunds.—The department shall, pursuant to the provisions of sections 553 and 554, refund all taxes which have been erroneously collected or paid over to the person who actually paid the tax: Provided, That no refund shall be made under this section with respect to any payment made by reason of that portion of an assessment with respect to which a taxpayer has filed a petition for reassessment pursuant to section 542 of this act.

Section 553. Refund Petition. Except as provided for in section 556, the refund or credit of tax, interest or penalty erronoeusly collected or paid provided for by section 552 shall be made only where the person who has actually paid the tax files a petition for refund with the department within eighteen months of the actual payment of the tax to the Commonwealth. Such petition for refund must set forth in detail the grounds upon which the taxpayer claims that payment or collection was erroneous, in whole or in part, and shall be accompanied by an affidavit affirming that the facts contained therein are true and correct. The department may hold such hearings as may be necessary for the purpose at such times and places as it may determine, and each person who has duly filed a refund petition shall be notified by the department of the time when, and the place where, such hearing in his case will be held.

It shall be the duty of the department, within six months after receiving a petition for refund, to dispose of the issue raised by such petition, and mail notice of the department's decision to the petitioner: Provided, however, That the taxpayer and the department may, by stipulation, extend such disposal time by not more than six additional months.

Section 554. Review by Board of Finance and Revenue. Within sixty days after the date of mailing of notice by the department of the decision upon a petition for refund filed with it, pursuant to section 553, the peitioner may further petition the Board of Finance and Revenue to review the decision of the department. The failure of the department to notify the petitioner of its decision within the time provided for by section 553 shall act as a denial of such petition, and a petition for review may be filed with the Board of Finance and Revenue within one hundred twenty days of the date prior to which the department should have mailed to the petitioner its notice of decision. Every petition for review filed with the Board of Finance and Revenue under the provisions of this section shall incorporate by reference the petition for refund. The petitioner may, in his petition for review,

elect to withdraw one or more grounds as set out in the original refund petition. The Board of Finance and Revenue shall act finally in disposing of such petitions filed with it within six months after they have been received. In the event of the failure of the board to dispose of any petition within six months, the action taken by the department upon the petition for refund shall be sustained. The Board of Finance and Revenue may sustain the action taken by the department on a petition for refund, or it may redetermine whether a lesser or greater amount of refund is proper. Under no circumstances may the Board of Finance and Revenue authorize a refund greater than that originally applied for by the petitioner. The board shall give notice of its action to the department and to the petitioner.

Section 555. Appeal to the Court of Common Pleas of Dauphin County. Any person aggrieved by the decision of the Board of Finance and Revenue under section 554, or by the board's failure to act upon a petition for review within six months may, within sixty days, appeal to the Court of Common Pleas of Dauphin County from the decision of the board or of the department, as the case may be, in the manner now or hereafter provided for by law for appeals and in the case of tax settlements.

Section 556. Extended Time for Filing Special Petition for Refund. Any party to a transaction who has paid tax by reason of a transaction with respect to which the department is assessing tax against another person may, within six months after the filing by the department of the assessment against such other person, file a special petition for refund, notwithstanding his failure to file a regular petition within eighteen months of the payment. The provisions of sections 553, 554 and 555 shall be applicable to such special petition for refund, except that the department need not act on such peition until there is a final determination as to the propriety of the assessment filed against the other party to the transaction. Where a petition is filed under this provision in order to take advantage of the extended period of limitations, overpayments by the petitioner shall be refunded but only to the extent of the actual tax (without consideration of interest and penalties) paid by the other party to the transaction. The purpose of this section is to avoid duplicate payment of tax where a determination is made by the department that one party to a transaction is subject to tax, and another party to the transaction has previously paid tax with respect to such transaction and, as such, this section shall be construed as extending right beyond that provided for by section 553, and not to limit such other section.

Section 11. Subsections (a) and (b) of section 571, section 572 and subsections (a) and (c) of section 581 of the act, amended April 1957 (Act No.) are amended to read:

Section 571. Additions to Tax. (a) Failure to File Return. In the case of failure to file any return required by section 501 on the date prescribed therefor (determined with regard to any etxension of time for filing), and in the case in which a return filed after July 1, 1957 understates the true amount due by more than fifty percent there shall be added to the amount [required to be shown as tax on such return] of tax actually due five percent of the amount of such tax if the failure to file a proper return is for not more than one month, with an additional five percent for each additional month, or fraction thereof, during which such failure continues, not exceeding twenty-five percent in the aggregate. In [all cases the amount added shall be a minimum of two dollars ($2)] every such case at least two dollars ($2) shall be added .

(b) [Failure to Pay Tax Through Negligence or Fraud.

(1) If any part of any deficiency is due to negligence or intentional disregard to rules and regulations (but without intent to defraud), there] Addition for Understatement. There shall be added to [the tax an amount] every assessment under subsection (b) of section 541 an addition equal to five percent of the [underpayment. The mere eixstence of a deficiency shall not constitute such negligence or intentional disregard of rules and regulations] amount of the understatement.

[(2) If any part of any deficiency is due to fraud, there shall be added to the tax an amount equal to fifty percent of the deficiency. This amount shall be in lieu of any amount determined under paragraph (1) of this subsection.]

* * *

Section 572. Penalties. (a) Penalty Assessed as Tax. The penalties, additions, interest and liabilities provided by this act shall be paid upon notice and demand by the department, and shall be assessed and collected in the same manner as taxes. Except as otherwise provided, any reference in this act to "tax" imposed by this act shall be deemed also to refer to the penalties, additions, interest and liabilities provided by this Part.

(b) Attempt to Evade or Defeat Tax. Any person who wilfully attempts, in any manner, to evade or defeat the tax imposed by this act, or the payment thereof, or to assist any other person to evade or defeat the tax imposed by this act, or the payment thereof, or to receive a refund improperly, shall, in addition to other penalties provided by law, be liable for a penalty equal to one-half of the total amount of the tax evaded.

Section 581. Keeping of Records. (a) General Provisions. Every person liable for any tax imposed by this act, or for the collection thereof, shall keep the records, render such statements, make the returns and comply with such rules and regulations as the department may, from time to time, prescribe, [in so far as the information which may be required is within the knowledge of the person required to make such return] regarding matters pertinent to his business. Whenever in the judgment of the department it is necessary, it may require any person, by notice served upon such person, or by regulations, to make such returns, render such statements or keep such records as the department deems sufficient to show whether or not such person is liable to pay or collect tax under this act.

* * *

(c) Records of Non-residents. A non-resident who does business in this Commonwealth as a retail dealer shall keep adequate records of such business or businesses and of the tax due with respect thereto, which records shall at all times be retained within this Commonwealth unless retention outside the Commonwealth is authorized by the department. No taxes collected from purchasers shall be sent outside the Commonwealth without the written consent of, and in accordance with conditions prescribed by the department. The department may require a taxpayer who desires to retain records or tax collections outside the Commonwealth to assume reasonable out-of-state audit expenses.

* * *

Section 12. Section 585 of the act amended May 24, 1956 (P. L. 1707) and April , 1957 (Act No.) is amended to read:

Section 585. Bonds.—(a) Taxpayer to File Bond. Whenever the department, in its discretion, deems it necessary to protect the revenues to be obtained under the provisions of this act, it may require any nonresident natural person or any foreign corporation, either not authorized to do business within this Commonwealth or not having an established place of business therein and subject to the tax imposed by section 201 of this act, to file a bond issued by a surety company authorized to do business in this Commonwealth and approved by the insurance commissioner as to solvency and responsibility, in such amounts as it may fix, to secure the payment of any tax or penalties due, or which may become due, from such natural person or corporation. The department may also require such a bond of any person petitioning the department for reassessment, in the case of any assessment over five hundred dollars ($500) or where it is of the opinion that the ultimate collection is in jeopardy. The department may, for a period of three years, require a bond of any person who has on three or more occasions within a twelve month period either filed a return or made payment to the department more than thirty days late. In the event that the department determines that a taxpayer is to file such a

bond, it shall give notice to such taxpayer to that effect, specifying the amount of the bond required. The taxpayer shall file such bond within five days after the giving of such notice by the department unless, within such five days, the taxpayer shall request, in writing, a hearing before the Secretary of Revenue or his representative at which hearing the necessity, propriety and amount of the bond shall be determined by the secretary or such representative. Such determination shall be final and shall be complied with within fifteen days after [the taxpayer is given] notice thereof is mailed to the taxpayer.

(b) Securities in Lieu of Bond. In lieu of the bond required by this section, securities approved by the department, or cash in such amount as [he] it may prescribe, may be deposited. Such securities or cash shall be kept in the custody of the department who may, at any time without notice to the depositor, apply them to any tax and/or interest or penalties due, and for that purpose the securities may be sold by the department at public or private sale, upon five days written notice to the depositor.

(c) Failure to File Bond. The department may file a lien pursuant to section 548 against any taxpayer who fails to file a bond when required to do so under this section. All funds received in liquidation of such lien shall be refunded to the taxpayer with three percent interest should a final determination be made that he does not owe any payment to the department.

Section 13. This act shall take effect immediately.

They were agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. JOHNSON offered the following amendment:

Amend Title, page 2, line 1 of Title, by inserting after "appropriation": "changing the procedure for the collection of the tax and the administration of the act and providing appeals."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

ADJOURNMENT

Mr. BELL. Mr. Speaker, I move that this House do now adjourn until Monday, April 8, 1957, at 4:30 p. m.

The motion was agreed to, and (at 10:18 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., MONDAY, APRIL 8, 1957. No. 34.

SENATE

MONDAY, April 8, 1957.

The Senate met at 4:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. HARRY T. RICHWINE, Pastor of Salem Luthern Church, Lebanon, offered the following prayer:

Let us pray.

God of our fathers, in Whom we trust, under Whose guidance this Commonwealth was established and by Whose grace it has been preserved and sustained, before we become involved in the routine of business, we lift our hearts to Thee in prayer. We pause before Thee, not out of mere sentiment or custom or convention, but out of our deep sense of need.

Let not the blessings of this day, nor the glow of good health, nor our present prosperity, nor pride in our own accomplishments deceive us into a false reliance upon our own strength and blind us to our constant need of Thee.

We thank Thee that this land is governed still by the people's elected representatives and now, as these chosen men discharge their duties, guide them, O God, in the decisions they must make. Give them humble, open minds, good and honest hearts, free from narrowness and prejudice and conceit.

Bless the Members of this Senate with good health and with good sense to preserve it, amidst the tensions and the burdens and the anxieties of their office. May this minute of prayer find each one of us reaching out unto Thee for help, and when this prayer is over, let us not forget Thee in the day and in the work which is to continue. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. DERK, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS

Nos. 24, 123, and 161.

April 4, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 24, Printer's No. 63, entitled "An Act providing for the rendition of certain reports by joint interstate bodies."

GEORGE M. LEADER.

April 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 123, Printer's No. 76, entitled "An Act amending the act of August 9, 1955 (P. L. 323) entitled 'An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto' permitting county commissioners to hold their organiaztion meeting on the day after a holiday."

GEORGE M. LEADER.

April 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 161, Printer's No. 75, entitled "An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended 'An act to provide revenue by imposing a State tax relating to certain documents and transactions prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations sheriffs recorders of deeds and the Department of Revenue saving certain state and local taxes and authoriizng amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties' requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps."

GEORGE M. LEADER.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUDGE OF THE COURT OF COMMON PLEAS OF THE TWELFTH JUDICIAL DISTRICT OF PENNSYLVANIA COMPOSED OF THE COUNTY OF DAUPHIN

April 8, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Douglas M. Royal, 2354 Magnolia Drive, Bellevue Park, Harrisburg, Dauphin County, for appointment as Judge of the Court of Common Pleas of the Twelfth Judicial District of Pennsylvania, composed of the County of Dauphin, until the first Monday of January 1958, to fill the vacancy created by Act No. 7, approved March 15, 1957.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 8, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Michael Wallace, 500 Marion Street, Browndale, P. O. Forest City, Wayne County, for appointment as Justice of the Peace in and for the Township of Clinton, Wayne County, to serve until the first Monday of January 1958, vice John Orehek, deceased.

GEORGE M. LEADER.

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

April 8, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate (Rev.) Robert G. Mock (Republican) 103 North Spring Street, Everett, Bedford County, for appointment as a member of the Bedford County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Herman K. Drenning, Everett, whose term expired.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 8, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate O. Tabor Blair, Sr., 311 Hancock Avenue, Vandergrift, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of Vandergrift, Westmoreland County, to serve until the first Monday of January 1958, vice Andrew M. Kearney, resigned.

GEORGE M. LEADER.

COMMUNICATION FROM THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

RECALLING THE NOMINATION OF DOCTOR JOHN G. MOUNTZ AS A MEMBER OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

April 8, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 1, 1957, for the appointment of (Dr.) John G. Mountz, 761 Locust Street, Columbia, Lancaster County, as a member of the State Board of Chiropractic Examiners, until July 15, 1958, and until his successor is appointed and qualified, vice Dr. Jack J. Stokes, Philadelphia, whose term expired.

I respectfully request the return to me of the official message of nomination in the premises.

GEORGE M. LEADER.

JUNIOR HISTORIAN CLUB OF NEW CUMBERLAND PRESENTED TO SENATE

Mr. WADE. Mr. President, we are honored to have as our guests today a group from the Junior Historian Club of New Cumberland. These young folks put in a great deal of time in studying Pennsylvania and United States history as an extracurricular activity.

They are accompanied by their Vice President, Miss Nancy Wigfield; their President, Miss Karene Fry; and their three advisors and instructors, Mr. Britton, Mr. Dittmer and Mr. Homick.

The PRESIDENT. Will these distinguished guests please arise?

The Chair wishes to state that on behalf of all the Members, we welcome you here and hope you enjoy your visit with us.

STUDENTS FROM KULPMONT HIGH SCHOOL PRESENTED TO SENATE

Mr. WOLF. Mr. President, we are happy to have as our guests this afternoon sixty-seven members of the senior class of the Kulpmont High School. They are accompanied by two of their professors, Professor Dobick and Professor Patrick. They are seated in the gallery now.

I wish to state that we are happy to have them with us this afternoon.

The PRESIDENT. Will these guests please arise?

The Chair wishes to state that on behalf of all the Members, we welcome you here. I, personally, do because, Senator Wolfe, they visited with me earlier in the day. We are very happy that you are here and I hope you will enjoy your visit with us.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

(Mrs.) Katherine Hinckley, Fredonia, from December 13, 1956, for a term of four years, and until her successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE LEHIGH COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles S. Heimbach, Sr. (Democrat), 2104 East Cedar Street, Allentown, Lehigh County, for appointment as a member of the Lehigh County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Dr. Victor L. Johnson, Allentown, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sarah S. Zimmerman (Republican), 109 East Walnut Street, Lebanon, Lebanon County, for appointment as a member of the Lebanon County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Anne B. Bashore, Lebanon, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE POTTER COUNTY BOARD OF ASSISTANCE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Coletta D. Patterson (Democrat), Coudersport, Potter County, for appointment as a member of the Potter County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Mrs. Katharine P. Dorfield, Coudersport, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Donald M. Scott, Washington Street, Petersburg, Huntingdon County, for appointment as Justice of the Peace in and for the Borough of Petersburg, Huntingdon County, to serve until the first Monday of January 1958, vice Charles E. Gates, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John Kreblosky, 348 Powderly Street, Carbondale, Lackawanna County, for appointment as Justice of the Peace in and for the Township of Carbondale, Lackawanna County, to serve until the first Monday of January 1958, vice Adam E. Kolebuk, resigned.

GEORGE M. LEADER.

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mrs. Glee S. Amos (Democrat), 146 West Main Street, Everett, Bedford County, for appointment as a member of the Bedford County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Conrad K. Hughes, Bedford, resigned.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHER'S COLLEGE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Maurice J. Silverstein, 216 Oakview Street, Edgewood, Pittsburgh 15, Allegheny County, for appointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the 3d Tuesday of January 1961, and until his successor is appointed and qualified, vice Robert C. Malcolm, Curtisville, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elmer E. Jenkins, 423 Mary Street, Houtzdale, Clearfield County, for appointment as Justice of the Peace in and for the Borough of Houtzdale, Clearfield County, to serve until the first Monday of January 1958, vice Richard S. Rounsley, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following persons for appointment as members of the

Board of Trustees of Bloomsburg State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Howard R. Berninger, Mifflinville, Columbia County, vice Earl V. Wise, Berwick, whose term expired.

John H. Shuman, 54 East Main Street, Bloomsburg, Columbia County, vice Mrs. Elsie A. Jones, Bloomsburg, whose term expired.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE STATE COUNCIL OF EDUCATION

George E. Hamilton, Meadville, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS' COLLEGE

Frank S. Holowach, Titusville, from December 18, 1956, until the third Tuesday of January, 1959 and until his successor is appointed and qualified.

John W. Grajciar, Sharon, from December 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

(Mrs.) Susan McComb, Stoneboro, from December 18, 1956, until the third Tuesday of January, 1961, and until her successor is appointed and qualified.

W. Verne Zahneiser, Edinboro, from December 18, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

William A. Leonard, Jr., Oil City, from December 28, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS' COLLEGE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Lock Haven State Teachers' College:

John R. Davis, 2411 Eighth Avenue, Altoona, Blair County, until the third Tuesday of January 1961, and until his successor is appointed and qualified, to fill a vacancy.

Lyle G. Hall, Jr., 129 East Avenue, Ridgway, Elk County, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Earl D. Smith, Ridgway, whose term expired.

Clarence B. Sholder, R. D. 2, Bottle Run Road, Williamsport, Lycoming County, until the third Tuesday of January 1959, and until his successor is appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 124

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. MALLERY, KESSLER and McGINNIS, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House(if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 124.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS INTRODUCED AND REFERRED

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 540, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," authorizing the operation of truck tractors registered in this Commonwealth in combination with semi-trailers registered elsewhere, and commercial motor vehicles registered in this Commonwealth in combination with trailers registered elsewhere, under certain conditions.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 541, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," excluding the weight of safety devices in determining gross and axle weights.

Which was committed to the Committee on Highways.

Messrs. FLEMING and SARRAF read in place and presented to the Chair Senate Bill No. 542, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the establishment of a professorship in the School of Medicine.

Which was committed to the Committee on Education.

Messrs. FLEMING and BARR read in place and presented to the Chair Senate Bill No. 543, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the School of Medicine.

Which was committed to the Committee on Appropriations.

They also read in place and presented to the Chair Senate Bill No. 544, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

Which was committed to the Committee on Appropriations.

Mr. MADIGAN read in his place and presented to the Chair Senate Bill No. 545, entitled:

An Act making an appropriation ot the Department of Welfare for the maintenance of the Troy Community Hospital, Troy, Bradford County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. PECHAN, SCOTT, and BERGER read in place and presented to the Chair Senate Bill No. 546, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "Adoption Law," further providing for adoption when a parent is incompetent or confined in a mental institution for a certain period.

Which was committed to the Committee on Judiciary General.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 547, enittled:

A Joint Resolution proposing an amendment to article five, section sixteen, of the Constitution of the Commonwealth of Pennsylvania, providing for election of judges of the Supreme Court.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. MAHANY and DENT read in place and presented to the Chair Senate Bill No. 548, entitled:

An Act creating the Pennsylvania Power Authority as a body corporate and politic; defining its powers and duties; authorizing the issuance of bonds; granting it the right of eminent domain; and making an appropriation.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, at the last Session of the Legislature, three Members of the Senate, including myself, introduced a bill to reduce the age whereby a person committing a crime could be considered a juvenile delinquent from eighteen to seventeen years. This bill failed to come out of committee.

I should like, Mr. President, to refer to an editorial which appeared in the Philadelphia Bulletin on April 4, 1957. It reads as follows:

"That it is time for a major change in the handling of juvenile criminals in this city is evident from the report of the Detective Bureau that of the 28 boys arrested last week, 22 are repeaters. Among the repeaters are the three who murdered a druggist during a hold-up."

Mr. President, juvenile delinquents today commit crimes ranging from petty crimes to murder. We have no space in which to keep these juvenile delinquents. Very often, they are left go for that reason. There are juvenile delinquents committing such serious crimes that they deserve no coddling nor specialized treatment. Many are approaching the age limit after which they would be treated as adults and subjected to adult punishment.

Mr. President, this editorial goes on to say:

"Lowering of the juvenile age limit is one change that seems worth study."

I am, therefore, introducing this bill, Mr. President, to reduce the juvenile age limit from eighteen to seventeen. I hope it will receive better consideration than the last bill did.

BILLS INTRODUCED AND REFERRED

Mr. SILVERT read in place and presented to the Chair Senate Bill No. 549, entitled:

An Act amending the act of June 2, 1933 (P. L. 1433), entitled "The Juvenile Court Law," limiting the provisions of the act to children under seventeen years of age; limiting the powers of courts in certain cases, and excluding certain minors.

Which was committed to the Committee on Judiciary General.

Messrs. SILVERT, SCHMIDT, WEINER and CAMIEL read in place and presented to the Chair Senate Bill No. 550, entitled:

An Act amending the act of May 5, 1933 (P. L. 284) entitled, as amended, "Malt Beverage Tax Law" by prescribing malt beverage tax rates for certain original containers of standard fractions thereof, and providing for refunds of tax for malt or brewed beverages and requiring the presence of the agent or representative of the Liquor Control Board to witness the destruction of malt or brewed beverages.

Which was committed to the Committee on Law and Order.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, this bill intends to apply only to cities of the First Class. There was a time when they called the State of Wisconsin the laboratory of the Nation. Perhaps Philadelphia will become the laboratory of Pennsylvania and we will experiment on guinea pig projects. However, in my opinion, this is not a guinea pig project because it deals with a very serious situation, especially in the realm of freedom and democracy.

Each day, we define new freedoms. This would be a freedom from interference by goons. In Philadelphia, we have an importation of goons from Chicago and New York who establish collection agencies. Then, with strong-arm methods, they are trying to intimidate people by threatening wives to make relations to husbands, threatening scandals in the families and threatening embarrassment of children because parents do not pay certain debts. This must be stopped. The only way to stop this is to eliminate these goons and they can be eliminated if the Department of Banking would keep a vigilent eye upon the operations of these agencies.

Mr. President, early in the Session, I introduced a similar bill for the entire State. It was referred to Senator Propert's committee and, in my absence, it was pulverized, cremated and buried.

Therefore, Mr. President, I am introducing this bill only for cities of the First Class.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 551, entitled:

An Act relating to collection agencies; providing for and regulating the licensing of collection agencies and collectors in cities of the first class; granting powers and imposing duties on the Secretary of Banking, prescribing unlawful acts and imposing penalties.

Which was committed to the Committee on Local Government.

Messrs. WALKER, WHALLEY and KROMER read in place and presented to the Chair Senate Bill No. 552, entitled:

An Act regulating free public nonsectarian libraries in counties, cities, and townships of the first class having a population of seventy thousand or more; providing for their establishment and maintenance; imposing duties on boards of county commissioners, city councils and certain township supervisors conferring powers and imposing duties on the Department of Public Instruction; providing for State aid; prescribing penalties and making an appropriation.

Which was committed to the Committee on Local Government.

Messrs. SCHMIDT, SILVERT and WEINER read in place and presented to the Chair Senate Bill No. 553, entitled:

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951," changing limitations with respect to guardians in certain cases.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 554, entitled:

An Act to eliminate the requirement of certificates evidencing payment of bonus, taxes and charges in cases of merger or consolidation of certain corporations, whenever the surviving or new corporation is a domestic corporation or a foreign corporation duly authorized to do business in Pennsylvania.

Which was committed to the Committee on Corporations.

Mr. WEINER read in place and presented to the Chair Senate Bill No. 555, entitled:

An Act relating to mechanics liens and making wages due or owing to workmen or laborers in connection therewith a first lien on distribution of any payments recovered thereon.

Which was committed to the Committee on Judiciary General.

He also read in place and presented to the Chair Senate Bill No. 556, entitled:

An Act amending the act of May 7, 1937 (P. L. 589), entitled as amended "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; . . .," changing or adding certain routes.

Which was committed to the Committee on Highways.

He also read in place and presented to the Chair Senate Bill No. 557, entitled:

An Act relating to and regulating the solicitation of moneys and property.

Which was committed to the Committee on Judiciary General.

He also read in place and presented to the Chair Senate Bill No. 558, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," requiring optometrist's or physician's statement of normal or correctable vision with applications for learner's permits and prohibiting issuance on noncompliance.

Which was committed to the Committee on Highways.

Messrs. VAN SANT, WATSON, SARRAFF, McGINNIS and BARR read in place and presented to the Chair Senate Bill No. 559, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," permitting liquor licensees to elect to operate under daylight saving time when such time is generally being observed in that municipality.

Which was committed to the Committee on Law and Order.

Mr. MILLER read in place and presented to the Chair Senate Bill No. 560, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended, "Local Tax Enabling Law," granting income tax deductions to residents of other states if similar deductions are granted to Pennsylvania residents.

Which was committed to the Committee on Local Government.

Messrs. DENT, SARRAFF and WEINER read in place and presented to the Chair Senate Bill No. 561, entitled:

An Act amending the act of December 28, 1955 (P. L. 913), entitled "The Dangerous Drug Act of 1955, further defining "dangerous drug," and prescribing procedure for appeals from findings and determinations of the Secretary of Health.

Which was committed to the Committee on Public Health and Welfare.

Messrs. DENT, YOSKO, SCHMIDT, MURRAY and TAYLOR read in place and presented to the Chair Senate Bill No. 562, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," fixing minimum salaries for paid firemen in certain cases.

Which was committed to the Committee on Local Government.

Messrs. LANE, DENT and STIEFEL read in place and presented to the Chair Senate Bill No. 563, entitled:

An Act making an appropriation to the Secretary of Labor and Industry for the payment of the Commonwealth's share of social security contributions.

Which was committed to the Committee on Appropriations.

Mr. BERGER read in his place and presented to the Chair Senate Bill No. 564, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law," further providing for ineligibility for compensation because of labor disputes.

Which was committed to the Committee on Labor and Industry.

He also read in his place and presented to the Chair Senate Bill No. 565, entitled:

An Act providing for the recording of wills probated outside of this Commonwealth in the office of the recorder of deeds, and the effect thereof.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 566, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," requiring additional payments by the Commonwealth on account of building rentals in certain cases where the Commonwealth owns sixty per cent or more of the land in the district.

Which was committed to the Committee on Education.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 567, entitled:

An Act repealing Section 528, act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," eliminating the requirement that cotton fabrics used in State institutions be flameproofed.

Which was committed to the Committee on State Government.

SENATE CONCURRENT RESOLUTION
TIME OF NEXT MEETING

Mr. WHALLEY offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 8, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Tuesday, April 23, 1957 at four o'clock, p.m., E.S.T., unless sooner recalled by the President Pro Tempore; and when the House of Representatives adjourns this week, it reconvene Tuesday, April 23, 1957 at four-thirty o'clock, p.m., E.S.T., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I am about to present a resolution to this Body. However, prior to doing so, I would like to read to the Senate a letter, dated March 23, addressed to the reader. It reads in part as follows:

"We would like to ask your help on a certain facet of the recent investigation conducted by the Water Power and Resources Board on February 18 and 25, 1957, pertinent to the Green Spring Hatchery Company and its activities upon the Big Spring.

"It has been ascertained by personal conversation with a Mr. Mazzolla, Deputy Attorney General, assigned to Highways, that he personally instructed Mr. Hermas Weary, local counsel of the Department of Highways, to cease and desist from further investigations of the Green Spring Hatchery Company infringements upon highway right of ways. We would like to know exactly why this investigation was so abruptly halted. We feel there are political ramifications present which may result in the laws of the Commonwealth being breached, that there is pressure being exerted by certain persons which is causing actions detrimental to the best interests of your constituents in particular, and the citizens of the Commonwealth in general. I feel sure that you, as Chairman of Highways in the Senate, will be interested in this and you will pursue it to a satisfactory end.

"If you would be so kind as to advise us of any findings you may uncover which would be of help to our cause, we would be deeply indebted to you."

Mr. President, this letter is not the entire story regarding Big Spring and this beautiful fishing report in Cumberland County, near Newville. However, I think you will agree, as well as the Members of the Senate, that the charges embodied in this letter are serious enough that they should be looked into.

The resolution I am about to present asks the Highways Committee of the Senate to look further into the matter. It is alleged that by backing up the water and increasing the height of the dam, against the privileges now permitted by law, a portion of the highway has been rendered dangerous. The water level has been raised so nearly to the level of the highway that the water flows over and freezes in cold weather and makes a very hazardous condition. The company, which was developing a portion of this Big Spring and its drainage run, has excavated near the road, thus helping to cause this very serious condition.

Therefore, Mr. President, I am presenting this resolution.

SENATE RESOLUTIONS
REFERRED TO COMMITTEE
SENATE COMMITTEE ON HIGHWAYS TO INVESTIGATE THE ACTIVITIES OF THE DEPARTMENT OF HIGHWAYS IN RESPECT TO THE GREEN SPRING HATCHERY COMPANY

Mr. WADE offered the following resolution, which was twice read as follows:

In the Senate, April 8, 1957.

It is reported from authoritative sources that a representative of the Cumberland County Department of Highways was present at a hearing before the Water Power and Resources Board and was prepared to testify as to infringement upon the State highway right-of-way caused by the Green Spring Company, Inc. in (a) flooding by increasing its dam height, and (b) excavation; and that this representative was restrained from testifying as a representative of the Cumberland County Department of Highways by the chief counsel of the Department of Highways, Commonwealth of Pennsylvania.

It should immediately be ascertained why (1) the aforesaid representative was prevented from testifying as he was prepared to do and (2) why the Department of Highways has not yet taken action to redress infringement of State highway right-of-way by flooding and excavation or to recover public funds expended to render these infringements safe to the traveling public.

If the laws of the Commonwealth are being breached and no action is being taken to rectify this evil, it is certainly a matter of grave concern to all; therefore be it

Resolved, That the Senate Committee on Highways be authorized to investigate the activities of the Department of Highways in respect to the Green Spring Hatchery Company and its operations upon and adjacent to the Big Spring Creek; and be it further

Resolved, That the committee make a report of its findings to the Senate as soon as possible before adjournment of this session of the General Assembly.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. WADE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. DENT. Mr. President, I object.

The PRESIDENT. The resolution is referred to the Committee on Highways.

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A COMPREHENSIVE STUDY OF THE OCCUPATIONAL DISEASE ACT AND OF THE ADMINISTRATION OF THE OCCUPATIONAL DISEASE FUND

Messrs. STEVENSON and BERGER offered the following resolution which was twice read and referred to the Committee on Rules:

In the Senate, April 8, 1957.

During the 1953-55 biennium, the Commonwealth of Pennsylvania expended $1,025,000 in occupational disease compensation payments.

The amount so expended during the 1955-57 biennium, although not yet determined, appears to have arisen to more than $8,600,000.

The Governor's budget for the 1957-59 biennium suggests an expenditure of $15,000,000 for this purpose, and the administrators of the Occupational Disease Act claim the figure to be grossly inadequate.

This sudden and tremendous increase in cost to the Commonwealth demands that the Occupational Disease Act and the administration of it be subjected to close and extensive study; therefore be it

Resolved, That the Joint State Government Commission be directed to make a comprehensive study of the Occupational Disease Act and of the administration of the Occupational Disease Fund, giving particlar attention to:

(1) The system of establishing eligibility of persons receiving payments;

(2) The checks and follow-up procedures employed to determine the continuing eligibility of such persons;

(3) The adequacy of the protection of Commonwealth funds and the safeguards established for that purpose;

(4) The cost of operating the fund during the 1957-59 biennium for which a deficiency is forecast;

(5) The estimated obligation of the Commonwealth for such payments during the 1959-61 biennium; and

(6) Any other pertinent matter which the commission deems appropriate to the study; and be it further

Resolved, That the Joint State Government Commission is directed to make a report of its findings to the next General Assembly not later than January 31, 1959, together with its recommendations for legislative action.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. WATSON asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WATKINS.

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

(Mrs.) Katherine Hinkley, Fredonia, from December 13, 1956, for a term of four years, and until her successor is appointed and qualified.

GEORGE M. LEADER.

MEMBER OF THE LEHIGH COUNTY BOARD OF ASSISTANCE

March 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles S. Heimbach, Sr. (Democrat), 2104 East Cedar Street, Allentown, Lehigh County, for appointment as a member of the Lehigh County Board of Assistance, until December 31, 1959, and until his successor is duly appointed and qualified, vice Dr. Victor L. Johnson, Allentown, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sarah S. Zimmerman (Republican), 109 East Walnut Street, Lebanon, Lebanon County, for appointment as a member of the Lebanon County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Anne B. Bashore, Lebanon, whose term expired.

GEORGE M. LEADER.

MEMBER OF THE POTTER COUNTY BOARD OF ASSISTANCE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Coletta D. Patterson (Democrat), Coudersport, Potter County, for appointment as a member of the Potter County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Mrs. Katharine P. Dorfeld, Coudersport, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Donald M. Scott, Washington Street, Petersburg, Huntingdon County, for appointment as Justice of the Peace in and for the Borough of Petersburg, Huntingdon County, to serve until the first Monday of January 1958, vice Charles E. Gates, resigned.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Kreblosky, 348 Powderly Street, Cardondale, Lackawanna County, for appointment as Justice of the Peace in and for the Township of Carbondale, Lackawanna County, to serve until the first Monday of January 1958, vice Adam E. Kolebuk, resigned.

GEORGE M. LEADER.

MEMBER OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Glee S. Amos (Democrat), 146 West Main Street, Everett, Bedford County, for appointment as a member of the Bedford County Board of Assistance, until December 31, 1958, and until her successor is duly appointed and qualified, vice Conrad K. Hughes, Bedford, resigned.

GEORGE M. LEADER.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS' COLLEGE

March 25, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Maurice J. Silverstein, 216 Oakview Street, Edgewood, Pittsburgh 15, Allegheny County, for appointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the 3d Tuesday of January 1961, and until his successor is appointed and qualified, vice Robert C. Malcolm, Curtisville, deceased.

GEORGE M. LEADER.

JUSTICE OF THE PEACE

February 4, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Elmer E. Jenkins, 423 Mary Street, Houtzdale, Clearfield County, for appointment as Justice of the Peace in and for the Borough of Houtzdale, Clearfield County, to serve until the first Monday of January 1958, vice Richard S. Rounsley, resigned.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS' COLLEGE

January 22, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity wtih law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Bloomsburg State Teachers' College, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Howard R. Berninger, Mifflinville, Columbia County, vice Earl V. Wise, Berwick, whose term expired.

John H. Shuman, 54 East Main Street, Bloomsburg, Columbia County, vice Mrs. Elsie A. Jones, Bloomsburg, whose term expired.

GEORGE M. LEADER.

January 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity wtih law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBER OF THE STATE COUNCIL OF EDUCATION

George E. Hamilton, Meadville, from July 31, 1956, for a term of six years, and until his successor shall have been appointed and qualified.

GEORGE M. LEADER.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS' COLLEGE

January 1, 1957.

Frank S. Holowach, Titusville, from December 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

John W. Grajciar, Sharon, from December 18, 1956, until the third Tuesday of January, 1959, and until his successor is appointed and qualified.

(Mrs.) Susan McComb, Stoneboro, from December 18, 1956, until the third Tuesday of January, 1961, and until her successor is appointed and qualified.

W. Verne Zahneiser, Edinboro, from December 18, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

William A. Leonard, Jr., Oil City, from December 28, 1956, until the third Tuesday of January, 1961, and until his successor is appointed and qualified.

GEORGE M. LEADER.

MEMBERS OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE TEACHERS' COLLEGE

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity wtih law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Lock Haven State Teachers' College:

John R. Davis, 2411 Eighth Avenue, Altoona, Blair County, until the third Tuesday of January 1961, and until his successor is appointed and qualified, to fill a vacancy.

Lyle G. Hall, Jr., 129 East Avenue, Ridgway, Elk County, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Earl D. Smith, Ridgway whose term expired.

Clarence B. Sholder, R. D. 2, Bottle Run Road, Williamsport, Lycoming County, until the third Tuesday of January 1959, and until his successor is appointed and qualified, to fill a vacancy.

GEORGE M. LEADER.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 11, Printer's No. 98, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 62, entitled:

An Act granting ambulances and fire apparatus free passage over all turnpikes and extensions thereof under the supervision and control of the Pennsylvania Turnpike Commission

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 146, entitled:

An Act amending the act of June 12, 1931 (P. L. 512) entitled "Industrial Farms and Workhouses Law" permitting any county to commit inmates to any industrial farm and workhouse in the Commonwealth and providing for payment of their upkeep.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" authorizing courts to revoke or suspend operating privileges in certain cases.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SCHMIDT. Mr. President, I ask unanimous consent to offer an amendent at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 615.2), page 4, by inserting after line 20:

"(c) Any action taken by a judge under the authority of this section either in directing the revocation or

suspension of the operating privileges of any person for a certain period of time, or in determining that the operating privileges of any person shall not be revoked or suspended, shall prohibit any action to the contrary or in addition thereto under any other provision of this act."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 157, Printer's No. 56, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 247, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" changing the definition of "unprotected birds" to exclude hawks in a certain area for a portion of each year.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. BERGER. Mr. President, I desire to be recorded as voting "aye."

The PRESIDENT. The genteman from Potter will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Berger,	Hays,	Pechan,	Van Sant,
Blass,	Kessler,	Propert,	Wade,
Chapman,	Kopriver, Jr.,	Schmidt,	Wagner,
Ehrgood,	Kromer,	Scott,	Walker,
Elliott,	Mahany,	Seyler,	Watkins,
Flack,	McGinnis,	Silvert,	Weiner,
Fleming,	Mullin,	Stiefel,	Whalley,
Harney,			Wolfe,

NAYS—14.

Barr,	Lane,	Murray,	Stevenson,
Dent,	Madigan,	Ruth,	Taylor,
Derk,	Mallery,	Sarraf,	Watson,
Kalman,			Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 265, entitled:

An Act amending the act of June 1, 1956 (Appropriation Acts page 110 Act No. 146-A) entitled "An act to provide for the ordinary expenses of the Department of Welfare for two years beginning June first one thousand nine hundred fifty-five and . . .," making certain appropriations for research and training applicable only to State-owned institutions.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Crawford, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. YOSKO. Senator Mahany, let us assume that this bill is passed. What would be the effect of it?

Mr. MAHANY. As I understand it, Senator, it would prevent the Secretary of Welfare from establishing these employes that he has, these subsidized people, subsidized students, in any institution or any college with the exception of the State colleges.

Mr. YOSKO Do I understand, Senator Mahany, that the program already statrted by the Secretary of Welfare, whereby students are now attending classes and are having their education subsidized, will have to come to a halt if this bill is passed?

Mr. MAHANY. If this bill were passed and signed by the Governor and becomes law, I would say "yes", that is true, Senator.

Mr. YOSKO. Would that mean that the program would come to a halt immediately or at the end of the current school term?

Mr. MAHANY. I would say that it would come to a halt immediately because it says, "this act shall take effect immediately."

Mr. YOSKO. Mr. President, if what Senator Mahany said is true, I cannot support this bill and I trust my colleagues and the gentleman on the other side will also vote against it.

Back in February of this year, when it was learned that a scholarship program was in effect, I introduced a resolution in the Senate calling upon the Secretary of Welfare to submit a report on the scholarship plan and asked for certain information. In response to the resolution, the Secretary of Welfare did submit the scholarship plan. He gave the names of the students and the schools which they were attending and the compensation that was paid to each, in addition to the tuition. It also indicated the type of courses they were taking at the schools to which they were assigned.

I understand that the Attorney General of Pennsylvania agreed that the action of the Secretary of Welfare was legal. He did, however, disagree with the agreement that was entered into between the student and the Commonwealth. I understand since that time this agreement has been amended to conform with the suggestions of the Attorney General, and that each student participating in the scholarship plan signed that new agreement.

Mr. President, when the resolution on this subject was debated in the Senate a short time ago, Senator Barr read from a magazine the States that had scholarship programs

for the training of medical students and others that eventually were funneled into mental institutions. I asked Senator Barr whether or not the scholarship plans in the States he enumerated were set up by the Legislature or by a directive. He said he did not know and suggested that I contact those states.

Mr. President, I did write to those states and I found that the scholarships plans that are in effect in the States involved were set up by the Legislature and are now in effect.

Mr. President, since I have been a Member of the Senate, and I have said this before, I introduced a scholarship plan that would guarantee a steady flow of personnel into our State institutions on the theory that without trained personnel a mental health program is useless.

This plan, although it found favor in a number of States because a number of States have written to me for a copy of the bill, was killed in committee each year. At this Session, I also introduced the same bill, and since it was not reported from committee, I introduced it as an amendment to the bill that is now before us. After being considered by the gentlemen on the other side, the bill was re-amended and my amendments were striken out.

I can only say, Mr. President, that something has got to be done about training personnel for our mental health program, and if we, as the Legislature, fail in our duty to provide and train that personnel then somebody has got to do it. I am assuming that Mr. Shapiro just grabbed the bull by the horns, since we did nothing about it, and he developed and inaugurated a training program in connection with the mental health program.

I call your attention to the fact, Mr. President and Members of this Senate, that we are spending, at least this figure is in the current budget, between $165,000,000 and $170,000,000 for various programs in the over-all mental health program. If we are going to spend that kind of money and refuse or fail to give the administrators of that program the trained personnel to which they are entitled, then it is equivalent to a waste of the taxpayers' money because everybody, I am sure, will agree that without trained personnel the mental health program just cannot be successful.

I also contend, Mr. President and Members of the Senate, that since Mr. Shapiro started this program and since I learned that there are students assigned to Temple University, the University of Pittsburgh, the University of Pennsylvania, Bryn Mawr and a school of nursing, and these students have been attending these classes, if they must suddenly stop and must quit school because of lack of funds or because we have passed a bill of this kind, it would be equivalent to letting go down the drain the money that has been invested in this program thus far, and will deprive us of at least fifty-five or sixty trained persons that could be funneled into our state institutions within a very short time.

It is for that reason and for the other reasons I gave, Mr. President, that I do not think we should pass this bill due to the fact that we are doing nothing about it ourselves, and, at the same time, attempt to tie the hands of those who are trying to do something about a creditable mental health program in Pennsylvania.

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Northampton, Senator Yosko.

The PRESIDENT. Will the gentleman from Northampton, Mr. Yosko, permit himself to be interrogated?

Mr. YOSKO. I will, Mr. President.

Mr. MAHANY. I would like to ask the Senator if he remembers the list which Senator Shapiro sent to us; that is, the list of the colleges to which these students were going?

Mr. YOSKO. My recollection is, Senator Mahany, that I wrote to every one of those schools because, when the names were submitted on the report form, their addresses were not included after the names. Therefore, I wrote to each one of the schools that were listed in that report and I asked for the addresses of the students; not the addresses that the students now had while attending school, but the addresses which would be considered their permanent residences. For the inspection of anyone, I have those letters, plus the names and the addresses.

Mr. MAHANY. Senator, were most of those people from Pennsylvania?

Mr. YOSKO. I would say all but about five of them were from Pennsylvania.

Mr. MAHANY. Was one of the schools in which we have a subsidized employee or student the college of Vassar?

Mr. YOSKO. Vassar was not included. The Wilkes School of Nursing was included and Bryn Mawr College, in Philadelphia.

Mr. MAHANY. Bryn Mawr?

Mr. YOSKO. Bryn Mawr.

Mr. MAHANY. What course does Bryn Mawr have that would be helpful to personnel of the Department of Welfare?

Mr. YOSKO. If you will get the report, Senator Mahany, that was submitted by Mr. Shapiro, you will find in it the course of study that is available at Bryn Mawr which these students are pursuing at this school.

Mr. MAHANY. Well, isn't Bryn Mawr a girls' finishing school, supposedly?

Mr. YOSKO. No, I do not think so. I think you can get a degree in a number of studies at Bryn Mawr, although I do not know. I am not going to argue that with you.

Mr. MAHANY. Senator, do you regard these students as employees of the State presently? Do not let Senator Dent confuse you.

Mr. YOSKO. I understand, Senator Mahany, that for Pennsylvania to subsidize the education of a person without that person being an employee would be unconstitutional or illegal and, I understand, it was for that reason that they were put on the payroll at, I think, it is from $47 to $74.50 a week, depending on who it was, and also having their tuition paid. However, for the salary that they were getting, for the financial help that they were getting, they were assigned to a State instiution I think either two or three days a week, while they were going to school. That was the services they performed while they were going to school for the State-aid that they got, plus the fact that they entered into this contract with the Commonwealth to enter a State institution in which they would be assigned on the basis of one year for each year their education was subsidized.

Mr. MAHANY. Is that the usual type of contract for employees whereby they agree that for each year they

serve now, they will, at some subsequent time, be an employee for another additional year.

Mr. YOSKO. Senator Mahany, I did not see the latest version of the contract between the Commonwealth and the students, but I was told that it was revamped to make it legal and that it would guarantee one year's service for each year the student's education was subsidized or, in lieu of that, if they refuse to enter a State institution, they would have to repay to the Commonwealth the amount that was advanced to them.

Now there was just one loophole in that contract that I read which I disliked. That was the fact that there was no confession of judgment in the agreement which I thought should be in it, in the event a student refused to go into a State institution upon graduation. I did not think it was fair to let that student, although I have no reason to believe that they would fail, skip the State, and then we would have to chase after him to get the money back that was advanced. I understand that situation has been taken care of. Again I say, I did not read the agreement, so I am not sure.

Mr. MAHANY. Are these contracts with minors?

Mr. YOSKO. With minors?

Mr. MAHANY. Yes, children.

Mr. YOSKO. There is one thing that I forgot to do. I forgot to ask the students how old they were, so I could not tell you whether they are minors or whether they are not.

Mr. MAHANY. Well, is it not unconstitutional, Senator, to contract for future services or to bind yourself under such a contract as this?

Mr. YOSKO. I will have to consult my constitutional law attorney on that. I cannot answer you.

Mr. MAHANY. Senator, you say that this was reworded so as to make it legal. Would you be under the impression that the former contract was illegal?

Mr. YOSKO. The Attorney General said that it was not legal and he suggested an amendment to it that would make it legal. I understand that was done and that the students involved signed a new contract.

Mr. MAHANY. Before they were termed prospective employees, and under the present contract they are designated as employees. In other words, they changed the named of designation, is that not true?

Mr. YOSKO. I could not tell you that because I did not see the amended contract.

Mr. MAHANY. Do you not agree that a rose by any other name would still smell, Senator?

Mr. YOSKO. I would not say that. I would not say that because if it would smell in Pennsylvania, it would certainly smell in the other States that have a similar plan.

Mr. MAHANY. Senator, one more question. Do you now regard these students as employees of the State of Pennsylvania?

Mr. YOSKO. I understand that is so.

Mr. MAHANY. Do you know whether or not they have taken the loyalty oath as other employees have had to do?

Mr. YOSKO. That I do not know and if you know, I wish you would tell me.

Mr. MAHANY. Do you know, Senator, whether or not they are having any part of their salary withheld for the payment of income taxes?

Mr. YOSKO. I could not tell you that, but it is very easy to find out from the Auditor General who maintains the records for the Internal Revenue Department.

Mr. MAHANY. Senator, one more question. Do you not wish that when you were going to college, you had been a subsidized employee of the State of Pennsylvania so that you would not have had to work your way through college?

Mr. YOSKO. I wish I could have found somebody to do it. I would have been most grateful if such a person had been around. You must distinguish between my situation, however. Frankly, I washed dishes, carried out ashes, waited on tables, went to the market and bought food, and made beds and everything else to help me get through school. I had no intention of going into a State institution when I was graduated. Now the people that are involved here have been recruited to do a specific job, to help make Pennsylvania's mental health program work. I, frankly, see nothing wrong with it inasmuch as the Legislature itself failed to do something about it.

Mr. MAHANY. Senator, suppose after one of these persons graduates from college who has been subsidized by the State of Pennsylvania for four years or so, and they enter one of these State hospitals, and in order to get out of their contract, they go up and slap a patient or mistreat them physically, and as a result thereof, they are discharged by the State of Pennsylvania. Do we have any recourse then against that person to get our money back?

Mr. YOSKO. I am assuming, Senator Mahany, and I am not going to be as presumptuous as you are, that the people involved are of a high type and that they are ladies and gentlemen and are dedicated to doing the type of work in question. I do not think they would stoop so low as to slap somebody in the face in order to try to get out of a contract. Even if they did slap somebody in the face, they would be subject to arrest for assault and battery and it still would not bar the Commonwealth from filing suit to recover the funds advanced.

Mr. MAHANY. Thank you, Senator. I do not agree with all that you have said relative to the last portion of the question. I think it might very easily be a way for someone to get out of this contract if they so desired, and the question was a hypothetical one.

I feel, Senator, that we have not the protection that we should have under this type of setup. If some student wants to learn to get along with the people in our mental institutions and to help them become cured, he probably could get a better education to do that by attending one of the State institutions; by being there as a regular full time employee to observe the patients, and to obtain instruction from the superintendent of the hospital and the other doctors that are there. I believe that they would fare much better and derive a great amount of education, much more education in relation to this subject than they could obtain by going to a college that, up until now, I thought was designated as a girls' finishing school, the college of Bryn Mawr.

I do not know too much about Bryn Mawr, but I never understood that they concentrated or specialized on this kind of instruction until now.

I feel that we can do much better in the improvement of our mental institutions and the personnel there if we would allow these people to go directly to the institution and obtain their instruction directly from the superintendent and the doctors in charge.

Mr. YOSKO. Senator Mahany, I can only say to you that we have everything to lose and not one thing to gain. This is April of 1957. School will close in June, which will mean the end of the year. I say we have everything to lose and nothing to gain by curtailing this scholarship program at this time. The least we could do is let it continue until the end of the current school term. If this Legislature will be in Session in the near future or the far distant future,—whichever you want to select because it is up to you people as to when we will adjourn,—there is plenty of time for both sides here to get together and work out a scholarship plan which is airtight to the greatest extent possible, that is workable and which at the same time will benefit the Commonwealth of Pennsylvania and the 40,000 inmates in our mental institutions.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Crawford, my co-sponsor, Senator Mahany.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DENT. Senator Mahany, how long have you been a Member of the Senate and the House of Representatives?

Mr MAHANY. Since 1943, Senator.

Mr. DENT. During that time, did you or did you not know that we have had this training program going on whereby State employees have been sent to various schools by the various departments?

Mr. MAHANY. I did not believe that we had employees spending full time there. It might have been that they were there for short periods of time. However, I did not understand that we were subsidizing students in these colleges.

Mr. DENT. For your information, the various departments in the Commonwealth of Pennsylvania have many, many, many times, in the past, taken employees who showed an aptitude for a certain type of work and who lacked the educational background for that particular position and have sent them to the various colleges in the Commonwealth of Pennsylvania to acquire that knowledge. They have gone there the length of time which was required to pick up the necessary education to apply themselves to the job they were going to fill. This is nothing except an extension of that.

However, my particular quarrel with the bill, as it now is written and as it first went in with my endorsement, is the fact that we have barred from participation in a scholarship program or an in-training aid program in this Commonwealth our State-aided universities. You must remember that if you take an employee and put him into a State-owned institution which is an insane asylum or some other institution of the Commonwealth dealing with mental health or retarded children or anything else, all they can come out of there with is the training they received, without any credit whatsoever for the education they are desiring to get.

This program is in line with the fact that every State in the Union has stepped up its drive toward the care of the mentally ill. They are trying to create an entirely new atmosphere in that particular field of governmental activity. What has happened is that the demand for psychiatrists, the demand for trained personnel, is beyond the ability of the market to provide. Therefore, each State in the Union, by various means, is trying to obtain the right type of help and the trained type of help in the numbers which are required.

I think we were all a little confused about it in the beginning, Mr. President. We were properly discouraged when we heard about the pupils being on the payroll and going to school. However, it is not a new program; it was practiced during all the years that Senator Mahany has been a Member of this Senate. I do not want the impression to get out that we, the Democrats, now have started something new.

I do not know anything about Bryn Mawr, never having attended the school for well-known reasons. One of the main reasons was that I could not afford it. The second reason was that I belong to the wrong sex. I do not know whether it is a finishing school or a starting school. I understand that it is a liberal arts college, under the terms of liberal arts colleges. I do not know whether we have any students there or not; that is not my interest.

If you would have left the amendments in this bill, which were inserted by Senator Yosko, you would have had a cure for the situation because of the fact that you had a limited number of students. They had to pass competitive examinations and they could go to school the same as they go to your State teachers' colleges. You subsidize 13,000 to 14,000 young people every year in Pennsylvania who are going to State Teachers' Colleges. You do not require any kind of a guarantee that they will go into the State teaching system of the Commonwealth. You have done that for years and years, under the old law that you could not make a minor sign a contract.

What would you do if a regular medical doctor is willing to come into the State service—there is a crying need for psychiatrists—and he is willing to take a brush-up course of six months or a year or whatever is required of him at the University of Pennsylvania if the State will send him? After that, he can come into State service. When he comes into State service, he wants to go into pyschiatry. Would you then say that he could not do that under your bill? You cannot do it the way the bill is written.

Are you going to limit it to just attendants? The only persons you will be able to train, under this bill, will be the attendants in the institutions. You cannot give anybody credit for going through school under this particular bill that you now have. You are stopping the very thing that you practiced for years and years and years in Pennsylvania. You have taken persons who showed the aptitude for a position in government and you sent them to school. You have many of your State employees today whose training and education was paid for by the Commonwealth of Pennsylvania while they were on the payroll of the State of Pennsylvania.

If you put the words "State-aided institutions" in there —I do not care if you bar them from going out of the State; I am with you on that. I do not care if you bar out-of-State students from coming in and being put on the payroll, I am with you on that. However, let us not cripple the effort to provide the right type of help for our State institutions. I would say that if you put in the words "State-aided institutions," to a man, the men on this side would vote with you.

Mr. MAHANY. I yield to Senator Schmidt, Mr. President.

Mr. SCHMIDT. Mr. President, I am happy to see that this Senate has awakened. You will recall, just about six weeks ago or perhaps two months ago, when this bill first appeared on this floor, I, at that time, said that this bill, if enacted, would cripple the mental health program. We cannot evade the issue. There is only one problem to be settled. Are we or are we not going to stand behind the Governor in this mental health program? We all realize that we do not have sufficient trained personnel. There is only one way to get it and that is to train them.

We, in this State, have been subsidizing State-aided institutions. Why can we not utilize those institutions? They are the only places where we can give people training in psychology, sociology, philosophy and all those courses which are necessary to obtain the trained personnel that is so necessary to carry out this modern theory of care of the mentally ill.

If this is an economy measure, it is false economy. It is not economy at all. Let us stand behind our own State-aided institutions. Let us utilize them and let us have these boys and girls get the training which they need in order to follow this course in mental health training. If we do that, Mr. President, Pennsylvania will get someplace.

We should not fear about these people leaving Pennsylvania, if we pay them. That is the trouble you had with the school teachers. We spent millions of dollars in the teachers' colleges in training these people and then when they came out, they could not make a living in Pennsylvania. If you train these people in our State-aided institutions and bring them out and if Ohio, New York or those other States will pay them more money than we pay them in Pennsylvania, surely we are going to lose them. You must train them and then you must give them a living wage. If you do that, you do not need to worry about their walking out on us.

Mr. MAHANY. Mr. President, I desire to interrogate the gentleman from Westmoreland, Senator Dent.

The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. MAHANY. Did yau say that you were satisfied with the bill the way it was when you signed it?

Mr. DENT. No, very frankly, I did not draft the bill. I was not aware of the fact that we did not have State-aided institutions in it, and agreed to an amendment for State-aided institutions. If State-aided institutions are included in it, I will subscribe to the bill.

Mr. MAHANY. Senator Dent, that is about all the bill did when you signed it, take out State-aided institutions.

Mr. DENT. That is right. I was unaware of the fact that we had eliminated the University of Pennsylvania, Temple University and the University of Pittsburgh. They are the three institutions, above all others, that are equipped with the medical schools, incidentally, to do the job of training the type of people we need in these institutions. You cannot name any other place where they could go and be trained. Very seriously, Pennsylvania State University would not be in the position or as well equipped to train, and it is the only State-owned institution of higher learning in Pennsylvania.

Mr. MAHANY. Do you not think that State College can take care of these people?

Mr. DENT. How many psychiatrists can they train there?

Mr. MAHANY. I do not know. I could pick a number out of the air, but I will not.

Mr. DENT. Just let me show you something. Senator Barr just handed me a list showing who is at the University of Pittsburgh. There are seventeen of them and they are all from around Pittsburgh. They are from Oil City, Pittsburgh, Youngstown, Blairsville, Johnstown, Canonsburg, Greenville, Midway, Homestead and Mayview.

If these Pennsylvania citizens are willing to go into the kind of work which has, for many years, been regarded as a degrading type of employment—one of the reasons our institutions are in the condition they are in and the reason that the care of the mentally ill is held in such low esteem all over the United States is because of the fact that many citizens who are qualified will not take a job. Here is Senator Pechan who, in my opinion, is the best dentist not only in Ford City, but in the State. However, he would not take a job at Torrance State Hospital because he would be finished in his local professional status at home. If you say that the University of Pittsburgh must discharge these people, that they can no longer go there, then you are wrong, Senator Mahany, in my humble opinion.

Temple University has six at the present time.

I found out something about Bryn Mawr College. There are seven at Bryn Mawr College. I am not going to join you in your condemnation of Bryn Mawr College. I understand it is a very worthwhile school. Incidentally, all of the student are girls.

Mr. MAHANY. Mr. President, I want the record to show that I certainly did not condemn Bryn Mawr College. Up until now, I stated that I did not understand that Bryn Mawr had such a course of instruction.

Also, Senator Dent, this does not mean that these people will have to quit going to college. They might do something the same as Senator Yosko did. They might do a little work in order to get through college. Perhaps, their parents may be able to dig in their pockets in the same way that my parents helped me. Maybe these parents have a lot more money than mine had when I went to college. There is no showing in here as to how much money these people have or the resources of their parents. All we know is that somebody or other has designated these persons to go to college at State expense and at some subsequent time they agree to go into the employ of the State of Pennsylvania. There is certainly no setup here as to how much money the State will pay them; no certainty of the amount of their salary when they get out of college and go into State employment. If they say that they are not satisfied with the amount we are going to pay them, they can go to some other State. It is very problematical, Senator Dent, that the State of Pennsylvania would be able to bring suit against these people and recover any money from them.

Mr. DENT. Mr. President, I think Senator Mahany is a warmer-hearted man than he proposes to show on the floor of the Senate. I do not believe that he really intends the meaning of the words that he said on the floor; that these students can wait on tables or clean out the heads and the rest of the work that must be done around the State institutions, in order to have the privilege of working at Torrance and the rest of these State institutions.

They should make, in your opinion, Senator Mahany, the supreme sacrifice of working their way through college in order for them to take care of the mentally ill in Pennsylvania. I think that is almost an unbelievable position in which to put them. I do not think that Senator Mahany would have worked his way through college in order to work at Torrance State Hospital, cleaning the latrines and things of these mentally ill people. I think that is one of the most ridiculous things I have ever heard on the Senate floor.

Why do you now pick on these students when you have been sending students to college under the Republicans during all the years you were in power? You never had the guarantee that they would come back and work for the State under any conditions. They signed no kind of contracts. At least, we are trying to get them into State service.

Mr. MAHANY. Mr. President, you can see how Senator Dent twists words around. He said that I want them to wash dishes at the college in order for them to some day go up to Torrance to clean latrines. For heaven's sake, they certainly do not have to go to college at Bryn Mawr in order to learn to do that. I did not understand that is what they are supposed to do when they get through college.

Just briefly, Mr. President, if we took away this program of aid to these students, I do not think they would quit. I think that they would probably have sufficient means to go on and do the same thing as the attorneys are now doing. The law students are studying in school and they are getting through some way or other, either by their parents' aid or by their own aid to get through law school so that when they finish, they might get a job over in the Attorney General's office which, in turn, will aid them in establishing their own law offices.

I feel that when these students get through college they will have sufficient education, along with the training which they get in these institutions, so that when they get out, they will be able to command a pretty good salary or fees in their own private practice.

Mr. DENT. Mr. President, I would like to interrogate the gentleman from Titusville.

The PRESIDENT. Will the gentleman from Crawford, Mr. Mahany, permit himself to be interrogated?

Mr. MAHANY. I will, Mr. President.

Mr. DENT. Senator, can you name any of the courses that are being studied by these students?

Mr. MAHANY. I do not know of any of them. I suppose they have to do with psychiatry and perhaps other things.

Mr. DENT. Would you say that they can get a degree or be accredited, or their work can be accredited, in clinical psychology by being trained in one of the State institutions?

Mr. MAHANY. They might not be able to get a degree, but if they knew Senator Stiefel, maybe he could help them get a degree.

Mr. DENT. Senator, if you want to take that position, then there is nothing that we can do and if you have never been to a State institution, then you do not know the relative closeness of the latrines to the top office of the entire administration of a State institution. Unless you have been into these places and you have gone through them, you do not realize that even the highest paid person in that particular institution may end up doing the most menial of all tasks. It is the kind of work that takes self-sacrifice and dedication to perform.

The students are studying clinical psychiatry, nursing, occupational therapy and social service work. They all require very particular study and I say to you, Senator, that what you are trying to do is a continuation of what started in January,—and we hope will end in June—to cripple this Administration in every attempt that it is making to wipe away the cobwebs of mal-administration and misunderstanding that have gone on for the past sixteen years.

Mr. STIEFEL. Mr. President, I am not going tonight to the shindig of the Medical Society, so I can talk for awhile. I am not in a rush nor in a hurry.

Mr. President, I would like to make one correction. Senator Dent pointed out our great institutions of medical study, such as Temple, Pittsburgh and Penn, but he forgot to include also your Woman's Medical College and in this field maybe we have been discriminating as well. It is a great institution.

However, what I want to observe is that I remember when Senator Yosko arrived in this body and started on his meteoric rise as a good investigator. He went after the mental institutions and he exposed many dark sides of those establishments. Now today I was very much gratified to hear his stand because that shows some improvement has been made there, if Senator Yosko is now blessing instead of cursing.

Mr. SEYLER. Mr. President, I have been trying to battle my way to the mike here while other people have been talking, and I would just like to take a few minutes to make my point of view known.

It was not too long ago, just a few weeks ago, that I attended over at the Penn-Harris Hotel, in the Plantation Room, a Mental Health Conference and I saw there thousands of people from all over the Commonwealth that were sincerely interested in a good mental health program. A lot of them were from my own community of York and York County, and I want to tell you they were not all Democrats by any means. It was a fairly nonpartisan group who were sincerely interested in this program, and I would like to define the issue on this vote today and make it clear.

In my opinion, it is a vote for a good mental health program in Pennsylvania or against a good mental health program in Pennsylvania. I think there is no question that the point made by some previous speakers is true, that a vote for this bill is a blow directed at the mental health program of Pennsylvania, because one of the most vital features that has been discussed by all of those interested, who have the information necessary to speak intelligently about what this program needs, is that we have a great deficiency of manpower. It is the most serious problem that we face in getting an adequate program of mental health.

I hope that the vote today will be just as nonpartisan as that conference was, and as the support for a good mental health program in this Commonwealth is, and I hope the people will vote on the basis of, do they want a good mental health progrem?

To that educational expert who sits in the first seat over in the corner—because I am sure it was a great shock to the nervous system of the people down at Bryn Mawr

to find themselves called a girls' finishing school—Mr. President, I would like to inform our educational expert that Bryn Mawr is probably one of the finest liberal arts colleges in the State and, as a matter of fact, in the East. I would also like to call his attention to the fact that they have cerainly, without any question. one of the best graduate programs in social work, applied social science, in the Country.

I would like to call his attention to the list of the persons that are participating in this program at Bryn Mawr, and I would like to call the attention of Senator Dent to the fact that he is not necessarily disqualified from being in this program. I do not know whether he could meet the necessary entrance requirements, but I found on the program Albert Molitor. I find also on the program Joseph Rosenstock. Now both of these gentlemen are certainly attending this graduate program in social science, because this is one of the places you get it.

In all cases, Mr. President, the schools that have been used in this program are the schools that have the kind of program necessary to train the kind of personnel that are needed for the program. Now there is no use sending them to Penn State, no use sending them to the University of Pennsylvania, Temple or the University of Florida or anywhere in the Country unless they can offer the sort of program that is needed to develop the type of personnel which we need to properly staff the program, and that is why these institutions have been selected. If you cut off from the list the kind of schools that have the kind of programs you need, well then, of course, the program would be silly and that is exactly what this bill attempts to do.

Now the Majority Leader made some criticisms of this program and some of them did not sound to me too bad, but nothing in his bill attempts to correct any of the things he criticizes. Instead he wants to kill the act. In other words, instead of bringing up a bill here that will put into effect some of the criticism that he made so well, he decides to cut the head off of the whole mental health program which certainly is a poor way, it seems to me, to proceed on an important matter like this.

Now, once again, I hope the issue is clear. I hope all of you will think this through. I hope you will vote on the merits of the larger question here, shall we have a good mental health program in Pennsylvania or not?

Mr. BERGER. Mr. President, first of all, I want to say that in no way is a vote on this bill a vote for or against a good mental health program in Pennsylvania. That is a patent absurdity.

The purpose of this bill, of which I was one of the sponsors, was to draw attention to the fact that these people who are under this program, the so-called training program, were not employees of the Commonwealth of Pennsylvania. If I understand it correctly, the Secretary of Welfare selected, through the deans or the officials of the various schools, certain people who were already in school and put them on the payroll under a vague sort of agreement that they might work for the State sometime after they had finished their schooling.

Now, Mr. President, I was present and participated in this appropriation bill. I doubt very much whether anything in this bill would prevent either the Secretary of Welfare or the secretary of any other department from taking people already in the employ of Pennsylvania and sending them for brush-up courses or further training in institutions of higher education in this Commonwealth or anyplace else, for that matter.

The training referred to in this bill in State-owned institutions is not a new program. It is my recollection that sometime around 1947 there was an in-service training program for what are termed Psychiatric assistants going into the various State mental hospitals of the Commonwealth. These people are trained much more so than the ordinary attendants or even the nurses in these institutions, and they are trained to do what I understand are the courses that have been referred to by the people on the other side.

In other words, they are doing these things, getting their training in the State institutions right now and have for some time been getting it, to take care of these mental patients, and there is no prohibition in this bill or any other bill toward the continuation of that program. It is intended merely to provide that the people who are getting this education in the various colleges and schools shall be employees of the Commonwealth of Pennsylvania. If they are employees and people who have been in the various institutions and require further training, I think there is nothing in this bill which will prevent the continuation of that program.

Mr. LANE. Mr. President, I desire to interrogate the distinguished Caucus chairman, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. LANE. Senator Berger, is it not a fact, by the way, that when my good friend, William Livengood, was Secretary of Internal Affairs, did he not attend a college over here in Carlisle and obtain his education while being a State employee?

Mr. BERGER. Mr. President, I am not familiar with that. I understand, however, that Mr. Livengood did attend law school while he was Secretary of Internal Affairs.

Mr. LANE. Is it not also a fact, Senator Berger, that he used his chauffer to drive him out to college?

Mr. BERGER. I do not know, Mr. President.

Mr. LANE. I wish to thank the gentleman.

Mr. BERGER. Mr. President, further answering the interrogation, I do not understand that he was an employee. I understand he was an elected official of the Commonwealth.

Mr. LANE. May I ask the Senator now if his chauffer was an elected official?

Mr. BERGER. Mr. President, I said I had no knowledge of that.

Mr. LANE. Mr. President, it seems unusual that generally the gentlemen speaking have no knowledge of what has gone on in the past. However, I wish to get away from this so-called innuendo and political aspect. I thought maybe I might get him a little bit sore, but I did not.

Mr. President, what I want to talk about very seriously is something that I believe affects all of us. I believe, frankly, that some of the people dislike the Secretary of Welfare and they are driving a wedge at him. That may be the case. However, I want to tell the Members of this Senate that for years and years your Public Health Service has taken public health nurses and sent them to various institutions throughout Pennsylvania. They are on the payroll and their education is paid for. As a matter

of fact, we have quite a number of public health nurses now attending the University of Pittsburgh, and I would like to ask the Majority Leader if he is going to discontinue that service to the people of Pennsylvania.

I would also like to ask the Majority Leader if he is going to discontinue the training of qualified personnel under your Rural Child Welfare Act. Do you know, Senator Mahany, that under your Rural Child Welfare Act they have trained many, many women to be Executive Directors and the only way they can be Executive Directors of a Rural Child Welfare Section is to obtain a Master's Degree, after working as a visitor for so many years. They are educated by the State of Pennsylvania in our various universities and they are on the payroll, and then they obtain their Master's Degree and then become Executive Directors. That has been the practice for years.

I want to call your attention to the fact that in your strike out, do you know that every person here that is eligible or is considered must be a college graduate? They cannot be more than forty. Do you also know that they participate in a competitive examination, which is set up by the Department of Public Instruction? I say to you that I know this bill is dead because you people have the votes but as some of the previous speakers have said on this floor, and very eloquently, too, what we are doing here today is setting back our mental health program because unless we have the personnel to man these hospitals, they are not going to be a success. You can build the walls and have the plans and equipment, but you must have the personnel. As a matter of fact, if some of you gentlemen had been in the Appropriations Hearing today and had talked to some of the medical men from the various colleges and universities, they would have informed you that it was absolutely necessary.

I hope if this bill goes down the drain, which I suppose it will, that you will come up with something else to help out our mental health program, because we do believe that the 40,000 unfortunates in our institutions surely deserve better treatment than they are receiving today here on the floor of the Senate.

Mr. MAHANY. Mr. President, the Senator has convinced me. I am going to vote for the bill.

Mr. MALLERY. Mr. President, we have under consideration one of the most important measures that has been introduced during this Session.

I was more than surprised when seemingly we have invested more than $13,000,000 in institutions that were authorized for the specific purpose, as I recall, to train people in psychiatry and in other professions that would aid in curing the mentally ill; namely, the Western Psychiatric Institution at Pittsburgh and the Eastern Psychiatric Institution at Philadelphia.

Now having invested this large sum of money for that good purpose, I am curious why these institutions are not being used to train psychiatrists. I do not know what they are doing, but are we making use of the money that we invested in those two wonderful institutions?

Mr. WEINER. Mr. President, with no desire to belabor these arguments and debates because I think that everybody more or less had their mind made up before they even got up here, I think we have all forgotten a very interesting and a very informative talk that we heard during the last Session, by probably the most outstanding man in this field who was here and spoke to the General Assembly. The gentleman was Dr. Menninger, who probably is considered the outstanding person in this field and who has made great strides. The keynote of his speech, as I recall it and which I think all of us agreed upon later on, was that given any type of an institution or place—and he even went so far as to say give him a barn—but given the proper trained personnel, he would then increase the discharge rate of the number of persons being held in these institutions.

Now it is true what the Senator from Blair County just said, that we do have two fine institutions. However, I think all of us are well aware, from all the material that we get across our desks from time to time and from some of the information that is being given out publicly through the newspapers, television, radio and other media of communication, that we need people as auxiliaries to our psychiatrists; namely, psychologists, social workers, therapists and people who are in allied fields to aid and abet the work of the psychiatrists.

These people who are attending these schools that we are paying for are merely doing that type of work and being highly trained to aid and abet the work of the psychiatrists, because none of these people can do it alone. It is a group type of project and must be exerted in all different directions when they are dealing with healing some person who is sick in the mind. This is not the type of thing that you can cure by mere surgery or post-operative type of work. This is the type of thing that needs careful, long and tedious work.

I think that if we vote to put this measure across today, we are definitely setting back our State to where it was when Governor Leader took office, which was number forty-eight among the forty-eight States.

Mr. LANE. Mr. President, I hate to hold up the Senate, but I want to agree with Senator Mallery that we have two great psychiatric institutions in Pennsylvania; namely, the Western Psychiatric and the Eastern Psychiatric.

The Western Psychiatric today is under the supervision and operation of the University of Pittsburgh. I think that we gave it to them for one dollar. They are turning out psychiatrists, and I think they are doing a splendid job. Over in the eastern part of the State, the Eastern Psychiatric is controlled, I believe, by the medical hospitals in the east around Philadelphia, and they seem to be doing a good job.

If we keep going the way we are going in denying the funds to train these people, we are setting them back also, and we are not doing a job for the people as a whole.

It seems to me that it has been brought out here today that different philosophies of government are prevalent; namely, that of the liberals and conservatives, because we of the Democratic Party have a concern for those who are underprivileged and we have a concern for those who are afflicted and are mentally ill, and we trying to help them. We want you to help us.

I cannot vote for this bill in its present form because you have struck the meat out of it.

And the question recurring,

Shall the bill pass finally?

Dr. DENT. Mr. President, I do not think you should call the roll until we at least clear up one situation which seems to be misunderstood.

I think you should hear this. In the years previous to this Administration, the students were paid stipends di-

rectly, but out of the institution funds. The payments ranged from $150 a month up to a sum equal to seventy-five per cent of the salary fixed for the position which the particular trainee was then occupying. It was paid to the students during the full year of the training period in the universities of the State of Pennsylvania.

This is not anything new. You fellows just stumbled across it accidentally, late in life.

Mr. SEYLER. Mr. President, I would just like to clear up a point with Senator Berger because I think either he is in error or I am.

It is my understanding, Senator Berger, that you said only institutional assistants would be included in this. It is my understanding, Senator, that under the research and training clause, in lines 12 and 13, the whole training program, including the training for psychiatrists and clinical psychologists, is set up. You implied, I think, that this is not so. It is my understanding that that is so.

It is my further understanding that this whole program, which we have been discussing, is included under the research and training clause, in lines 12 and 13. If that is so, then it is not a patent absurdity to say that cutting this program out in the middle of things would destroy the program. It certainly would. If I am wrong, I would like to be corrected. However, it certainly is my understanding that this whole program we have been discussing is being managed under the research and training clause in this particular bill.

Mr. BERGER. Mr. President, I again say that the vote on this bill will not be a vote for or a vote against the mental health program. When I say "the mental health program," I am not necessarily referring to the mental health program of the present Secretary of Welfare.

I believe, Mr. President, that the training which is referred to in this bill is exactly the training that I stated. When this appropriation was made, that was the type of training, the so-called psychiatric assistants and so forth, to be rendered in State institutions. Those were the ones which were referred to by Senator Mallery, the Eastern and Western Psychiatric Institutions, as well as the State-owned and State-aided mental hospitals. I do not believe now there are any State-aided mental hospitals. I think they are all under the Department of Welfare.

Therefore, I again reiterate that I doubt whether this bill will prevent the Secretary of Welfare or the secretary of any other department from sending people who are already employed in our mental institutions for brush-up courses or further education when they are employees of the State. However, the people we are speaking of now are not employees of the State. I doubt very much that any contract signed by them, when they are in school and have never been employees of the State, would make them employees.

Mr. DENT. Mr. President, I beg to differ with the Senator. These students are considered State employees inasmuch as they only attend school a certain part of the time and then they work in the institutions every week. They do not work in the institutions for nothing. They must be paid for it.

At this time, I think it is good to remind you of my father's old saying. He said, "It does not matter much whether the ox is gored; it depends upon whose ox is being gored."

Mr. BARR. Mr. President, if the gentlemen would take the trouble to read the letter which was sent to them by the Secretary of Welfare in answer to their resolution,—which is improperly drafted but the Secretary did answer it—they would find that the resolution asked for those medical students who are in school and there are no medical students in the program at all. However, Mr. President, I want to read this one salient paragraph:

"It should be noted that under the original and revised program of this department since January 1955, each trainee is bound to work for the Commonwealth in a State-owned or State-aided institution for a period of at least one year for each year of academic training received and during the period of the academic training, the student agrees to receive his clinical experience by working in these institutions."

Now listen to this. "Under the program as existing prior to the time when this Administration took office, there was no such requirement."

Mr. YOSKO. Mr. President, just let me say this one thing before you vote. If you are cutting out this program for economy reasons, let us not inaugurate economy at the expense of human misery.

An the questin recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Berger,	Harney,	Pechan,	Wagner,
Blass,	Kessler,	Propert,	Walker,
Chapman,	Kopriver, Jr.,	Scott,	Watkins,
Ehrgood,	Kromer,	Stevenson,	Watson,
Elliott,	Madigan,	Taylor,	Whalley,
Flack,	Mahany,	Van Sant,	Wolfe,
Fleming,	Mallery,	Wade,	

NAYS—18

Barr,	Lane,	Murray,	Seyler,
Dent,	McGinnis,	Ruth,	Silvert,
Derk,	Miller,	Sarraf,	Stiefel,
Hays,	Mullin,	Schmidt,	Weiner,
Kalman,			Yosko,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 298, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273) entitled "The Private Detective Act of 1953" providing for additional penalties for violation of the act

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,

Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 299 (Pink); and

House Bill No. 326, Printer's No. 143.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 341, entitled:

An Act amending the act of August 21, 1953 (P. L. 1273) entitled "The Private Detective Act of 1953" permitting former members of the Pennsylvania State Police to apply for license

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 352, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" defining imprisonment in relation to the crime of prison breach

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. ELLIOTT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, line 3 of title, by inserting after "breach": "and further defining the crime of prison breach;" amend section 1 (Section 309), page 2, line 1, by inserting brackets before and after "and" and inserting immediately thereafter: "or".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill as amended lie over for printing.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 376, Printer's No. 102, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chairs hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 406, entitled:

An Act authorizing the Department of Property and Supplies with the aproval of the Governor to sell and convey a tract of land situate in the Borough of Lewistown Mifflin County Pennsylvania to The General State Authority

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SEYLER. Mr. President, on behalf of Senator Dent, Senator Mahany and myself, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the bill, page 3, by adding between lines 2 and 3: "Section 3. The conveyance shall be made under and subject to all easements, servitudes and rights of others, including but not confined to streets, roadways, and rights of any telephone, telegraph, water, electric, gas or pipe line companies, as well as under and subject to any estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon."; amend Section 3, page 3, line 3, by striking out "3" and inserting: "4"; amend Section 4, page 3, line 6, by striking out "4" and inserting: "5"; amend Section 5, page 3, line 9, by striking out "5" and inserting: "6".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill as amended lie over for printing.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 421 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 425, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" providing for the waiver of notice in certain cases when two political subdivisions impose the same tax on the same person subject business transaction or privilege

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 487 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 499, entitled:

An Act amending the act of May 27, 1893 (P. L. 171) entitled as amended "An act providing for the acquisition of land and the erection equipment management and operation of the Scotland School for Veterans' Children . . .," making the superintendent the trustee of the funds of the children of the school and providing for the filing of a bond by such trustee.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. SILVERT. Mr. President, I desire to interrogate the sponsor of this bill, the gentleman from Franklin, Senator Elliott.

The PRESIDENT. Will the gentleman from Franklin, Mr. Elliott, permit himself to be interrogated?

Mr. ELLIOTT. I will, Mr. President.

Mr. SILVERT. Senator Elliott, I understand this bill makes the Superintendent of the Scotland School for Veterans' Children the trustee of funds of the children.

Mr. ELLIOTT. Yes sir.

Mr. SILVERT. Do you know how many children there are in this Scotland School?

Mr. ELLIOTT. Several hundred; I could not be specific.

Mr. SILVERT. I see that on page 3 of the bill that, as trustee, the superintendent acts in amounts up to $5,000, is that correct?

Mr. ELLIOTT. That is correct.

Mr. SILVERT. Under the circumstances, do you think that a bond for $20,000 is sufficient?

Mr. ELLIOTT. I do, Senator Silvert. I would also like to add that this bill has been drawn up and gone over by the Joint State Government Commission, at the request of the superintendent of the Scotland School. He, too, as well as his board, felt that this would be a sufficient amount.

Mr. SILVERT. If you feel it is sufficient, I am going to go along with it. I thought, perhaps, the bond should be a little higher because the school has from 200 to 300 children and the superintendent can hold onto as high as $5,000 for each child. He may have in his possession, probably, considerably more than $20,000 at any one time. However, if you feel that amount is sufficient, I will go along with it.

Mr. ELLIOTT. I appreciate your point, Senator Silvert, and your interest. I do feel that it is sufficient, however, because of the people who have worked on the bill. I have confidence in their wisdom.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 500, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,

Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 501, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled 'Rural State Highway Law" adding new routes in Cambria County

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 502, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" deleting a certain route and adding certain new route in Pottstown Borough Montgomery County

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 503, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" deleting a certain route and adding certain new routes in Montgomery County.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 87, Printer's No. 145;

House Bill No. 204, Printer's No. 135; and

House Bill No. 205, Printer's No. 104.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 279, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" regulating powers of the Department of Public Assistance with respect to rules regulations and standards for eligibility for assistance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 292, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" further defining and limiting the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders and employes establishing additional limitations of actions and imposing additional duties on the Department of Banking.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 316 (Pink); and

Senate Bill No. 317 (Pink).

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 377, entitled:

An Act amending the act of January 21, 1947 (P. L. 3) entitled "An act relating to officers and employes of the General Assembly . . ." changing the compensation of certain officers and employes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 409, on second reading, entitled:

An Act amending the act of June 22, 1937 (P. L. 1987) entitled as amended "Sanitary Water Law" further regulating and defining rights and duties with respect to waters of the Commonwealth be recommitted to the Committee on State Government.

Mr. MAHANY. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 579, Printer's No. 212, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House, as follows:

House Bill No. 1040, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228).

Which was committed to the Committee on Finance.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, April 8, 1957.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Tuesday, April 23, 1957 at four o'clock, p.m., E.S.T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Tuesday, April 23, 1957 at four-thirty o'clock, p.m., E.S.T., unless sooner recalled by the Speaker of the House of Representatives.

GENERAL COMMUNICATION

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

CERTIFICATION

That House Bill 337, Printer's No. 160 Becomes Law Without Signature of the Governor

To the House of Representatives and Senate:

The following certificate has been attached to House Bill No. 337, Printer's No. 160, in the office of the Secretary of the Commonwealth:

"We do certify that House Bill No. 337, Printer's No. 160, entitled:

> 'An Act amending the "Selective Sales and Use Tax Act" of March 6, 1956 (P. L. 1228), eliminating provisions which would reduce the rate of the tax.'

was presented to the Governor on the Twenty-fifth day of March, One Thousand Nine Hundred and Fifty-Seven, and was not returned within ten days after it had been presented to him; Wherefore, it has agreeably to the Constitution of this Commonwealth, become a law in like manner as if he had signed it."

/s/ LLOYD H. WOOD
Lloyd H. Wood
Chief Clerk of the House of Representatives

/s/ G. GRAYBILL DIEHM
G. Graybill Diehm
Chief Clerk of the Senate

Harrisburg, Pennsylvania
April 8, 1957

REPORT FROM COMMITTEE

Mr. EHRGOOD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EHRGOOD, from the Committee on Banking, reported as committed, Senate Bill No. 354, entitled:

An Act amending the act of June 24, 1939 (P. L. 748), entitled as amended "The Pennsylvania Securities Act," providing for the exemption from registration of certain transactions for the sale of securities.

BILLS INTRODUCED AND REFERRED

Mr. PROPERT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. PROPERT and EHRGOOD read in place and presented to the Chair Senate Bill No. 568, entitled:

An Act defining and regulating Bank Holding Companies, prescribing powers and duties of the Secretary of Banking with respect thereto, and providing penalties.

Which was committed to the Committee on Banking.

Mr. KESSLER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KESSLER read in place and presented to the Chair Senate Bill No. 569, entitled:

An Act creating the State Council of Higher Education and transferring all powers and duties of the State Council of Education, in the field of education beyond the high school level, to the State Council of Higher Education, and repealing certain laws inconsistent therewith.

Which was committed to the Committee on Education.

Messrs. KESSLER and PROPERT read in place and presented to the Chair Senate Bill No. 570, entitled:

An Act restricting the use of the funds of the Commonwealth in the State teachers' colleges for graduate training while a shortage of teachers exists.

Which was committed to the Committee on Education.

BILL ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. EHRGOOD. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 354, entitled:

An Act amending the act of June 24, 1939 (P. L. 748), entitled as amended "The Pennsylvania Securities Act," providing for the exemption from registration of certain transactions for the sale of securities.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Tuesday, April 9, 1957, at 1:30 o'clock, p. m., Eastern Standard Time.

Mr. MURRAY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:34 o'clock, p.m., Eastern Standard Time, until Tuesday, April 9, 1957, at 1:30 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 8, 1957.

The House met at 4:30 p. m.
The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Ralph Newell, Pastor of the First Baptist Church, Kittanning, guest Chaplain, and guest of the Speaker, offered the following prayer:

Our Father in Heaven, help us, Thy servants, to put first things first. As we seek to build a prosperous state, give us the right perspective of our own personalities. May we seek the Kingdom of God and His righteousness, believing that our program keyed to this ideal will succeed.

This we humbly ask, in Jesus' Name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, April 3, 1957, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. DALRYMPLE and TAYLOR.
HOUSE BILL No. 1070.

An Act requiring common carriers by railroad to furnish flag protection to all trains occupying the main tracks; imposing duties on the Public Utility Commission and providing penalties.

Referred to the Committee on Railroads and Railways.

By Messrs. BOWMAN and OGILVIE.
HOUSE BILL No. 1071.

An Act amending the act of April 17, 1893 (P. L. 21) entitled, as amended, "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located, in the disposition of the business of the Commonwealth, by providing suitable clerical assistance," further providing for the salaries of stenographers and clerks.

Referred to the Committee on State Government.

By Mr. VARNER. HOUSE BILL No. 1072.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) authorizing statements by delegates or alternate delegates to national party conventions specifying his or her support for a particular candidate for President and providing for notice of such support to be placed on official primary ballots.

Referred to the Committee on Elections and Apportionment.

By Mr. DUNN. HOUSE BILL No. 1073.

An Act amending the "Minor Judiciary Fee Bill" of January 7, 1952 (P. L. 1841), requiring the county to pay summary conviction costs.

Referred to the Committee on Counties.

By Mr. EILBERG, Mrs. KERNAGHAN and Mrs. PASHLEY. HOUSE BILL No. 1074.

An Act amending the "Beauty Culture Law" approved May 3, 1933, (P. L. 242), changing qualifications for examination and registration permitting certain charges by students; *** changing fees and providing for biennial renewals.

Referred to the Committee on Professional Licensure.

By Messrs. BROWN and ASHTON.
HOUSE BILL No. 1075.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) authorizing the county commissioners of any county to determine when danger of a rabies epidemic exists and, upon notice thereof to the Department of Revenue, requiring that all applications for dog licenses in such county be accompanied by a certificate of a veterinarian stating that the dog to be licensed has been inoculated.

Referred to the Committee on Public Health and Sanitation.

By Mrs. KERNAGHAN and Mr. LUTTY.
HOUSE BILL No. 1076.

An Act relating to the practice of massage; providing for the examination, licensing, registration and regulation of masseurs and masseuses; ***.

Referred to the Committee on Professional Licensure.

By Messrs. IDE, RAGOT and MOYER.
HOUSE BILL No. 1077.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), further regulating duplicates delivered to political subdivisions lying in more than one county and giving them the right to choose which predetermined assessment ratio it shall use for taxation purposes.

Referred to the Committee on Municipal Corporations.

By Mrs. VARALLO and Mrs. MONROE.
HOUSE BILL No. 1078.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), providing for a city college in each school district of the first class and making an appropriation.

Referred to the Committee on Education.

By Messrs. HAUDENSHIELD, GOLDSTEIN, BOIES and DEVLIN. HOUSE BILL No. 1079.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University.

Referred to the Committee on Appropriations.

By Messrs. HAUDENSHIELD and McCANN.
HOUSE BILL No. 1080.

An Act making an appropriation to The Boys' Industrial Home of Western Pennsylvania located at Oakdale, Allegheny County for new buildings, furnishings, equipment, and repairs to existing buildings.

Referred to the Committee on Appropriations.

By Messrs. DENNISON and ZIMMERMAN.
HOUSE BILL No. 1081.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), changing the base for reimbursement on account of school building rentals and sinking fund charges and the limitations on approval of projects for reimbursement purposes.

Referred to the Committee on Education.

By Messrs. VAUGHAN and STEVENS.

HOUSE BILL No. 1082.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the transportation of school children.

Referred to the Committee on Education.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 145.

An Act amending the act of June 19, 1931 (P. L. 589) entitled as amended "Barbers License Law" changing the required number of hours for schools of barbering.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 206.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" increasing the sum of money county commissioners may pay to the county historical society.

Referred to the Committee on Counties.

SENATE BILL No. 246.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for records compensation of teachers penalties for failure to attend and audits and reports where in-service education programs replace teachers' meetings and imposing the expenses thereof on counties.

Referred to the Committee on Education.

SENATE BILL No. 321.

An Act amending the act of August 22, 1953 (P. L. 1344) entitled "The Marriage Law" further regulating the issuance of marriage licenses.

Referred to the Committee on Public Health and Sanitation.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Approval of House Bills Nos. 29, 32, 330 and 332.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 39, Printer's No. 84, entitled "An Act authorizing counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to amend such claims when the property affected is not sufficiently described and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments."

GEORGE M. LEADER.

April 5, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 32, Printer's No. 71, entitled "An Act amending the act of June 3, 1937 (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' authorizing unnaturalized foreign-born residents to own or possess dogs."

GEORGE M. LEADER.

April 4, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 330, Printer's No. 61, entitled "An Act amending the act of June 1, 1889 (P. L. 420) entitled 'A further supplement to an act entitled "An act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine' increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons."

GEORGE M. LEADER.

April 4, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 332, Printer's No. 63, entitled "An act amending the act of June 14, 1935 (P. L. 341) entitled as amended 'An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax making it unlawful to possess cigarettes upon which the tax has not been paid conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties' extending the provisions imposing an additional tax for a further limited period of time."

GEORGE M. LEADER.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a former Member of this House, a personal friend of the Speaker and the Chair is sure a personal friend of every Member of this House, the gentleman from Indiana, Mr. Earl Hewitt.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 114, 164, 342, 430 and 490.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 453.

An Act transferring money from the Banking Department Fund to the General Fund.

HOUSE BILL No. 589.

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled "An act making an appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August one thousand nine hundred fifty-five" making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before the completion of projects.

With the information that the Senate has passed the same without amendment.

CERTIFICATION

HOUSE BILL 337 BECOMES LAW WITHOUT SIGNATURE OF GOVERNOR

The SPEAKER laid before the House the following certification that House Bill No. 337, Printer's No. 160, became law without the signature of the Governor.

The certification was read by the Clerk as follows:

To the House of Representatives and Senate:

The following certificate has been attached to House Bill No. 337, Printer's No. 160, in the office of the Secretary of the Commonwealth:

"We do certify that House Bill No. 337, Printer's No. 160, entitled:

> 'An Act amending the "Selective Sales and Use Tax Act" of March 6, 1956 (P. L. 1228), eliminating provisions which would reduce the rate of the tax.'

was presented to the Governor on the Twenty-Fifth day of March, One Thousand Nine Hundred and Fifty-Seven, and was not returned within ten days after it had been presented to him; Wherefore, it has, agreeably to the Constitution of this Commonwealth, become a law in like manner as if he had signed it."

LLOYD H. WOOD,
Chief Clerk of the House of Representatives.
G. GRAYBILL DIEHM,
Chief Clerk of the Senate.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 250 FROM GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 4, 1957.

To the Honorable, The House Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 250, Printer's No. 73, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE M. LEADER.

COMMUNICATION AND BILL LAID ON TABLE

Mr. STONER. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 8, 1957.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Tuesday, April 23, 1957 at four o'clock p. m. EST., unless sooner recalled by the President Pro Tempore; and when the House of Representatives adjourns this week, it reconvene Tuesday, April 23, 1957 at four-thiry o'clock p. m. EST., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Stoner for Mr. GEORGE because of illness.

Mr. Bower for Mr. GUTHRIE.

REPORTS FROM COMMITTEES

Mr. HAMILTON from the Committee on State Government, reported as committed, House Bill No. 632, entitled:

An Act amending the act of May 12, 1943 (P. L. 259), entitled as amended, "An act providing for the payment by the State Treasurer, of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns, townships, and certain counties, and for the payment thereof into police pension funds, * * * for certain purposes," changing the formula for distribution of funds according to population.

Mr. LAFORE from the Committee on Rules, reported as committed, House Resolution No. 75.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 446, entitled:

An Act amending the compact contained in the act of June 5, 1937, (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake * * *" fixing the speed and horsepower of motor boats allowed on the lake limiting operation of motor boats and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 515, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a

tract of land in the Borough of Slippery Rock Butler County for use of the Slippery Rock State Teachers' College and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 516, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire 253.1 acres more or less of land in Slippery Rock Township Butler County for use of Slippery Rock Teachers College and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 539, entitled:

An Act providing for the payment of the salary medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duty and providing benefit to their widows and dependents in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 619, entitled:

An Act amending the "Law Fixing Annual Charge on Forest Lands" approved May 17, 1929 (P. L. 1798) changing limitations on the responsibility of the Commonwealth to pay charges to counties on certain Federal forest reserves.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1018, entitled:

An Act authorizing the Pennsylvania Fish Commission with the approval of the Governor to convey 78.841 acres of land containing a body of water thereon known as Silver Lake situate in the Borough of Bristol and Township of Bristol and County of Bucks for use as a public lake fishing and recreation area.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 44, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) providing special registration provisions for motor buses of certain common carriers of passengers for hire.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 173, entitled:

An Act requiring court approval of contracts between registered architects or registered engineers and counties * * * and providing payments on such contracts may be made out of proceeds of temporary loans.

The first section was read and agreed to.
The second section was read.
On the question,
Will the House agree to the section?
Mr. JUMP offered the following amendment:

Amend Sec. 2, page 3, line 2, by striking out "such notice as said court shall deem proper" and insert in lieu thereof: "at least ten day's notice thereof to the public, the notice of the hearing to be advertised in one newspaper of general circulation and in the legal journal of said county, if there shall be any legal journal published in the county."

It was agreed to.
The section was agreed to be amended.
The third section was read.
On the question,
Will the House agree to the section?
Mr. JUMP offered the following amendment:

Amend Sec. 3, page 3, line 19, by inserting after "architect's" "or engineer's."

It was agreed to.
The section was agreed to as amended.
The fourth and fifth sections were separately read and agreed to.
The sixth section was read.
On the question,
Will the House agree to the section?
Mr. JUMP offered the following amendment:

Amend Sec. 6, page 5, lines 18 and 19, by striking out "Constitutional Construction."

It was agreed to.
The section was agreed to be amended.
The seventh section was read, and agreed to.
On the question,
Will the House agree to the title?
Mr. JUMP offered the following amendment:

Amend Title, page 1, page 5, by inserting after "invalid" "in certain instances."
Amend Title, page 1, last three lines of title, by striking out all of said lines, and inserting in lieu thereof: "providing for payment of architects and engineers on a quantum merit basis in certain instances; and granting the power to make loans for and regulating the payment of such loans and contract costs."

It was agreed to.
The title was agreed to as amended.
And said bill having been read at length the second time and agreed to be amended.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 348, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) granting income tax deductions to residents of other states if similar deductions are granted to Pennsylvania residents.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 437, entitled:

An Act amending "The Vehicle Code" of May 1, 1949 (P. L. 905) fixing registration fees for trailers used for office purposes.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 475, entitled:

An Act requiring the sale possession and use of electrical devices as defined herein to conform to the standards of the Underwriters' Laboratories Inc.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 492, entitled:

An Act amending the "Fire Safety Building Regulation Law" approved April 27, 1927 (P. L. 465) requiring the printing and showing of seating arrangements and exits in places of public amusements imposing penalties and providing for the disposition of fines.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STRAUSSER. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 501, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) increasing maximum limits on per capita taxes with certain limitations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

HOUSE BILL 1040 MADE SPECIAL ORDER

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 1040, Printer's No. 243, on Page 7 of today's Calendar, be made a special order of business for third reading and final passage immediately upon the adoption of this motion.

The motion was agreed to.

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, House Bill No. 1040.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1040, entitled as follows:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228)

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, may I interrogate the Majority Floor Leader?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. JOHNSON. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, is it true that we were given an opportunity to offer amendments on third reading on this bill?

Mr. JOHNSON. That is true, Mr. Speaker. I do not believe we ever had a situation in this House where we denied anybody the right to amend a bill on third reading, or at least, an attempt to do so.

Mr. LOVETT. Mr. Speaker, may I ask the Majority Leader if he has any figures, or whether it would be possible to offer an amendment to this bill reducing the tax from a three percent tax to a one percent tax, whether it would be possible to amend this bill in that respect at this time?

Mr. JOHNSON. I would say frivolous amendments are in order just as well as serious ones.

Mr. LOVETT. I thank the gentleman, but this criticism is not well taken.

Mr. Speaker, may I further ask the gentleman if we had a general one percent sales tax in Pennsylvania without any exemptions, if he feels it would bring in as much revenue as these amendments which we have to this bill at this present time?

Mr. JOHNSON. It depends on what the gentleman means by a general sales tax.

Mr. LOVETT. I just mean a general sales tax with no exemptions.

Mr. JOHNSON. If you had a general sales tax which would in effect be a general transactions tax in Pennsylvania, one percent would bring in a prodigious amount of money. I cannot say how much, conceivably a billion dollars if you taxed every conceivable transaction in this state.

Mr. LOVETT. Would the gentleman object to allowing the bill to be passed over until I have an opportunity to have amendments drafted to have a general one percent sales tax in Pennsylvania offered to this bill?

Mr. JOHNSON. I certainly will not consent to the bill being laid over. I would not.

The bill is before us right now and, if the gentleman has amendments ready, we will be pleased to receive them. We are working on a time table wherein the Department wants this bill by Wednesday so that the enforcement provisions can be put in full force and effect immediately and so that there will be no unusual and bad situation during the next month while we are fussing over whether this bill should be passed or not.

This bill should be put on the Governor's desk on Wednesday and he should sign it on Wednesday so the Department of Revenue can use the enforcement provisions of this bill forthwith.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if I am mistaken that the bill which became law without the Governor's signature becomes effective next Wednesday? Is that correct?

Mr. JOHNSON. No. The bill the Governor permitted to become law without his signature is in effect at the present time. Enforcement provisions for that bill are the law right now. They would, therefore, like to have this bill immediately signed by the Governor so that the Department can enforce the sales tax under this bill, rather than under the present bill which the Governor has allowed to become law.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman how the Governor is now enforcing the law under the sales tax?

Mr. JOHNSON. Mr. Speaker, we will have to ask McKinsey and Company for that answer. I think they have given it.

Mr. LOVETT. And that answer is what?

Mr. JOHNSON. Mr. Speaker, really, because of the way in which we have proceeded on this bill and the way in which we have conferred with the Attorney General and the compromises which have been made, I rather dislike right now to say anything about how the Governor's office or the Department of Revenue has administered the sales tax. I really do not feel like engaging in bitter partisanship debate when we have an enforcement bill which we are willing to put on the Governor's desk. I would rather not answer the question, but if the gentleman insists I will answer it. It will not be a very friendly answer.

Mr. LOVETT. Mr. Speaker, I am not very much interested in what the answer might be. The only thing is, I would like to know, if it is so important that we have to do this at this particular time in order to have the Governor have the law in order collect this tax, what law are they using today to collect the tax?

Mr. JOHNSON. I would say that as of this minute they are utilizing the provisions of House Bill 337, the enforcement provisions of that bill, which we feel were all right, but the Attorney General's office and the Governor's office wanted some changes made in enforcement provisions and we have gone along with those changes. There was a little giving and taking here and there, and this bill is before us. We are doing as we agreed. I think the Governor acted in good faith last week, and we are doing as we agreed. Therefore, we want this bill on his desk by Wednesday.

Mr. LOVETT. Mr. Speaker, then the gentleman's answer is that he will not permit me to have this bill passed over in order to have these amendments drafted and offered to the bill, is that correct?

Mr. JOHNSON. That is correct.

Mr. LOVETT. I thank the gentleman.

Mr. Speaker, I have continually condemned the action in this House on speed in connection with legislation of this type. This legislation is very important to all the people of Pennsylvania. The bill we passed and are now amending which became law in Pennsylvania, we certainly are not giving it the consideration which we should give it.

The Majority Leader compared House Bill 337 with a graduated income tax in Pennsylvania. Now comparisons like that are certainly out of place. The gentleman compared our bill to New York state's and surrounding states. New York has a sales tax and an income tax.

The one point I have continually fought about is the fact that we are taxing those least able to pay under a sales tax in Pennsylvania and we are not deriving any tax from those best able to pay. At least, if you enact a general sales tax with no exemptions, then those who are now exempt under the present law would have to pay their fair share under a sales tax in Pennsylvania and we would have some unity of taxation.

I cited to you that this House during the last session of the Legislature enacted two bills, one on income and one on sales. To my mind, although I dislike a flat income tax, I say you are being fair if you divide the taxation between income and sales and not put it all on our young families who are just starting life and allow those who are in the clover of life to go untaxed.

Mr. ANDREWS. Mr. Speaker, perhaps while I will speak briefly, I should ask permission of the House to make a statement, because I desire to make some references that technically might not apply to a discussion of the merits of the bill. I will speak briefly, instead of asking later to make a statement. I will say what I have to say about the bill and a few other things at this time.

We are considering a bill which I presume we have all read and thoroughly understand and with which we are in entire agreement. We are proceeding, of course, with a pistol at our heads.

As I stand here, Mr. Speaker, there are certain echoes of previous utterances that reach my ears. I can still see and hear Charlie Smith standing in his place on the other side of the House and saying he wanted us to understand there was not a single vote on his side of the House for a 3 percent sales tax. Then, Mr. Speaker, there was that valiant minority in the midst of a minority that said: never, no never as long as we stand here will we accept the sales tax unless it carries a stamp plan.

It shows that our intentions expressed on this floor sometimes are like children writing in the sand, they are as transient as gamblers' oaths, and the present point to which we have come is a magnificent tribute to the evangelical talents of the Majority Leader who has a unique way of commanding his dissident forces to hit the sawdust trail and rally, rally, rally to the support of the measures upon which the high command has decided, and to be good fellows and get in line for the sake of the Grand Old Party.

I note, Mr. Speaker, that the Majority Leader has expressed at least tentative agreement with the program designed to reduce the budget by $100 million. It is easy to reduce the budget by $100 million. All you have to do is to answer the question, what do you intend to starve? Notwithstanding the increase in population, notwithstanding the increase in productivity, notwithstanding the fact that we are said to be facing a period of unparalleled prosperity, we are decreeing that so far as the finances of this Commonwealth are concerned we shall become a static state in which there shall be no progress.

We have placed a seal upon the endeavors now pending, we will curb them a bit, but in no direction, Mr. Speaker, notwithstanding compelling need, will we branch out and expand the services of an expanding economy and the services needed by expanding needs.

In one respect I must agree with the gentleman from Westmoreland, with whom in most respects I am in violent disagreement. We were told there would be no amendments to this bill, they would not be tolerated, and we would not even listen to amendments.

Well, we have before us a bill amending the magnificent triumph of statesmanship represented by the sales tax bill

that passed this House. The very amendments admit that the bill as it came to us was unworkable and now it is generally admitted that in certain respects the bill is still indistinct and muddy as to intent.

Very properly, in order that the intent of those who wrote the bill might be expressed so that it could not be overturned by hostile regulations on the part of the Department of Revenue, there should be and doubtless will be further amendments.

I am asking the Majority Leader to declare a policy. We are going to reduce the budget by $100 million. Now do not surprise us some fell day with a program reducing expenditures by $100 million and say no amendments will be taken, presenting us with a fact accomplished. Outline it and tell the people of this Commonwealth. Are you going to take a 10 percent across the board reduction in non-preferred claims upon the Commonwealth?

You can do that. You can materially reduce the appropriations to the universities, hospitals, and institutions. Give us some idea where you are going to get this proposed $100 million reduction.

I understand we are going to declare a sort of legislative regency. We are going to depart from this chamber by means of a sine die resolution and leave behind us some sort of legislative committee that is supposed to ride herd on the expenditures of the administration. One of the duties of the Appropriations Committee should be to do that very thing as a matter of common accepted practice.

It is my individual opinion that, instead of having a mere legislative committee functioning for and on behalf of the will of this House, we ought to have that committee watching expenditures. If they did not like the way money was being spent, the Speaker of this House and the President pro tempore of the Senate could call us back into this Chamber to take the appropriate action.

Once gone, $100 million taken out of the budget, who knows what disaster, what unknown trouble may arise to plague us? There may be situations with which we could deal only in an extra session.

If we are going to reduce the budget by $100 million, we ought to hold ourselves in a position where if we are mistaken, if the essential activities of this Commonwealth and its paramount needs are short-changed, we can be here to do something about it. Above everything else, trot out just what things you propose to start.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adams,	Fetterolf,	Lee, K. B.,	Rigby,
Agnew,	Filo,	Leonard,	Rovansek,
Amarando,	Floyd,	Light,	Reidenbach.
Anderson, S. A.,	Flynn,	Lippincott,	Royer,
Andrews,	Foster,	Lopresti,	Rudisill,
Ashton,	Fox,	Lutty,	Seltzer,
Barton,	Gailey,	Magee,	Sherman,
Bell,	Garlock,	Mahan,	Shields,
Blair,	Gelfand,	Markley,	Smith,
Boles,	Gibb,	Marsh,	Snare,
Bower,	Gibson,	Maxwell,	Snider,
Bowman,	Goldstein,	McCann,	Spray,
Brand,	Goodling,	McCormack,	Steckel,
Breisch,	Goodrich,	McGee,	Stevens,
Brennan,	Gramlich,	McInroy,	Stimmel,
Brenninger,	Gross,	McLaughlin,	Stone,
Breon,	Hamilton,	Merry,	Stoner,
Breth,	Haudenshield,	Metz,	Strausser,
Brown,	Heavey,	Mikula,	Stroup,
Brucker,	Heffner,	Miller, B. Z.,	Stuart,
Bucchin,	Henzel,	Miller, H. G.,	Toll,
Buchanan,	Hocker,	Miller, W. H.,	Tompkins,
Capano,	Holt,	Mills,	Thompson,
Carson,	Horst,	Moody,	Trusio,
Cioffi,	Ide,	Moscrip,	Ujobai,
Cleveland,	Isaacs,	Moyer,	Varallo,
Cooper,	Jenkins,	Murphy,	Varner,
Dalrymple,	Jim,	Murray, H. P.,	Vaughan,
Davis,	Johnson,	Murray, P. G.,	Wall,
DeLong,	Johnston,	Musto,	Walsh,
Dengler,	Jones, G. E.,	Naugle,	Wargo,
Dennison,	Jones, T. H. W.,	O'Brien,	Weidner,
Devlin,	Jump,	O'Dell,	Wescott,
Dietterick,	Kamyk,	Ogilvie,	Wheeler,
Donahue,	Kehler,	Parry,	Whittaker,
Down,	Keller,	Petrosky,	Willaredt,
Duffy,	Kernaghan,	Phillips,	Williams,
Dunn,	Knecht,	Piper,	Wilt,
Edwards,	Kooker,	Polaski,	Wood,
Eilberg,	Kornick,	Pomeroy,	Wyatt,
Erb,	Korns,	Post,	Wynd,
Eshleman,	Krakow,	Pursley,	Yatron,
Ewing,	Lafore,	Ragot,	Zimmerman,
Farabaugh,	Lee, A. M.,	Readinger,	Helm, Speaker

NAYS—18

Anderson, M. S.,	Curwood,	Muldowney,	Scarcelli,
Boory,	Dougherty,	Munley,	Taylor,
Cianfrani,	Limper,	Pashley,	Verona,
Comer,	Lovett,	Renwick,	Welsh,
Cummins,			Worley,

NOT VOTING—15

Auker,	George,	Monroe,	Schwartz,
Donaldson,	Guthrie,	Mullen,	Silverman,
Fineman,	McKeever,	Price,	Willard,
Frascella,	Mihm,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS FOR CONCURRENCE IN SENATE AMENDMENTS

Mr. GIBSON. Mr. Speaker, I call up on page 8 of today's calendar, House Bill No. 331.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 331.

An Act reenacting and amending the act of December 27, 1951 (P. L. 1742) entitled as amended "An act to provide revenue by imposing a State tax relating to certain documents and transactions prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations sheriffs recorders of deeds and the Department of Revenue saving certain state and local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" extending the provisions of the act for a further limited period of time and requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 3, by inserting after the word "time" the following: "and requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps";

Amend Section 1, page 4, line 2, by inserting after the word "premises" the following: "or transfer to a trustee for the express purpose of holding title in trust as security for a debt contracted at the time of the transfer and the retransfer to the grantor-borrower upon the repayment of the debt."

Page 7, line 4, by inserting after the word "or" the following: "shall appoint the Recorder of Deeds in each county and"; line 13, by inserting after the word "act" the following: "this section shall not be construed to require any recorder of deeds to accept appointment or serve as such agent."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. GIBSON. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

Mr. GIBSON. Mr. Speaker, I call up on page 8 of today's calendar, House Bill No. 333.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 333.

An Act reenacting and amending the act of August 24, 1951 (P. L. 1417) entitled as amended "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" imposing the tax permanently and amending the definition of net income

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title; page 2, line 4, by inserting after the partword "manently" the following: "and amending the definition of net income."

Amend Section 2, page 4, line 9, by inserting after the word "in" the following: "or which has participated in prior taxable years"; line 13, by inserting after the word "taxable" the word "all" and inserting after the word "years" the following: "affected by the filing of consolidated returns to the Federal Government."

Amend Section 4, page 18, line 2, by inserting after the word "fifty-seven" the following: "and each taxable year thereafter except the taxable years one thousand nine hundred fifty-six one thousand nine hundred fifty-seven one thousand nine hundred fifty-eight and one thousand nine hundred fifty-nine"

Line 18, by striking out after the word "fifty-seven" the following: "and each taxable year thereafter" and inserting in lieu thereof the following: "one thousand nine hundred fifty-eight and one thousand nine hundred fifty-nine"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. GIBSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Ewing,	Limper,	Rovansek,
Agnew,	Farabaugh,	Lippincott,	Royer,
Amarando,	Fetterolf,	Lopresti,	Rudisill,
Anderson, M. S.,	Filo,	Lovett,	Scarcelli,
Anderson, S. A.,	Floyd,	Lutty,	Seltzer,
Andrews,	Flynn,	Magee,	Sherman,
Ashton,	Foster,	Mahan,	Shields,
Barton,	Fox,	Markley,	Smith,
Bell,	Gailey,	Marsh,	Snare,
Blair,	Garlock,	Maxwell,	Snider,
Boies,	Gelfand,	McCann,	Spray,
Boory,	Gibb,	McCormack,	Steckel,
Bower,	Gibson,	McGee,	Stevens,
Bowman,	Goldstein,	McInroy,	Stimmel,
Brand,	Goodling,	McLaughlin,	Stone,
Breisch,	Goodrich,	Merry,	Stoner,
Brennan,	Gramlich,	Metz,	Strausser,
Brenninger,	Gross,	Mikula,	Stroup,
Breon,	Hamilton,	Miller, B. Z.,	Stuart,
Breth,	Haudenshield,	Miller, H. G.,	Taylor,
Brown,	Heavey,	Miller, W. H.,	Thompson,
Brucker,	Heffner,	Mills,	Toll,
Bucchin,	Henzel,	Moody,	Tompkins,
Buchanan,	Hocker,	Moscrip,	Trusio,
Capano,	Holt,	Moyer,	Ujobai,
Carson,	Horst,	Muldowney,	Varallo,
Cianfrani,	Ide,	Munley,	Varner,
Cioffi,	Isaacs,	Murphy,	Vaughan,
Cleveland,	Jenkins,	Murray, H. P.,	Verona,
Comer,	Jim,	Murray, P. G.,	Wall,
Cooper,	Johnson,	Musto,	Walsh,
Cummins,	Johnston,	Naugle,	Wargo,
Curwood,	Jones, G. E.,	O'Brien,	Weidner,
Dalrymple,	Jones, T. H. W.,	O'Dell,	Welsh,
Davis,	Jump,	Ogilvie,	Wescott,
DeLong,	Kamyk,	Parry,	Wheeler,
Dengler,	Kehler,	Pashley,	Whittaker,
Dennison,	Keller,	Petrosky,	Willard,
Devlin,	Kernaghan,	Phillips,	Willaredt,
Dietterick,	Knecht,	Piper,	Williams,
Donahue,	Kooker,	Polaski,	Wilt,
Dougherty,	Kornick,	Pomeroy,	Wood,
Down,	Korns,	Post,	Worley,
Duffy,	Krakow,	Pursley,	Wyatt,
Dunn,	Lafore,	Ragot,	Wynd,
Edwards,	Lee, A. M.,	Readinger,	Yatron,
Ellberg,	Lee, K. B.,	Reidenbach,	Zimmerman,
Erb,	Leonard,	Renwick,	Helm,
Eshleman,	Light,	Rigby,	Speaker

NAYS—0

NOT VOTING—14

Auker,	George,	Mihm,	Price,
Donaldson,	Guthrie,	Monroe,	Schuster,
Fineman,	McKeever,	Mullen,	Schwartz,
Frascella,			Silverman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Mr. GIBSON. Mr. Speaker, I call up on page 8 of today's calendar, House Bill No. 334.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 334.

An Act reenacting and amending the act of May 16, 1935 (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeals therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" imposing the tax permanently clarifying the provisions relating to tangible property fraction and reports of change and amending the definition of net income

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 2, by inserting after the word "permanently" the words "clarifying the provisions relating to tangible property fraction and reports of change and amending the definition of net income."

Amend Bill, Section 2, page 6, line 20, by inserting after the word "participating" the words "or which has participated in prior taxable years"; page 7, line 5, by inserting before the word "years" the word "all" and after the word "years" the words "affected by the filing of consolidated returns to the Federal Government"; page 9, line 8, by inserting after the word "situated" the following: "The term "tangible property" as used in this subsection shall not include the security interest of any corporation as seller or lessor in personal property sold or leased under a conditional sale bailment lease chattel mortgage or other contract providing for the retention of a lien or title as security for the sales price of the property"

Section 4, page 24, line 13, by inserting after the words "fifty-five" the following: "and each taxable year thereafter except the taxable years one thousand nine hundred fifty-six one thousand nine hundred fifty-seven one thousand nine hundred fifty-eight and one thousand nine hundred fifty-nine."

Page 25, line 9, by striking out after the word "fifty-seven" the words "and each taxable year thereafter" and inserting in lieu thereof the words "one thousand nine hundred fifty-eight and one thousand nine hundred fifty-nine"; Section 7, page 30, by adding after line 16, the following: "(e) The provisions of this section shall apply to every corporation which was doing business in Pennsylvania in the year for which the Federal income has been changed irrespective of whether or not such corporation has thereafter merged consolidated withdrawn or dissolved any clearance certificate issued by the Department shall be conditioned upon the requirement that in the event of a change in Federal income for any year for which taxes have been paid to the Commonwealth the corporation or its successor or its officers or its directors shall file with the Department a report of change and pay any additional state tax resulting therefrom."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. GIBSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Adams,	Ewing,	Limper,	Rovansek,
Agnew,	Farabaugh,	Lippincott,	Royer,
Amarando,	Fetterolf,	Lopresti,	Rudisill,
Anderson, M. S.,	Filo,	Lovett,	Scarcelli,
Anderson, S. A.,	Floyd,	Lutty,	Seltzer,
Andrews,	Flynn,	Magee,	Sherman,
Ashton,	Foster,	Mahan,	Shields,
Barton,	Fox,	Markley,	Smith,
Bell,	Gailey,	Marsh,	Snare,
Blair,	Garlock,	Maxwell,	Snider,
Boies,	Gelfand,	McCann,	Spray,
Boory,	Gibb,	McCormack,	Steckel,
Bower,	Gibson,	McGee,	Stevens,
Bowman,	Goldstein,	McInroy,	Stimmel,
Brand,	Goodling,	McLaughlin,	Stone,
Breisch,	Goodrich,	Merry,	Stoner,
Brennan,	Gramlich,	Metz,	Strausser,
Brenninger,	Gross,	Mikula,	Stroup,
Breon,	Hamilton,	Miller, B. Z.,	Stuart,
Breth,	Haudenshield,	Miller, H. G.,	Taylor,
Brown,	Heavey,	Miller, W. H.,	Thompson,
Brucker,	Heffner,	Mills,	Toll,
Bucchin,	Henzel,	Moody,	Tompkins,
Buchanan,	Hocker,	Moscrip,	Trusio,
Capano,	Holt,	Moyer,	Ujobai,
Carson,	Horst,	Muldowney,	Varallo,
Cianfrani,	Ide,	Munley,	Varner,
Cioffi,	Isaacs,	Murphy,	Vaughan,
Cleveland,	Jenkins,	Murray, H. P.,	Verona,
Comer,	Jim,	Murray, P. G.,	Wall,
Cooper,	Johnson,	Musto,	Walsh,
Cummins,	Johnston,	Naugle,	Wargo,
Curwood,	Jones, G. E.,	O'Brien,	Weidner,
Dalrymple,	Jones, T. H. W.,	O'Dell,	Welsh,
Davis,	Jump,	Ogilvie,	Wescott,
DeLong,	Kamyk,	Parry,	Wheeler,
Dengler,	Kehler,	Pashley,	Whittaker,
Dennison,	Keller,	Petrosky,	Willard,
Devlin,	Kernaghan,	Phillips,	Willaredt,
Dietterick,	Knecht,	Piper,	Williams,
Donahue,	Kooker,	Polaski,	Wilt,
Dougherty,	Kornick,	Pomeroy,	Wood,
Down,	Korns,	Post,	Worley,
Duffy,	Krakow,	Pursley,	Wyatt,
Dunn,	Lafore,	Ragot,	Wynd,
Edwards,	Lee, A. M.,	Readinger,	Yatron,
Eilberg,	Lee, K. B.,	Reidenbach,	Zimmerman,
Erb,	Leonard,	Renwick,	Helm,
Eshleman,	Light,	Rigby,	Speaker

NAYS—0

NOT VOTING—14

Auker,	George,	Mihm,	Price,
Donaldson,	Guthrie,	Monroe,	Schuster,
Fineman,	McKeever,	Mullen,	Schwartz,
Frascella,			Silverman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 504, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for equal reimbursement to school districts of the first class A and first class for the school years 1955-1956 and 1956-1957.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 513, entitled:

An Act amending the act of May 11, 1949 (P. L. 1116) entitled "An act to regulate deliveries of light fuel oil to domestic consumers * * *" further regulating deliveries of light fuel oil to domestic consumers

The first section was read.

On the question,

Will the House agree to the section?

Mr. AGNEW offered the folowing amendments:

Amend Sec. 1 (Sec. 2), page 2, line 18, by inserting after "print": "on"

Amend Sec. 1 (Sec. 2), page 2, line 18, by inserting after "delivered": "The ticket shall show".

Amend Sec. 1 (Sec. 2), page 2, line 19, by striking out "and" where it appears the second time.

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 596, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) requiring testing of composite sample within five days after taken.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 634, entitled:

An Act amending the "First Class City Home Rule Act" approved April 21, 1949 (P. L. 665) imposing limitations on the salary of members of city council or other legislative body.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 644, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) restricting the provisions relating to the limitations on size of certain vehicles

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 753, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) prescribing method for codification of ordinances.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 758, entitled:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers * * * and providing for the expenses thereof" enlarging the jurisdiction of the municipal court.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 847, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) prohibiting pupils from wearing shoes equipped with metal cleats while playing football.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 852, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing recorders of deeds to appoint solicitors.

The first section was read.

On the question,

Will the House agree to the section?

Mr. VAUGHAN offered the following amendment:

Amend Sec. 1 (Sec. 1313), page 2, by inserting between lines 9 and 10 the following: "The salary of the solicitor shall be determined by the salary board. This salary shall be paid into the office of the recorder of deeds.

"All costs and expenses incurred by the recorder of deeds in any manner connected with litigation or claims arising out of or relating to his office shall be paid by the county out of fees received by the recorder of deed's office."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 893, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class * * *" further regulating payments to certain beneficaries under the fund.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 894, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) changing the amount of payments to certain beneficiaries.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 904, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing administrative tasks functions or duties required to be performed on Saturdays in certain offices to be performed on Mondays regulating the number of employes to be maintained for such purposes.

The first section was read.

On the question,

Will the House agree to the section?

Mr. VAUGHAN offered the following amendment:

Amend Sec. 1 (Sec. 1313), page 2, line 12, by inserting after "section" "Nothing herein contained shall be considered as permitting the offices to be closed to the general public on Saturday mornings from 9:00 A. M. until noon except when Saturday falls on a legal or court holiday."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 907, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities * * *" increasing the amount of pensions and increasing the minimum and maximum amount of pensions in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 222, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection,

House Bill No. 565, Printer's No. 242

was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,

House Bill No. 56, Printer's No. 214

House Bill No. 454, Printer's No. 173 and

House Bill No. 666, Printer's No. 211

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. STRAUSSER.

The House resumed the consideration on third reading of House Bill No. 317, entitled:

An Act amending the act of May 1, 1913 (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" further regulating the letting of such contracts

On the question,

Will the House agree to the bill on third reading?

Mr. STRAUSSER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by inserting after "contracts"; "by the General State Authority and the State Public School Building Authority."

Amend Sec. 1, page 1, line 1, by striking out "Section 1" where it appears the second time, and inserting: "The."

Amend Sec. 1, page 1, line 3, by inserting after "amended"; "by adding, after section 1, a new section."

Amend Sec. 1 (Sec. 1), page 2, lines 1 to 14, by striking out all of said lines, and inserting:

"Section 1.1. Hereafter, in the preparation of specifications for the erection, construction and alteration of any public building by the General State Authority or by the State Public School Building Authority, if the entire cost of the work exceeds one thousand dollars ($1000), the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing, heating and ventilating and electrical work, and the General State Authority or the State Public School Building Authority, in entering into contracts for the erection, construction or alteration of such public building, may receive separate bids upon each of the said branches of work or combinations thereof or a single bid upon all of the work. It shall be the duty of the General State Authority or the State Public School Building Authority to award the contract or contracts for the same to the lowest responsible bidder or bidders"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

The SPEAKER. The Chair will request the Chief Clerk to take the gavel during the consideration of this resolution.

The CHIEF CLERK (Lloyd H. Wood) IN THE CHAIR.

RESOLUTION

CONGRATULATIONS

Mr. JOHNSON. There is no day in the year that means more to a person than his birthday, and it is with a great deal of pleasure that I offer the following resolution and ask for its immediate adoption.

Messrs. JOHNSON and READINGER offered the following resolution which was read by the Clerk as follows:

In the House of Representatives, April 8, 1957.

The County of Armstrong has been the scene of many important events in Pennsylvania history, not the least of which occurred on April 8, 1908, when Fred and Jennie Clark Helm were presented with a son who was destined to become the most handsome member of the Pennsylvania General Assembly.

In spite of his masculine beauty, cause enough in itself to arouse jealousy of his fellow members, he has attained the high position of Speaker of the House of Representatives, and through hard work, dedication to duty and sincerity of purpose, he has acquired the respect and admiration of every other member of the House.

Many of his accomplishments as Speaker of the House will probably be overlooked by posterity because one achievement has so overshadowed the others. Since assuming his post, the House has convened on time and adjourns promptly upon completion of the calendar and the daily ration of oratory. This end, so devoutly to be desired, has been a dream of legislators since our Commonwealth began, and now each member of this body is proud and very happy to be a part of the General Assembly which saw it accomplished.

"Stu's" zeal and efforts in the House of Representatives are only a part of the energy he expends on behalf of his fellow men. He has devoted much of his time to his community, Kittanning, Pennsylvania, in serving on its school board, participating in community projects, and promoting the good service of the Kiwanis Club, Masonic bodies, and the B. P. O. E.

In yet another endeavor, he has been most successful, in his marriage to the former Geraldine Rearick, and its beautiful fruits, two fine daughters.

The work of W. Stuart Helm in the House of Representatives of Pennsylvania deserves the commendation and praise of every member and certainly is reason enough to give him special note on his birthday. However, the real reason we wish him happiness today is that we like him so much; therefore be it

Resolved, That the members of the House of Representatives, individually and as a body, express our gratitude to our Speaker for a good job, well done, and on his birthday wish him our very best for the future, a long and happy life, and a distinguished and worthy career. We also wish him a long tenure as Speaker, but this for our benefit, not his; and be it further

Resolved, That a copy of this resolution be delivered to W. Stuart Helm, the Speaker of the House of Representatives of Pennsylvania.

The resolution was unanimously adopted.

Mr. JOHNSON. Mr. Chief Clerk, I would say this is a very lovely resolution and I am certain it reflects the sentiment of everybody in this chamber.

We have with us an outstanding choir leader in the person of Dr. Clyde R. Dengler, the Representative from Delaware County, who leads musical groups, and I am going to yield to Dr. Dengler and ask that he lead us in the singing of "Happy Birthday."

Mr. DENGLER. Mr. Chief Clerk, this is probably the finest group of singers I have ever conducted in my life. Will you all rise and sing, "Happy Birthday, Mr. Speaker, Happy Birthday, to you." And really sing it.

(The Members sing, "Happy Birthday.")

The CHIEF CLERK. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Chief Clerk, during the last session, observing certain signs and portents upon the political horizon, I thought it wise to give some consideration to my successor as Speaker.

Mr. Chief Clerk, I selected the gentleman from Armstrong for that particular post, and it was not on account of his beauty.

The CHIEF CLERK. The Chair recognizes the gentleman from Berks, Mr. READINGER.

Mr. READINGER. Mr. Chief Clerk, many years ago my mother told me never to sign anything without reading it. But I did today. I knew what it was, but I did not have the time to read it at the moment. Had I read it, I think I would probably have taken exception to the fact that we picked the best looking man as Speaker. I think we have other candidates who would probably qualify for speakership if it was on the basis of beauty.

I wholeheartedly joined in signing the resolution and I am happy to offer our congratulations to the Speaker.

The CHIEF CLERK. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON. Mr. Chief Clerk, I must say this birthday party is not a phony one.

I was out to California on an important meeting with Charlie Smith and we went to a place to eat in the course of the evening.

Charlie Smith went up to the orchestra leader and said, we have a young Representative from Pennsylvania here—he did not call me Representative, he said, "We have Senator Johnson, from Pennsylvania here." He said, "during the course of the evening I want you to play 'Happy Birthday' and have him stand up."

So we were enjoying the evening and along about midnight the drums rolled and the spotlight was put on our table and they said they were honored in having Senator Johnson from Pennsylvania here and it is his birthday"—which, of course, it was not. I had nothing to do but to stand up and receive the plaudits of the mob which was in that particular place. Then a birthday cake arrived with many sparklers on it. It was really quite an evening. As I say, that was a phony birthday.

This is a real one, and it could not happen to a nicer person, a gentleman who is presiding over us with great ability and who is held in great esteem. He is carrying on where the Speaker who presided last session left off.

He is raising the level and dignity of this great legislative body which we are all so proud to belong to, and I am glad to join with everybody in wishing the Speaker the happiest of all birthdays.

The CHIEF CLERK. The Chair recognizes the distinguished Speaker of the House of Representatives, the gentleman from Armstrong, Mr. Helm.

Mr. HELM. Mr. Chief Clerk and fellow Members of the House, surely after we reach our twenty-fifth birthday we have reached the time when we hate to see a birthday come around, but it is the nice things which have happened to me today which make my birthday more enjoyable.

First, I had a very delightful surprise from the office force down in my office at noon today. Then when I took the rostrum this afternoon one of the Page boys brought

a card to my desk which said, "Congratulations and Good Luck on your Birthday. The Pages of the House."

I want to tell you it really touches you when a group of young fellows will take the trouble and the time to go down and buy you a card and wish you a happy birthday.

Of course, I could not pass up the opportunity of thanking "King-maker" Andrews. I am sure he gave me the opportunity to be Speaker of this House.

I also appreciate the marvelous expressions from every Member of this House. The flower I am wearing happens to come from a Democratic Member of the House. Let me tell you it is really appreciated, not only because it came from a Member, but from a Member of the opposing party.

I say to you this has been one of the happiest birthdays I have enjoyed in my entire 49 years. I wish every one of them from here on out may be just as happy.

Thank you very, very much for your fine expressions.

The CHIEF CLERK. The Chair requests the Speaker to return to the rostrum.

The SPEAKER (W. Stuart Helm) IN THE CHAIR.

The SPEAKER. The Chairs thanks the Chief Clerk for presiding.

Mr. AGNEW. I wish to interrogate the Minority Leader with reference to the resolution he signed without reading.

The SPEAKER. Will the gentleman from Berks, Mr. Readinger, permit himself to be interrogated?

Mr. READINGER. I shall, Mr. Speaker.

The SPEAKER. The gentleman has a perfect right to refuse.

Mr. READINGER. I do it with pleasure.

Mr. AGNEW. The gentleman, Mr. Speaker, raised only one objection to this resolution. I am wondering if he does not have another objection?

Mr. READINGER. No other one.

Mr. AGNEW. I thank the gentleman.

Mr. Speaker, I would like to point out that in this resolution signed by Messrs. Johnson and Readinger we wish the present Speaker a long tenure in the Speaker's Chair.

I would like to note for the record that the Minority Leader and apparently the Members of the Minority party by their silence, because nobody objected, wish to maintain the Republican majority in this House just as long as we do.

Mr. READINGER. Mr. Speaker, my only comment is that two years can be an awfully long time.

RESOLUTION

CONGRATULATIONS

Mr. STIMMEL. Mr. Speaker, I might say that as handsome as the Speaker is, we in Lehigh County have a lady who is both beautiful and gracious.

Messrs. STIMMEL, STECKEL and DE LONG offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, April 8, 1957.

On an April 8, of a recent year, Edgar and Bertie Hall became the proud parents of a beautiful baby girl.

They were proud of her then and so were their friends. Now her entire State is proud of her.

"Mother" Markley has devoted her entire life to the service of her fellow men. She has spent much of her time working to combat the ravages of polio. She serves as a captain of the American Cancer Society. She is on the Board of the Allentown Free Library and Macungie, Pamona and State Grange. She is a member of the Lehigh County Council of Republican Women; the Allentown Quota Club and the Business and Professional Women of Emmaus. She served as a member of the Republican County Committee of Lehigh County for twelve years.

With all of her many activities she has still found time to be a good wife to Franklin H. Markley.

It is the extreme good fortune of the members of the House of Representatives, that we be favored with her presence and her service. First as secretary to the majority leader, then as administrative assistant to the speaker, and since 1950 as member, we have learned to respect her ability and judgment, appreciate her good humor and genuinely like her warm friendliness; therefore be it

Resolved, That on the anniversary of her birth, the members of the House of Representatives extend their best wishes to Marian Markley and hold her forth as an example of the useful life to which every Pennsylvanian should aspire; and be it further

Resolved, That a copy of this resolution be delivered to Mrs. Marian Markley.

The SPEAKER. The Chair congratulates the lady from Lehigh, and recognizes the lady from Lehigh, Mrs. Markley.

Mrs. MARKLEY. Mr. Speaker, I appreciate the resolution offered in my honor. I am very happy to enjoy my birthday with so many friends here in the House. I am particularly proud that my birthday occurs on the same day as that of the Speaker of the House.

I would like to make one request. I would like to have the resolution sent to my husband. I think he would appreciate all those nice things you have said. Thank you.

MEMBER CONGRATULATED

The SPEAKER. The Chair has been informed that the gentleman from Clearfield, Mr. Breth, also celebrates his birthday on the same day as the Speaker of the House and the lady from Lehigh, Mrs. Markley.

I am sure the Chair and every Member of this House wishes to extend congratulations to the gentleman from Clearfield, Mr. Breth.

The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, and Members of the House, on this occasion of my fifty-second birthday I am sure I am a lot younger than I used to be.

I take great pleasure in having company in my youth with Representative Markley and the Speaker.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. Wood asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

PERMISSION TO INTERROGATE

Mr. STRAUSSER asked and obtained unanimous consent to interrogate the gentleman from Cambria.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. Reluctantly.

Mr. STRAUSSER. Mr. Speaker, I would like to ask the gentleman whether he had anything to do with placing me in his County, on page 396 of the Pennsylvania Manual of 1955-1956? If so, I would like to know when the Cambria County delegation holds its caucus so I can be present at the next one.

Mr. ANDREWS. Mr. Speaker, I have been in such frequent communication with the gentleman from Columbia that, consulting with my colleagues from my county, we decided perhaps the easiest way of maintaining contact with the gentleman was to include him in the delegation. So, with their consent, we had him transferred from the County in which thinks he is to the County where he elects to function.

Mr. STRAUSSER. I thank the gentleman, Mr. Speaker.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended Senate Bills non-concurred in by Senate No. 124.

Senate insists on amendments non concurred by House to House Bill No. 143.

REPORT FROM COMMITTEE

Mr. WILLAREDT from the Committee on Appropriations, reported as amended, House Bill No. 897, entitled:

An Act lapsing certain unexpended balances of appropriations heretofore made by the General Assembly.

COMMITTEE MEETINGS

CITIES THIRD CLASS, Mr. Mikula, Chairman, Room 521, Tuesday, April 9, at 11:00 a.m.

EDUCATION, Mrs. Markley, Chairman, Room 324, Tuesday, April 9, at 9:30 a.m.

JUDICIARY, Mr. Tompkins, Chairman, Room 145, Tuesday, April 9, at 10:30 a.m.

JUDICIARY SPECIAL, Mr. Thomas H. W. Jones, Chairman, Room 145, Tuesday, April 9, 11:30 a.m.

MINES and MINING, Mr. Ewing, Chairman, Room 323, Tuesday, April 9, at 11:00 a.m.

MUNICIPAL CORPORATIONS, Mr. Blair, Chairman, Room 521, Tuesday, April 9, at 12:30 p.m.

PROFESSIONAL LICENSURE, Mr. Wall, Chairman, Room 521, Tuesday, April 9, at 10:30 a.m.

PUBLIC HEALTH and SANITATION, Mr. Jump, Chairman, Room 522, Tuesday, April 9, at 12:00 noon.

STATE GOVERNMENT, Mr. Keller, Chairman, Room 324, Tuesday, April 9, at 11:30 a.m.

ADJOURNMENT

Mr. TRUSIO. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 9, 1957 at 1:00 p.m.

The motion was agreed to, and (at 6:26 p.m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1957. 142nd of the General Assembly.

Vol. 35. HARRISBURG, PA., TUESDAY, APRIL 9, 1957. No. 35.

SENATE

TUESDAY, APRIL 9, 1957.

The Senate met at 1:30 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the Chair.

PRAYER

The chaplain, Rev. HARRY T. RICHWINE, Pastor of Salem Lutheran Church, Lebanon, offered the following prayer:

Let us pray.

Almighty God, under Whose gracious providence all our days are spent, we thank Thee for the mercies and the inspirations of this day.

Bless, we beseech Thee, the Presiding Officer, the Members and the servants of this Body as they take up their specific duties and responsibilities. Give them strength for their tasks and guide them in their labors that they may have wisdom in their decisions, understanding in their thinking and love in their attitudes. Help them to be patient with the sometimes long and painful process of democratic procedure. Enable them to disagree without being disagreeable, to differ without being difficult.

Create within this Chamber an atmosphere in which free men of good will may work together for the good of the Commonwealth and all its citizens. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MAHANY and Mr. HAYS, further reading was dispensed with, and the Journal was approved.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

April 9, 1957

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Mary Jane Wyland, 251 West Park Avenue, State College, Centre County, for appointment as a member of the Board of Trustees of The Pennsylvania State University, until July 1, 1958, and until her successor shall have been appointed and qualified, to fill a vacancy.

GEORGE M. LEADER

HOUSE MESSAGES

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 331

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 331, entitled:

An Act reenacting and amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act" extending the provisions of the act for a further limited period of time and requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 331

Mr. MAHANY. Mr. President, I move that the Senate insists upon its amendments non-cuncurred in by the House to the foregoing bill.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE HOUSE BILL No. 333

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 333, entitled:

An Act reenacting and amending the act of August 24, 1951 (P. L. 1417) entitled as amended "Corporation Income Tax Law" imposing the tax permanently and amending the definition of net income.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 334

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 334, entitled:

An Act reenacting and amending the act of May 16, 1935 (P. L. 208) entitled as amended "Corporate Net Income Tax Act" imposing the tax permanently clarifying the provisions relating to tangible property fraction and reports of change and amending the definition of net income.

REPORTS FROM COMMITTEES

Mr. WATSON, from the Committee on State Government, reported as committed, Senate Bill No. 312, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development, use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational and park purposes," designating the lake area on which motor boats may be operated, limiting the horsepower of the motor boats operated thereon, and fixing penalties.

Mr. KOPRIVER, JR., from the Committee on Law and Order, reported as amended, Senate Bill No. 119, entitled:

An Act providing for the protection of the public safety by regulating the sale offering or exposing for sale at retail and the use of air rifles defining air rifles authorizing cities, boroughs, towns and townships to issue permits for licensing and to regulate target ranges; imposing duties on the Pennsylvania State Police sheriffs police officers and constables and providing penalties.

He also, from the Committee on Law and Order, reported as committed, Senate Bill No. 135, entitled:

An Act to select and adopt the Great Dane as the official State dog of Pennsylvania.

He also, from the Committee on Law and Order, reported as committed, Senate Bill No. 248, entitled:

An Act amending the act of August 31, 1955 (P. L. 531) entitled "Pennsylvania Athletic Code," defining the term "retire," fixing the weight of gloves, method of scoring, and changing the regulation of boxing contests.

He also, from the Committee on Law and Order, reported as committed, House Bill No. 356, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the application for an issuance of hotel restaurant and club liquor licenses.

He also, from the Committee on Law and Order, reported as committed, Senate Bill No. 559, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code," permitting liquor licensees to elect to operate under daylight saving time when such time is generally being observed in that municipality.

Mr. FLACK, from the Committee on Highways, reported as amended, House Bill No. 315, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a bridge across the Susquehanna River between the borough of Kingston and Plains Township both situate in Luzerne County.

He also, from the Committee on Highways, reported as amended, House Bill No. 384, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Chester River in Delaware County between Twenty-second Street and Upland Avenue in the Borough of Upland to a point on Chester Expressway in the City of Chester and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

He also, from the Committee on Highways, reported as committed, House Bill No. 553, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Clarion River in Clarion County at a point in the general area of the Borough of Clarion and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages.

Mr. FLEMING, from the Committee on Local Government, reported as committed, House Bill No. 160, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," providing for audits accounts by independent accountants appointed by council.

He also, from the Committee on Local Government, reported as committed, House Bill No. 391, entitled:

An Act amending the act of July 11, 1917 (P. L. 802) entitled "An act authorizing county commissioners to repay moneys collected on forfeited recognizances in certain cases," providing for the return of forfeited recognizances upon application therefor.

He also, from the Committee on Local Government, reported as committed, House Bill No. 409, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," authorizing cities to increase allowances paid out of the police pension fund after the termination of the services of the contributors.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 440, entitled:

An Act amending the act of July 8, 1941 (P. L. 298) entitled "Fourth Class County Retirement Law," further regulating the reinstatement of county employes.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 449, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945," further defining the appointment and terms of office of Board members.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 450, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," further prescribing the purposes of zoning regulations.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 451, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code," authorizing the promulgation of housing codes and further prescribing the purposes of zoning regulations.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 452, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," authorizing city council to promulgate a housing code and further prescribing the purpose of zoning regulations.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 453, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," authorizing the promulgation of housing codes and further prescribing the purposes of zoning regulations.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 454, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code," authorizing the promulgation of housing codes and further regulating zoning and the powers of township supervisors and procedures in respect thereto.

He also, from the Committee on Local Government, reported as committed, House Bill No. 636, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," further regulating the filling of vacancies in the office of controller and treasurer.

He also, from the Committee on Local Government, reported as committed, House Bill No. 659, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," regulating contract procedures and advertising for bids.

Mr. WHALLEY, from the Committee on Finance, reported as amended, House Bill No. 1040, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act," changing the procedure for the collection of the tax and the administration of the act providing appeals and refunds, changing and clarifying definitions, changing and imposing penalties and providing for bonds.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 76, entitled:

An Act amending the act of June 4, 1943 (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; . . ." making the bridge a free bridge; providing for the payment of certain obligations out of the Motor License Fund, and making an appropriation therefor.

He also, from the Committee on Highways, reported as committed, House Bill No. 94, entitled:

An Act amending the act of May 1, 1929 (P. L. 1005) entitled as amended "The Tractor Code," providing for the classification of tractors used as portable saw mill rigs.

He also, from the Committee on Highways, reported as committed, House Bill No. 162, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes; . . ." further defining the formula used to determine the amount of payments to be made to the political subdivisions.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 345, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," providing for the issuance of registration plates at such times as to permit their use for a three year period.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 399, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge overt he Allegheny River in Freeport, Armstrong County and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 415, entitled:

An Act creating the Pennsylvania Highways Commission; defining its powers and duties; abolishing the Department of Highways and office of Secretary of Highways; and making an appropriation.

Mr. VAN SANT, from the Committee on Law and Order, reported as committed, Senate Bill No. 366, entitled:

An Act providing for a referendum to determine the will of the electorate in regard to horse racing with legal wagering within the State.

BILLS INTRODUCED AND REFERRED

Messrs. SCOTT and MALLERY read in place and presented to the Chair Senate Bill No. 571, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," redefining the term articles; clarifying certain provisions; requiring corporations to change their names after consenting to the use thereof or of a similar name by other corporations; eliminating the requirement that articles state the value of corporate property and the name and address of the treasurer; changing certain general corporate powers; eliminating a maximum denomination for shares; correcting and obsolete cross-reference; authorizing amendments to articles in their entirety; specifying certain transactions by foreign corporations as not constituting dong business in Pennsylvana for qualification purposes; eliminating the requirement that foreign corporations qualified in Pennsylvania file certified copies of their articles; and permitting the acquisition and disposition of assets discovered after dissolution.

Which was committed to the Committee on Corporations.

They also read in place and presented to the Chair Senate Bill No. 572, entitled:

An Act amending the act of June 24, 1939 (P. L. 748), entitled, as amended, "The Pennsylvania Securities Act," exempting transactions not involving any public offering.

Which was committed to the Committee on Banking.

They also read in place and presented to the Chair Senate Bill No. 573, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," defining and redefining certain terms; specifying certain corporations as subject to the act; reducing or eliminating the requirement that stock and indebtedness may be increased only after shareholders' meetings held on sixty days notice; clarifying certain provisions; requiring corporations to change their names after consenting to the use thereof or of a similar name by other corporations; eliminating the requirement that articles state the value of corporate property and the related penalty for doing business before that amount is paid in or before incorporation is advertised; permitting advertisements to be published after certain corporate actions as well as before them; changing certain general corporate powers, including the power to

grant pensions and allowances; specifying when shareholders consent is required for and when they may dissent from corporate actions and their rights in such cases; eliminating the requirement that corporations in court reorganizations obtain clearance certificates and advertise actions not required for corporations not in reorganization; changing shareholders' rights to receive notice of meetings, to vote and to consent in certain instances; authorizing redemptions of shares in any manner approved by shareholders; authorizing the directors to fix the consideration to be received for certain shares; specifying such consideration in certain instances; authorizing the omission from share certificates of a summary of shareholders' rights and preferences in certain cases; authorizing share purchase and share option plans and permitting directors to adopt them in certain cases without shareholders' consent and in others with the consent of only a majority of the shareholders affected; correcting obsolete cross-references; fixing the requirements as to stated capital and surplus and reserves and changes therein and distributions thereof to shareholders and as to the redemption, purchase and cancellation of shares; specifying the effect of failure to surrender securities converted by reorganizations or otherwise; combining certain sections; changing the liability of directors and fixing that of shareholders for illegal distributions; authorizing amendments to articles in their entirety; changing the requirements for articles of amendment; specifying certain transactions by foreign corporations as not constituting doing business in Pennsylvania for qualification purposes; eliminating the requirement that foreign corporations qualified in Pennsylvania file certified copies of their articles; changing certain provisions with respect to the liquidation and dissolution of corporations and the survival of corporate rights after dissolution; and repealing an inconsistent act.

Which was committed to the Committee on Corporations.

Messrs. KOPRIVER, JR., SCOTT and VAN SANT read in place and presented to the Chair Senate Bill No. 574, entitled:

An Act amending the act of May 24, 1945 (P. L. 982), entitled as amended, "Redevelopment Cooperation Law," redefining "State Public Body," so as to include school districts.

Which was committed to the Committee on State Government.

Messrs. ELLIOTT and STEVENSON read in place and presented to the Chair Senate Bill No. 575, entitled:

An Act amending the act of May 19, 1887 (P. L. 138), entitled "An act providing for payment of costs in criminal cases by the proper county," further providing for the payment of costs by the county in cases of misdemeanors.

Which was committed to the Committee on Judiciary General.

They also read in place and presented to the Chair Senate Bill No. 576, entitled:

An Act amending the act of May 11, 1874 (P. L. 132), entitled "An act relating to payment of costs in cases of felony," further providing for the payment of costs by the county.

Which was committed to the Committee on Judiciary General.

Messrs. WHALLEY, KROMER and WALKER read in place and presented to the Chair Senate Bill No. 577, entitled:

An Act amending the act of May .4, 1933 (P. L. 276), entitled "An act fixing the compensation and mileage of jury commissioners in counties of the sixth class," increasing the compensation of jury commissioners.

Which was committed to the Committee on Local Government.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 578, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," including the obligations of parking authorities as authorized investments.

Which was committed to the Committee on Banking.

He also read in his place and presented to the Chair Senate Bill No. 579, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945," eliminating the requirement of recording certificates upon the withdrawal from, or joinder in Joint Authorities, or upon the amendment of articles of incorporation; and extending the provisions for conveyances subject to liabilities by county authorities to include all established projects

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 580, entitled:

An Act amending the act of June 25, 1895 (P. L. 275), entitled "City Classification Law," further providing for the regression in classification of cities upon their decrease in population.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, time and again during the last few weeks, I stressed and voiced my personal viewpoint that leniency, clemency and mercy cannot be investigated. In my opinion, there is only one field where some improvement can be made and this is in the field of a procedural nature.

According to statements, you know, I have been loitering around the Pardons Board, listening to what is going on there. District attorneys have been coming in from various parts of the Commonwealth and making statements which determine the fate of a human being without thorough research and thorough understanding.

Mr. President, this has to be remedied, and that is the reason I am putting in this bill; whether it gets through is a different story. I am putting in a bill whereby a district attorney, appearing in the name of the Commonwealth, will have to file an affidavit showing his efforts, showing his research and showing his study before he can appear before the Pardons Board and make statements.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 581, entitled:

An Act requiring the State Board of Law Examiners to give the bar examination during the months of May and September.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 582, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," requiring district attorneys to file affidavits before hearings.

Which was committed to the Committee on Judiciary General.

Messrs. DERK and STEVENSON read in place and presented to the Chair Senate Bill No. 583, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for repairs and tree surgery on the historic Tiadaghton Elm Tree in Pine Creek Township, Clinton County.

Which was committed to the Committee on Appropriations.

Messrs. WEINER, SARRAF and KOPRIVER, JR., read in place and presented to the Chair Senate Bill No. 584, entitled:

An Act relative to Commonwealth printing; establishing conditions upon which contracts will be awarded and prescribing remedies and penalties for noncompliance with such conditions.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 585, entitled:

An Act enabling the department of procurement of cities of the first class to establish by resolution the conditions upon which it will award contracts for city printing.

Which was committed to the Committee on Local Government.

They also read in place and presented to the Chair Senate Bill No. 586, entitled:

An Act enabling county commissioners of counties of the first class to establish by resolution the conditions upon which it will award contracts for county printing.

Which was committed to the Committee on Local Government.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 587, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania exempting income taxes from requirement of uniformity.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also read in his place and presented to the Chair Senate Bill No. 588, entitled:

An Act to promote the welfare of the people of this Commonwealth; creating Port Authorities to function in counties of the fourth class as bodies corporate and politic, with power to plan, acquire, construct, maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on the authorities; authorizing the authorities to enter into contracts with and to accept grants from the Federal government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates and services; and authorizing the authorities to collect tolls, fares, fees, rentals and charges for the use of facilities; defining the authorities' powers and duties, and defining the port districts.

Which was committed to the Committee on Local Government.

Messrs. VAN SANT and DERK read in place and presented to the Chair Senate Bill No. 589, entitled:

An Act amending the act of May 1, 1929 (P. L. 905), entitled "The Vehicle Code," prohibiting the sale of brake fluid unless of a type approved by the secretary; and prescribing penalties.

Which was committed to the Committee on Highways.

Messrs. SCHMIDT and KOPRIVER, JR., read in place and presented to the Chair Senate Bill No. 590, entitled:

An Act amending the act of April 29, 1937 (P. L. 487), entitled, as amended, "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," changing the method of personal registration, authorizing bedridden and hospitalized persons to register; changing method of mail check-up registers.

Which was committed to the Committee on Elections.

They also read in place and presented to the Chair Senate Bill No. 591, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further regulating the terms of school directors, requiring the casting of lots when two or more candidates for the same office of school director receive the same number of votes; further providing for permanent organization of school directors; and providing that no school shall be kept open during an election or a primary election.

Which was committed to the Committee on Elections.

They also read in place and presented to the Chair Senate Bill No. 592, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," further regulating manner and procedure for filing of nomination papers and the procedure for nominations, and further fixing the fee for filing nomination papers.

Which was committed to the Committee on Elections.

They also read in place and presented to the Chair Senate Bill No. 593, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," further regulating the filing of nomination petitions, the advertising of election proclamations, numbered lists of voters, assistance to voters, general return sheets, tallying votes, the preservation of records, determination of tie votes, overseers and watchers, the location of polling places, and liability for costs of special elections.

Which was committed to the Committee on Elections.

REPORTS FROM COMMITTEES

Mr. WHALLEY. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WHALLEY, from the Committee on Highways, reported as committed, Senate Bill No. 520, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding a route in Butler County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 539, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding a new route in Armstrong County.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 556, entitled:

An Act amending the act of May 7, 1937 (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; . . .," changing or adding certain routes.

He also, from the Committee on Education, reported as amended, Senate Bill No. 118, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," revising the school health program changing the duties of the Secretary of Health and the Superintendent of Public Instruction relating thereto and changing the basis for reimbursement therefor.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I report at this time, from the Committee on Executive Nominations, a communication from His Excellency, the Governor of the Commonwealth, recalling the nomination of Doctor John G. Mountz as a Member of the State Board of Chiropractic Examiners.

The Clerk read the communication as follows:

RECALLING THE NOMINATION OF DOCTOR JOHN G. MOUNTZ AS A MEMBER OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

April 8, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 1, 1957, for the appointment of (Dr.) John G. Mountz, 761 Locust Street, Columbia, Lancaster County, as a member of the State Board of Chiropractic Examiners, until July 15, 1958, and until his successor is appointed and qualified, vice Dr. Jack J. Stokes, Philadelphia, whose term expired.

I respectfully request the return to me of the official message of nomination in the premises.

GEORGE M. LEADER.

NOMINATION BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. WATSON. Mr. President, I further report from the Committee on Executive Nominations the nomination of Doctor John G. Mountz, and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

MEMBER OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

April 1, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate (Dr.) John G. Mountz, 761 Locust Street, Columbia, Lancaster County, for appointment as a member of the State Board of Chiropractic Examiners, until July 15, 1958, and until his successor is appointed and qualified, vice Dr. Jack J. Stokes, Philadelphia, whose term expired.

GEORGE M. LEADER.

NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to the Governor.

LEAGUE OF WOMEN VOTERS PRESENTED TO THE SENATE

The PRESIDENT. The Chair wishes to make an announcement and call to the attention of the Members of the Senate that we are honored today by some distinguished guests who are now in the gallery and possibly some on the floor of the Senate. These women are members of the League of Women Voters of the Commonwealth of Pennsylvania.

I might say, for the information of the Senators, that the Majority Floor Leader, Senator Mahany, and the Minority Floor Leader, Senator Dent, and myself met with these ladies this morning at eleven o'clock in the House Caucus Room. We spoke to them briefly and invited them to come to the Session this afternoon.

I would ask that all of the Members of this League please arise so that we can see who you are.

I might further add that we are very honored to have you here today. We hope that you can come back and visit with us again, and that your visit today will be very worth-while.

Mr. MAHANY. Mr. President, while we were with the League of Women Voters this morning, you promised there would be some kind of a controversy demonstrated here between Senator Dent and myself.

We have not as yet caucused on the Calendar and it will be necessary for us to do that, which will take approximately a half-hour. That caucusing will be necessary before we get to the Calendar.

Senator Dent probably has any number of subjects which he would like to discuss. He can make a speech at the drop of a hat. This morning, the only person in the world who has ever been able to shut him off was one of the representatives who was acting as the moderator down there, or the one in charge of the League, and she

did shut him up. My hat is off to that young lady for having accomplished that magnificent feat.

I am trying, Mr. President, to get Senator Dent into the notion of making a speech, but he is shaking his head.

The PRESIDENT. The Chair might say, for the benefit of the visitors today, if there is not an argument today, it will be a very unusual day.

Mr. MAHANY. Mr. President, I regret that we must disappoint our visitors because I am sure that if they would stay, they would probably see some action when we get to the Calendar. However, we are unable to get to the Calendar until we have a caucus of the Republican and Democratic Senators, which will take about a half an hour.

RECESS

Mr. MAHANY. Mr. President, I request a thirty minute recess of the Senate for the purpose of holding a Republican Caucus and a Democratic Caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a thirty minute recess.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS INTRODUCED AND REFERRED

Mr. KOPRIVER, JR. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KOPRIVER, JR. read in place and presented to the Chair Senate Bill No. 594, entitled:

An Act authorizing the Department of Highways, with the approval of the Pennsylvania Public Utility Commission, to acquire a tract of land in Allegheny County to be added to the Pennsylvania highways system, and making an appropriation therefor.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 595, entitled:

An Act authorizing the Department of Highways, with the approval of the Pennsylvania Public Utility Commission, to acquire a tract of land in Allegheny County to be added to the Pennsylvania highways system.

Which was committed to the Committee on Highways.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 11, entitled:

An Act relating to and regulating atomic development activities within the Commonwealth providing for the appointment of a Coordinator of Atomic Development Activities and fixing his duties and salary and requiring certain departments and agencies to make continuing studies and recommendations relative to atomic industrial development.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. MAHANY. Mr. President, we are waiting for some amendments that I understand are to be offered by Senator Van Sant.

RECONSIDERATION OF SENATE BILL No. 11

Mr. MAHANY. Therefore, Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 11 passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. MAHANY. Mr. President, I voted with the prevailing side.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER TEMPORARILY

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 11, Printer's No. 98, on third reading, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 157, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" authorizing courts to revoke or suspend operating privileges in certain cases.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. FLEMING. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 2, last line of title by striking out "revoke or"; Amend Sec. 1 (Sec. 615.2), page 4, by striking out lines 3 to 11 inclusive.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill as amended lie over for printing.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate bill No. 279 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 292, entitled:

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" further defining and limiting the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders and employes establishing additional limitations of actions and imposing additional duties on the Department of Banking.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Harney,	McGinnis,	Stevenson,
Berger,	Hays,	McMenamin,	Taylor,
Blass,	Kalman,	Mullin,	Van Sant,
Camiel,	Kessler,	Murray,	Wade.
Chapman,	Kopriver, Jr.,	Pechan,	Wagner,
Dent,	Kromer,	Stiefel,	Walker,
Derk,	Lane,	Propert,	Watkins,
DiSilvestro,	Madigan,	Ruth,	Watson,
Donolow,	Mahany,	Sarraf,	Weiner,
Ehrgood,	Mallery,	Scott,	Wolfe,
Elliott,	McCreesh,	Silvert,	Yosko,
Flack,			Fleming,

NAYS—4

Miller,	Schmidt,	Seyler,	Whalley,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 299 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 326, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" requiring repayment of pension fund contributions to members of the police department or fire department who leave the service prior to eligibility for a pension.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 352, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" defining imprisonment in relation to the crime of prison breach and further defining the crime of prison breach.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 376, entitled:

An Act amending the act of June 27, 1923 (P. L. 858) entitled "State Employes' Retirement Law" further providing for payment of compensation to judges upon retirement under certain conditions and imposing duties on certain State officers.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. FLEMING. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 5 (Sec. 14.2), page 8 line 19, by striking out "and whose payments into the fund have not been withdrawn" and inserting in lieu thereof: "while in State service and without having filed a written statement as required in sections thirteen and fourteen of this act."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 377, entitled:

An Act amending the act of January 21, 1947 (P. L. 3) entitled "An act relating to officers and employes of the General Assembly . . ." changing the compensation of certain officers and employes.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Harney,	McMenamin,	Stevenson,
Berger,	Hays,	Miller,	Stiefel,
Blass,	Kalman,	Mullin,	Taylor,
Camiel,	Kessler,	Murray,	Van Sant,
Chapman,	Kopriver, Jr.,	Pechan,	Wade,
Dent,	Kromer,	Propert,	Wagner,
Derk,	Lane,	Ruth,	Walker,
DiSilvestro,	Madigan,	Sarraf,	Watkins,
Donolow,	Mahany,	Schmidt,	Watson,
Ehrgood,	Mallery,	Scott,	Weiner,
Elliott,	McCreesh,	Seyler,	Whalley,
Flack,	McGinnis,	Silvert,	Wolfe,
Fleming,			Yosko,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 406. entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey a tract of land situate in the Borough of Lewistown Mifflin County Pennsylvania to The General State Authority

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I understood that one of Democratic colleagues had amendments to this bill. If they are not ready, I would suggest that the bill be passed over in its order.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 406, Printer's No. 110, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 421, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" changing the period for titling new two-axle commercial motor vehicles and truck tractors in certain classes

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Harney,	McMenamin,	Stiefel,
Berger,	Hays,	Miller,	Taylor,
Blass,	Kalman,	Mullin,	Van Sant,
Camiel,	Kessler,	Murray,	Wade,
Chapman,	Kopriver, Jr.,	Pechan,	Wagner,
Dent,	Kromer,	Propert,	Walker,
Derk,	Lane,	Ruth,	Watkins,
DiSilvestro,	Madigan,	Sarraf,	Watson,
Donolow,	Mahany,	Schmidt,	Weiner,
Ehrgood,	Mallery,	Scott,	Whalley,
Elliott,	McCreesh,	Silvert,	Wolfe,
Flack,	McGinnis,	Stevenson,	Yosko,
Fleming,			

NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that Senate Bill No. 487 (Pink), on third reading, go over in its order.

The PRESIDENT. Is there objections? The Chair hears none.

SENATE BILL No. 11 CALLED UP

Mr. MAHANY. Mr. President, I call up, from Page 1 of today's Third Reading Calendar, Senate Bill No. 11, Printer's No. 98, which went over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 11, entitled:

An Act relating to and regulating atomic development activities within the Commonwealth providing for the appointment of a Coordinator of Atomic Development Activities and fixing his duties and salary and requiring certain departments and agencies to make continuing studies and recommendations relative to atomic industrial development.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. VAN SANT. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 5, line 18, by inserting after "person": "by and with the advice and consent of two-thirds of all the members of the Senate."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 87, entitled:

An Act amending the act of April 29, 1937 (P. L. 487) entitled as amended "The Permanent Registration Act for Cities of the Second Class Cities of the Second Class A Cities of the Third Class Boroughs Towns and Townships" requiring the commission to prepare for each election district a list of the names and addresses of registered electors arranged by streets and house numbers or alphabetically.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDMENTS OFFERED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 204, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law" excluding buses owned by or under contract with school districts private or parochial schools for the transportation of school children to and from school sponsored extra curricular activities from the definition of common carrier by motor vehicle and contract carrier by motor vehicle.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HAYS offered the following amendments:

Amend Sec. 1 (Sec. 2), page 5, line 7, by striking out "whether"; Amend Sec. 1 (Sec. 2), page 5, line 7, by striking out "or spectators"; Amend Sec. 1 (Sec. 2), page 5, line 11, by striking out "whether"; Amend Sec. 1 (Sec. 2), page 5, line 12, by striking out "or spectators"; Amend Sec. 1 (Sec. 2), page 7, line 10, by striking out "whether"; Amend Sec. 1 (Sec. 2), page 7, line 11, by striking out "or spectators"; Amend Sec. 1 (Sec. 2), page 7, line 15, by striking out "whether"; Amend Sec. 1 (Sec. 2), page 7, line 15, by striking out "or spectators."

On the question,

Will the Senate agree to the amendments?

Mr. MAHANY. Mr. President, if Senator Hays is about to explain the amendments, I will yield to him.

Mr. HAYS. Mr. President, this amendment omits the word "spectators" from this bill. As I understand the bill with the amendments, it is still written in the bill that school buses may transport children anywhere for school purposes. This will enable a school to take children to the courthouse; transport the band, chorus and glee clubs. It will enable the school buses to bring boys and girls to this Capitol, to Valley Forge, and I think to any place that is a school purpose.

I could perhaps defend this amendment on economic grounds, but I choose not to do that. I choose instead to point out a kind of an educational principle here. We have a great shortage of teachers and school personnel and it seems to me if we ask the schools of the State to operate a transportation system for spectators, we are not doing what I believe the majority of the people of Pennsylvania want the teachers and school personnel to do; namely, to teach the curriculum, the courses of study, in the schools of the State.

Therefore, for this reason, it seems to me if we permit and encourage schools to operate buses for spectators, we are asking our teachers, already heavily burdened, to be some kind of glorified baby sitters.

So, I urge my colleagues to vote for the amendments.

Mr. MAHANY. Mr. President, I believe that these amendments should be voted down because of the safety factor.

My boy is not quite old enough to go to football games as a spectator. I hope when he does become old enough to get into high school that he will be a member of the team but, in the event that he cannot make the team, I know he will want to go to the football games on Friday night and Saturday afternoon. I would much rather have him go in a school bus, with proper supervision, than to go with some classmate who happens to have one of these hot rods which they travel over the roads with to go to a football game maybe forty or fifty miles away and then race back to town to see who can deliver the good news of the victory the quickest.

I know there are any number of accidents that may happen by virtue of forcing our children to ride in these private cars to and from these football games. I also feel that, in most instances, the boys and girls will pay fifty cents or one dollar for their transportation on these buses. Therefore there will not be any extra added load to the cost of education.

As far as the teachers are concerned, usually they are able to find one or two of them who are happy to accompany these children to the football game because they get a big kick out of going to the games themselves. Perhaps there might even be some extra remuneration to those teachers, the two or three of them who want to accompany the children.

I feel that inasmuch as we are going to allow the buses to transport the children who are participants in the games, we also should allow the children to go as spectators in the buses so that they would be properly supervised in a vehicle which is safe in order that we can feel pretty sure that they are going to return to our homes in a safe condition after the game, and not run the danger of being battered up in some jalopy that they might be able to get a ride in otherwise.

Mr. DENT. Mr. President, I wonder what the gentleman means by the words, "proper supervision"? Would he give me his definition of "proper supervision"?

Mr. MAHANY. I would say that these children would be in a bus. They, no doubt, would have the bus driver there and one or two teachers or other chaperones who would be in the bus to see that the children behaved themselves. I feel that usually their services would not be called upon too much. I know from experience that the children are well behaved. They spend their time by singing school songs, cheering and so forth, while going to and from the game. I feel they are in a much safer condition in a bus than they would be if they went over the roads in these jalopies.

Mr. DENT. Would you say that the teachers would be compelled to go as supervisors or chaperones?

Mr. MAHANY. Of course not, Senator Dent. We would not compel the teachers. I think, in my community anyway, there are enough teachers who would like to go along to the game. I do not think we have any trouble in finding teachers or others who are willing to accompany the bus.

Mr. DENT. Thank you.

Mr. President, the gentleman from Crawford, Senator Mahany, makes a very odious comparison, of course, to serve his purpose. He compares the bus with a jalopy. Why does he not compare it with the proper agency or the proper vehicle which is being eliminated by this bill? He is comparing a school bus with an over-the-road bus owned by a franchised operator which, incidentally, still has a driver in it. In every instance, I believe, it has a better qualified driver for that type of driving and transportation than the driver who would be used by a school bus operator.

I think you are going far afield here in that both of these bills tend to strike at an industry which everyone recognizes to be in very bad financial straits. I told you before that for many years I operated a bus operation, and, in order for me as an operator to get the right to haul these spectators back and forth or to and from any athletic events or any other school activity, other than the regular curricular activities of that school, I had to go before the Public Utility Commission and prove the need for these services. For this privilege, I was allowed to pay somewhere between $14,000 and $18,000 a bus. I had to pay a first-rate wage to the bus driver. I had to carry enough insurance to guarantee any damages that might occur to property or person. I had to have the proper equipment on the road.

You now try to tell this Senate that the equipment used by school bus operators is anywhere near comparable to the buses that are employed in the services of those who have to have their buses inspected and have to keep them up to certain inspection regulations passed by the Public Utility Commission; that the operators of these buses will not give to these children the same kind of protection that a private operator would give?

The second thing you are doing is that you are going to allow a bus operator to compete against a licensed bus operator, a franchised operator, by selling him a license for one dollar a seat as against the same operator who will pay upwards of $300 for a license.

Somewhere along the line, you must realize that school expenses come out of taxes and that taxes are assessed against going, private concerns and peoples. The more you eliminate these going, private concerns from the field of revenue-raising, the greater the burden is going to be upon those who are left. You cannot deprive these people of an opportunity of earning enough money to pay their taxes, to pay their drivers and to buy good equipment.

This is the furtherest stretch that has ever been made yet in the use of taxpayers' moneys for purposes other than regular school purposes. I say to you that within the next few years you will have to increase the amount going back in subsidies to the local districts, because it will become a burden completely carried by the school district. All of the spectators will go and then, Senator Mahany, a man like you will get up and say, "I think it is wrong for my little boy to go to this game without his mother or myself being with him. He is so little that, not being high school age yet, I think he should have somebody with him to hold his hand and take care of him." The next bill you will put in will extend not only the school children as spectators, but you will be taking the fathers, mothers, uncles, brothers and sisters. I say to you that you are opening up another wedge into the public treasury for the expending of great sums of money.

You think this is not a very serious bill. You are playing along because certain school directors want the bill. I know that it is Caucus action, and all the talking I do will not change a vote. I want to tell you that the greatest mockery of democracy has been made during this Session of the Legislature by Caucus action on any piece of legislation, regardless of whether it has the merits that deserve Caucus action or not. This is not a question of Party policy; this is a question of what is right and what is wrong for the people of this Commonwealth. I say to you that every franchised operator in this State stands to lose by this kind of legislation. If there should not be any franchised operators, then wipe out the Public Utility Commission regulations and let them haul wherever they want.

Under this bill, Mr. President, an operator in Titusville can go to Pittsburgh and pick up children from a school, with which he has nothing to do, and take those children to a game in some other area, maybe sixty or seventy miles away. If you think that is farfetched, you just wait until the bill gets into operation.

Mr. MAHANY. Mr. President, Senator Dent evidently does not know our situation in Titusville nor in many of the smaller towns in the State of Pennsylvania. We do not have access to chartered bus service in our city. If it were possible to get a chartered bus, we would have to bring one down and deadhead it in from Erie to Titusville. Then we would take the children to the game, at quite a large fare. After that, then the bus would again have to deadhead back to Erie. It is impossible for us, and for the people in many, many of the smaller towns of Pennsylvania, to obtain that type of service.

Therefore, Mr. President, as a consequence, what happened in Titusville and many of the cities and towns throughout Pennsylvania last fall is just exactly what I stated. Children went in these jalopies or hot rods to the football games and some of them were injured.

I do not feel that we should judge this on the basis of whether or not we are going to take away some money that some bus company may have received last fall. Before we passed the legislation which prohibited this, at

the last Session of the Legislature, these bus companies did not have this source of revenue. I do not think that at that time they felt they were going to go bankrupt if they did not receive it.

Therefore, Mr. President, I think we should allow the school district supervisors or school directors, to whom we entrust the affairs of our schools, to decide whether they want these buses to be operated in this manner. If they do, then they should decide whether or not they should except the children to pay the fares for the operation. I think you will find, in most cases, that school directors will allow the buses to be used for this purpose, but will expect the children to defray the expense of the buses in going to and from these games.

Mr. DENT. Mr. President, maybe I do not know what happens up in Titusville. However, I do know that your school operator can apply, without any difficulty at all, by a simple matter of a letter, approved by the school board, and get a permit any time that you cannot get charter service within any community in Pennsylvania. That is true. All you have to do is to write a letter and you will get a permit from the Public Utility Commission. The Public Utility Commission allows any school bus operator to operate and haul spectators, not only school children, but anybody, to and from that game, so far as that community is concerned, if there is no charter service within the area. If they cannot get it, the school board can ask for it.

Mr. MAHANY. Mr. President, I do not want to prolong the debate, but I think it amounts to more than just writing a letter. I think the bus operator must show a contract between he and the school for the purpose of hauling these children. The contract must conform to the standards set up by the Public Utility Commission and if there is any objection on the part of the chartered bus companies in his area, the certificated carriers, then they may protest and, after a protest, they have to hold a hearing. You must go through a long rigmarole with the Public Utility Commission in order to obtain these rights. It amounts to much more than just writing a letter.

And the question recurring,

Will the Senate agree to the amendments?

Mr. MAHANY. I ask for a roll call, Mr. President.

Mr. PECHAN. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. MAHANY and Mr. PECHAN, and were as follows, viz:

YEAS—19

Camiel,	Kalman,	Ruth,	Taylor,
Dent,	Kopriver, Jr.,	Sarraf,	Wade,
Derk,	McGinnis,	Schmidt,	Watkins,
Ehrgood,	Murray,	Scott,	Yosko,
Hays,	Propert,	Stiefel,	

NAYS—20

Berger,	Fleming,	Mahany,	Van Sant,
Blass,	Harney,	Mallery,	Wagner,
Chapman,	Kromer,	Miller,	Walker,
Elliott,	Lane,	Pechan,	Watson,
Flack,	Madigan,	Stevenson,	Wolfe,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. MAHANY. Mr. President, I just want to call to the attention of my colleague, Senator Dent, that the vote certainly showed that we have not had any Caucus action on this bill. I want to again state to him that at no time did the Republican Party take Caucus action on any bill.

Mr. DENT. Mr. President, I appreciate that, and I will watch very carefully the vote on the bill on Final Passage.

Mr. LANE. Mr. President, I would like to point out to the Majority Leader, if he noticed the vote on the Democratic side, there was no Caucus action either on this.

Mr. MAHANY. Mr. President, I never alleged there was.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 205, entitled:

An Act repealing section 502.1 act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code" removing limitations upon the operation of commercial motor vehicles for carriage of passengers.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. MAHANY and WHALLEY offered the following amendments:

Amend Sec. 1, page 2, line 2, by striking out "repealed" and inserting: "amended to read"; Amend Sec. 1, page 2, by inserting between lines 2 and 3 the following: "Section 502.1. Use of Commercial Registration Plates Limited.—Except for transporting authorized employes of the owner or lessee, school children for school purposes, [or] and to and from extra-curricular activities and children between their homes and Sunday school in commercial motor vehicles owned by any school district, parochial school or private school, and school children between their homes and school, and to and from extra-curricular activities if the person performing the extra-curricular transportation has a contract with the school or school district in which the school is located for the transportation of its students between their homes and school and children between their homes and Sunday school in commercial motor vehicles operated, under contract, with any school district, parochial school or private school, it shall be unlawful for any person or political subdivision to operate any commercial vehicle for the carriage of passengers. A copy of any lease or contract shall be maintained in the vehicle at all times.

"For the purposes of this clause, extra-curricular activities shall include athletic, forensic, musical, dramatic or any other similar event or exhibition held under the supervision of school authorities in which the school children are participants or spectators, and in which the school is represented by a team or participating body.

"Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. MAHANY and WHALLEY offered the following amendments:

Amend Title, page 1, line 1 of Title, by striking out "Repealing section 502.1" and inserting: "Amending the"; amend Title, page 2, third from last line of Title, by striking out "removing" and inserting: "changing."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS RE-REFERRED

Mr. MAHANY. Mr. President, I move that Senate Bill No. 316, on second reading, entitled:

An Act relating to the practice of ophthalmic dispensing providing for the registration and licensure of dispensing opticians and the registration of apprentices conferring powers and imposing duties upon the State Board of Examiners for Dispensing Opticians providing for the revocation or suspension of licenses in certain cases and prescribing certain unlawful acts and penalties.

be re-referred to the Committee on Rules.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Mr. MAHANY. Mr. President, I move that Senate Bill No. 317, on second reading, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," creating the State Board of Examiners for Dispensing Opticians and defining its powers and duties.

be re-referred to the Committee on Rules.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 354 (Pink), on second reading, go over in its order.

The PRESIDENT. Is there objections? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 579, entitled:

An Act requiring the Pennsylvania Turnpike Commission to change the names of certain interchanges on the Pennsylvania Turnpike.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 1, page 2, line 12, by inserting after "interchange" the following: "and the interchange known as the 'Lancaster-Lebanon Interchange' shall be renamed the 'Lancaster-Hershey-Lebanon Interchange,' and the interchange known as the 'Wyoming Valley Interchange' shall be renamed the 'Pittston Interchange,' and the interchange known as the 'Wilkes-Barre Interchange' shall be renamed the 'Wilkes-Barre-Wyoming Valley Interchange,' and the interchange known as the 'Reading Interchange' shall be renamed the 'Reading-Ephrata Interchange.'"

On the question,

Will the Senate agree to the amendment?

Mr. DENT. Mr. President, I would like to ask that this amendment be held up. I would like to change the Irwin Interchange to Irwin, Jeanette, Greensburg, Herminie, and Penn Township. I might have a little trouble with a couple other little boroughs out there that would like to be in on it.

Since we are going to make the Turnpike names now into a map of the State of Pennsylvania, I would like to, at least, put the communities that touch onto Irwin into the Irwin Interchange. I would like to ask you to hold it until I get all of the listings.

Mr. MAHANY. Mr. President, if this bill passes Second Reading and goes on the Third Reading Calendar, I will assure the Senator that I will give him the opportunity to present amendments or any kind of names he wants, including the "Dent Interchange," tomorrow.

Mr. DENT. All right, Mr. President, I will have them ready tomorrow for all the interchanges.

Mr. MAHANY. Senator, put one in for the "Dent and Mahany Interchange," after the great number of bills we have co-sponsored.

Mr. DENT. It is not the "interchanges," Mr. President. It is the "exchanges."

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered to be transcribed for a third reading.

SENATE CONCURRENT RESOLUTION, SERIAL No. 112, TAKEN FROM TABLE

Mr. MAHANY. Mr. President, I call from the table Senate Concurrent Resolution, Serial No. 112.

The resolution was read by the Clerk as follows:

SENATE COMMITTEE ON EDUCATION TO STUDY CONSTRUCTION PROJECTS OF STATE TEACHERS COLLEGES AND RECOMMENDATIONS MADE BY CONSULTANTS

In the Senate, March 11, 1957.

Whereas, the General State Authority has adopted construction projects at several of the State Teachers Colleges of the Commonwealth, and

Whereas, the Department of Public Instruction has employed consultants to survey said State Teachers Colleges, and

Whereas, recommendations are being made to the Superintendent of Public Instruction which are deemed impractical and impossible of accomplishment, and

Whereas, this has resulted in unnecessary delay in making critically needed repairs and expansions for a long period of time after money has been made available for this purpose, therefore be it

Resolved, That the Senate Committee on Education be directed to confer with the Department of Public Instruction, its Superintendent and all personnel concerned, to ascertain and resolve the issues involved; and be it further

Resolved, That the committee make a report of their findings and recommendations to the Senate on or before May 1, 1957.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL No. 112, ADOPTED

Mr. MAHANY. Mr. President, I move that the Senate adopt the resolution just read by the Clerk.

Mr. MADIGAN. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information and I would like to ask the Chairman of the Highways Committee, Senator Wade, to give me his attention.

The PRESIDENT. The gentleman will state it.

Mr. DENT. Senator Wade, you are Chairman of the Highways Committee. Will you tell me whether this bill, changing the names of the Turnpike stations, came out of your committee?

Mr. WADE. It did.

Mr. DENT. Will you tell me, since I am getting my amendments ready for three interchanges which are in Westmoreland County, what mile radius I am supposed to use for the communities to put their names on the interchange?

Mr. WADE. Mr. President, knowing of the great influence that the Senator has in that locality, I would say that he should set the mile radius.

Mr. DENT. Mr. President, I want to stay within the confines of the bill. I do not want to step out of it and make it more rediculous than it is. I want to just keep it at the par it is right now.

I want to know how many miles away a town has to be before it can be considered an interchange on the Turnpike; that is all.

Mr. WADE. I would say, Mr. President, in answer to the gentleman's interrogation, that the purpose of the bill, from its first inception until now, is to be more indicative of the towns and centers of population that are served by the interchanges. That is the purpose of changing the names of the interchanges.

There is a great deal of latitude in time so that there will not be an excessive loss on the part of the Turnpike Commission in reprinting tickets.

Mr. DENT. Well, I only asked you how far away a town has to be. I do not know. We have some mighty fine towns and cities in Westmoreland County that we feel are served by the Turnpike. Some of them are twenty miles away, some are fifteen, some are ten, some are six, some are two, some are one and some are sixty. I want to know what range I am supposed to use.

Mr. WADE. Well, Mr. President, I would answer the gentleman by saying that we bent to the demands and requests of a very prominent citizen of Pennsylvania in naming the interchange just west of the Susquehanna River. We changed it to the Harrisburg-West Shore-York Interchange.

Mr. DENT. How far is York from that interchange?

Mr. WADE. York, I would say, would be in the vicinity of eighteen to twenty miles.

Mr. DENT. Eighteen to twenty miles away?

Mr. WADE. That is right.

Mr. DENT. Well, I will have a few names for tomorrow.

Mr. WADE. All right.

BIRTHDAY FELICITATIONS EXTENDED TO SENATOR HENRY J. PROPERT

Mr. MAHANY. Mr. President, I want to call the attention of my colleagues to the fact that Senator Propert, of Montgomery County, one of the finest, outstanding Senators this Senate has ever had, is now celebrating his thirty-ninth birthday.

I would like my colleagues here to join with me in extending congratulations to this noble economist from Montgomery County.

Mr. PROPERT. Mr. President, I want to thank my colleagues. I also want to thank Senator Mahany for that fine compliment. I did not realize that I looked thirty-nine.

REPORT FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education, to which was referred resolution offered by Mr. Stiefel on April 2, 1957, reported the same without amendment as follows:

CONGRATULATING DROPSIE COLLEGE ON ITS FIFTIETH ANNIVERSARY AND RECOMMENDING THE GOVERNOR ISSUE A PROCLAMATION

In the Senate, April 2, 1957.

Proudly appreciative of Pennsylvania's leadership in the vanguard of America's cultural advancement along ever-ascending paths of progress, the Senate of the General Assembly of Pennsylvania notes with great pride and gratification that The Dropsie College for Hebrew and Cognate Learning in the City of Philadelphia and the State of Pennsylvania, is presently celebrating the fiftieth anniversary of its existence under the Charter conferred upon it by the Commonwealth of Pennsylvania.

An exclusively graduate institution leading to the degree of Doctor of Philosophy, it is non-professional and non-sectarian, its sole aid being to advance knowledge and truth.

During an era which has marked the decline of humanistic studies in favor of the sciences which undergird the mechanistic structure of present-day civilization, The Dropsie College has developed those areas of study which gave the world religion, ethics and a way of life, rooted in faith, social justice and righteousness.

Founded by Moses Aaron Dropsie, an eminent citizen and lawyer born and all his life resident in the County of Philadelphia, Mayor of Northern Liberties, then a municipality in the County of Philadelphia and one of the Lincoln-Electors, The Dropsie College was designated by him to be permanently situated in Philadelphia, Pennsylvania, and he furthermore directed "that in the admis-

sion of students there shall be no distinction on account of creed, color or sex."

During the half-century of its chartered existence, The Dropsie College has gained renown throughout the world of scholarship and enhanced the scholarly fame and the cultural standards of our Commonwealth.

The Senate of the General Assembly of Pennsylvania notes with particular interest and gratification the far-visioned policies of the Board of Governors and of the Faculty of The Dropsie College in pioneering through its Institute for Israel and the Middle East in the training of qualified personnel for United States Government Service, and for work in those countries in behalf of American social agencies, industry and commerce.

Be it therefore resolved that the Senate of the General Assembly of Pennsylvania greets and congratulates The Dropsie College for its manifold contributions to the enlightenment and the cementing of human brotherhood and because of its unique role among the institutions of higher learning in the Commonwealth of Pennsylvaina, of which our citizenry is rightly proud and hails with pride and satisfaction the Jubilee year of this distinguished institution.

And be it further resolved that the Senate of the General Assembly shall respectfully recommend and does hereby recommend to His Excellency the Governor of Pennsylvania to issue a Proclamation on May 22, 1957, the day the Jubilee festivities will reach the point of culmination, expressing to the Governors and the faculty of The Dropsie College the appreciation of the People of Pennsylvania for the far-reacting influence of The Dropsie College in the cultural endeavors of our State and Nation.

RULE 39 SUSPENDED

A motion was made by Mr. MAHANY,

That rule 39, which requires resolution reported from committee to lie over for one day, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

BILLS ON FIRST READING

Mr. MAHANY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I object to Senate Bill No. 366 being read for the first time.

Mr. WATKINS. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDENT. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated? Is it on the motion?

Mr. LANE. I think it is because of my objection to Senate Bill No. 366.

Mr. WATKINS. Mr. President, if Senator Lane objects to being interrogated, I hate doing it.

Mr. LANE. I do not object to being interrogated, go right ahead.

Mr. WATKINS. I would like to ask, Senator Lane, on what grounds or on what basis do you object to this bill being read for the first time?

Mr. LANE. Primarily, Senator Watkins, I do not think we should rush something like this through the Senate. I believe that the populous of Pennsylvania should be very well informed on what we are about to vote for. Therefore, if we read it for the first time today, it will be on Second Reading tomorrow. For all I know, you might pass it next week. I feel that the population, as a whole, should be well informed as to what they are going to be faced with by the passage of Senate Bill No. 366. I think it is only fair that they should be well informed. Do you agree?

Mr. WATKINS. Mr. President, I would like to further interrogate the gentleman by asking him whether he does not think this is a procedure that has very seldom, in my opinion, been used.

I remember when I was a freshman Senator, in 1949, a tactic like this was used on a bill which I presented, the Philadelphia Wage Tax, and I think practically every Senator in the Senate came to my rescue to advise me just what to do.

If Senator Lane is going to insist that this bill be held on the First Reading Calendar, I shall also make a motion in just a moment on the balance of the bills. I shall ask that all bills be held on the First Reading Calendar. I shall read the numbers of each bill reported from committee.

I think it is an insult to the committee, Mr. President. This bill was acted upon in a democratic manner. The committee meeting was held and the majority vote was for this bill being reported out. I do not think it should get any different treatment than any other bill would receive.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Watkins.

The PRESIDENT. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS. Mr. President, I would like to object to all of the bills being read for the first time. Should I proceed to name them?

Mr. LANE. Mr. President, I desire to interrogate the gentleman.

Mr. WATKINS. I beg your pardon.

The PRESIDENT. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS. I do not know why I should not. I do not think he can hurt me.

Mr. LANE. Senator Watkins, something peculiar happened when we commenced this Session of the Legislature. Do you know that I served on the Committee on Law and Order for years and, lo and behold, when I looked over the committee assignments at this particular Session, I found out that I was liquidated or eliminated. I have often wondered why. Now I think the light has shone, and I realize why I was eliminated. I was eliminated because I sort of have a little objection to this horse racing bill.

Since you are the Chairman, I am wondering whether you could explain to the Members of the Senate why I was eliminated from that committee?

Mr. WATKINS. Mr. President, I realize it is an honor to be the President pro tempore of the Senate of Pennsylvania and it is also an honor to be the Minority Leader of this Senate. I would suggest that Senator Lane consult with those two gentlemen in order to find the answer to his question. I had nothing to do with it. I cherish the friendship of Senator Lane and I respect his views. I

certainly would have loved to have had him on the committee. I influenced no persons on how to vote on this bill.

Mr. LANE. That is very nice of you. However, I am wondering whether you, probably indirectly, might have talked to the Minority Leader and he indirectly might have talked to the President pro tempore and I might indirectly have been removed from the committee. Of course, that is within the realm of possibility.

However, Mr. President, I say that I have a right to object to the first reading of this bill, based primarily on the fact that I was not a member of the committee and I did not have an opportunity to express my views. Therefore, the bill was reported out. I do not know what the vote was, but I know my vote would have been "no."

Therefore, I feel that it is only fair to myself and to the people of my District, and to the people of Pennsylvania, that they be informed that Senate Bill No. 366 was reported out on this floor and they should have the opportunity to marshal their forces to oppose this legislation. There is nothing wrong with that.

If you feel you have a good case, you should welcome competition. At least, if I were in your position, with the support you have, I would welcome competition. I would say, "All right, let the bill come out and appear on First Reading." If you want to object to the rest of the bills, it is all right with me.

Mr. WATKINS. That was a very beautiful speech, Senator Lane, but I do not concur in your thinking.

Mr. LANE. I knew you would not and that is the reason I spoke so long and at such length.

Mr. DENT. Mr. President, in order that there be no misunderstanding, there was no collusion between Senator Taylor and myself, or Senator Watkins or anyone else, on the committee assignments on this side. Senator Lane, having been here longer than other Members, when it came to parceling out the committees, we elevated him to committees of higher standing in the echelon of importance.

Mr. LANE. Mr. President, I observed on my committee assignments that I was assigned to the Committee on Mines and Mining, which I had not requested. I was removed from the Committee on Law and Order.

Mr. DENT. Mr. President, it might interest the Member from Washington County that he has mines in his county and that there are very few Senators on this side, since most of my Senators come from the big urban centers, who have any knowledge of mines and mining, and he was put on that committee because of the fact that he is acquainted with that particular subject. However, if he wants on the Committee on Law and Order, I will certainly be glad to ask someone to get off and put him on it. Since I am on no committee, I have none to give him.

Mr. LANE. Mr. President, since they have taken official action on the crucial bills at this Session, it would serve no useful purpose for me to now serve on the Committee on Law and Order.

PARLIAMENTARY INQUIRY

Mr. MAHANY. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman will state it.

Mr. MAHANY. Mr. President, if any Senator objects to the first reading of bills today, is there anything which any other Senator can do to get past that objection?

The PRESIDENT. The Chair misunderstood the gentleman from Washington. I understood him to say that he was requesting this bill to be read. Now I understand that he objected to the reading of the bill for the first time. However, I have been informed that the Majority can rule whether or not any or all bills are to be read for the first time by motion. We do have a motion now that all bills reported from committee be read for the first time.

Mr. LANE. Mr. President, I object to the reading of Senate Bill No. 366 for the first time.

Mr. WATKINS. Mr. President, I object to the reading for the first time of the balance of the bills.

Mr. President, may we be at ease for a few moments?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agre to the motion?

Mr. LANE. Mr. President, I want to make it specifically clear to the Membership and to those who might be interested, that Senator Watkins, the Chairman of the Republican Caucus, Senator Berger, and the Majority Leader, Senator Mahany, have promised me and have agreed that if I withdraw my objection to reading this bill for the first time, it will be carried over on Second Reading until after the recess. Under those conditions and only under those conditions do I withdraw my objection.

Now I want that in the record and that is the way it stands. They are carrying this bill over on Second Reading until after the recess.

The PRESIDENT. The remarks of the gentleman will be printed in the Legislative Journal, and the Senator from Washington withdraws his objection to Senate Bill No. 366 being read for the first time.

Mr. WATKINS. Mr. President, I certainly did make that agreement with Senator Lane and I would like to withdraw my objection to any of the other bills being read for the first time.

The PRESIDENT. We have real harmony for a change.

Mr. WATKINS. Mr. President, I would like to say this to the Senator, that not only this bill, but any bill that I have in my committee that is as controversial as this bill is, I, too, think the public should have plenty of time to study it. Personally, I do not know how I am going to vote myself on it, but I personally feel that we should give the public all the time they want on a referendum.

I want to thank the Senator for withdrawing his objection. I think he was proper in doing it.

Mr. STIEFEL. Mr. President, in many instances I consider Senator Lane as a man in whose footsteps I would like to follow, and I like to consider myself as an amanuensis to Senator Lane. This idea of postponing action until after the recess is a very felicitous one.

Let him come to Philadelphia and then he will learn what the people think of that bill. Maybe he will change his mind about it.

Mr. LANE. Mr. President, I thank Senator Stiefel and I also thank Senator Watkins for his kind statements.

(Remarks of the gentleman from Washington, Mr. LANE stricken from the record at his request.)

Mr. YOSKO. Mr. President, since we are talking about the public, I am convinced that the public wants to de-

cide this question once and for all. This bill, in its present form, is not authorizing anything. The only thing it does is place a queston on the ballot and gives the people an opportunity to vote "yes" or "no" on the question of whether or not Pennsylvania should legalize parimutuel horse racing, and I believe the people should be given that opportunity.

Mr. WATKINS. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDENT. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

The PRESIDENT. The gentlemen will confine their remarks to the motion before the Senate.

Mr. WATKINS. Mr. President, I will certainly keep my remarks responsive to the motion. You were kind enough to let him get away with a slurring remark and I want to press for an answer.

Senator Lane, can you recall any bill since I have been in the Senate of Pennsylvania, since 1949, that I have taken any undue action on that showed bad faith?

Mr. LANE. Well, Senator Watkins, I never paid any particular attention to your bills but, of course, I do say you have more than a passing interest in the horse racing bill and you seem quite determined because you have talked horse racing to me for months. I felt that was what you were trying to do, because you took the floor and started to argue with me about my objections and so, therefore, you have a great interest in the passing of this bill. Is that not true?

Mr. WATKINS. You are not answering my question. I asked you if you knew of any bill that I ever used unfair tactics in connection with in this Senate?

Mr. LANE. Well, I do not know of any, but I do not want you to either.

Mr. WATKINS. Well then, Mr. President, I ask that the gentleman's prior remarks be stricken from the record.

Senator, did you think I was trying to press for action on this bill?

Mr. LANE. Well, I think you were until I objected, and then you came over here and talked the thing over. I thought that you wanted to get this thing through as quickly as possible without too much controversy, without too much attention.

MOTION TO EXPUNGE REMARKS

Mr. MAHANY. Mr. President, I think that this is all contrary to the Rules of the Senate. I think that the statement which Senator Lane made did impugn the motives of a fellow Senator, which is contrary to our Rules, and I move that all these remarks from the time Senator Lane made the statement about Senator Watkin's motive be expunged from the record.

The PRESIDENT. Let us place the motion. Is the motion seconded?

Mr. BERGER. Mr. President, I second the motion.

The PRESIDENT. Did the gentleman state that all the remarks since Senator Lane made his first remarks be expunged from the record? It would include, then, the remarks of the Senator from Delaware, also.

Mr. MAHANY. That is right.

The PRESIDENT. The Senator from Crawford, Mr. Mahany, has moved, seconded by the Senator from Potter, Mr. Berger, that the remarks of the Senator from Washington, Mr. Lane, and the remarks of the Senator from Delaware, Mr. Watkins, be expunged from the record.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, if this motion prevails, then a Member of the Senate cannot even express an opinion as to what he thinks.

The PRESIDENT. That is right.

Mr. LANE. As a matter of fact, I feel that I have a right to express an opinion on what I think of the activities of a Member of the Senate, especially in regard to legislation of this type.

I do not think I have said anything detrimental or derogatory. I might have some legislation on counties, or something like that, which I would have an interest in and I would not object if he made that statement.

PARLIAMENTARY INQUIRY

Mr. MAHANY. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman will state it.

Mr. MAHANY. The remarks of the Senator relative to the bill and the reason, and impugning the motives of the Senator from Delaware and his actions, does that not come within our Rules that we cannot do that sort of thing?

The PRESIDENT. The Senator from Crawford has asked the Chair to make a very difficult ruling. It depends on how you interpret the remarks, and I would hesitate to rule on that at this time. I think it is a matter for the Senators to decide themselves.

Mr. MAHANY. Mr. President, I made the motion, and I will press for my motion.

The PRESIDENT. The question recurs on the motion.

The Chair recognizes the Senator from Northampton, Mr. Yosko.

Mr. YOSKO. Mr. President, I do not know whether my remarks are in order on this motion, but I am going to make them anyway.

Mr. President, there was a statement made here about Senate Bill No. 366, and I want to take this opportunity to defend the gentleman from Delaware, Senator Watkins. I happened to introduce this bill on March 12. Today I think is April 9, which means that the bill was in committee for a month. If there was any railroading, the Chairman of the Committee could have called a meeting a long time ago in an effort to get this bill out.

When I introduced this bill, or before I introduced the bill, I asked Senator Watkins to co-sponsor it. I want to say for him that he said that he would prefer not to because, first, he was Chairman of the Committee to which the bill would be referred; second, he said that since he was affiliated with horse racing he did not feel that it would be proper for him to sponsor the bill; and, third, he said he had not made up his mind just how he would act on the bill.

I will say for him this morning when the bill came up before the committee, it was far from railroaded. It was thoroughly considered and my guess would be that there was at least twenty minutes spent in connection with a discussion of it. Everybody had an opportunity to say anything that they wanted to say.

I will say this for the Chairman of the Committee, Senator Watkins. He did not vote on the bill this morn-

ing for the reasons I have already stated, and I believe that the statement that the bill has been railroaded since it has been before the Senate—it was before the Senate from the day it was introduced—is uncalled for and I agree that the statement should be stricken from the record.

Mr. LANE. Mr. President, I want the record to show that I never mentioned anything about Senator Watkins being affiliated with horse racing. Someone else made that statement here today. I did not make that statement. The s atements that I made here were not derogatory to Senator Watkins.

I said, and I repeat, that I thought he had more than a passing interest in the legislation because he has talked with me about it. He has talked horse racing for years and he was trying to get it through as quickly as possible. I did not mean to talk about his character or his being affiliated with horse racing or anything like that, and I did not make that statement here.

If you feel that I have insulted you and you want this off the record, you will not need a motion. I will withdraw those remarks but, remember, I did not say you were affiliated with horse racing.

The PRESIDENT. I am sorry that the Members of the League of Women Voters are not here now, because I definitely promised them this morning that we would have an interesting Session, and then you had an agreement between the Floor Leaders to have a recess and there was no Session. Now the interesting part has come along.

And the question recurring,

Will the Sena e agree to the motion?

Mr. DENT. Mr. President, I would request that the maker of the motion withdraw his motion and the seconder withdraw his second to it. The gentleman from Washington has requested on his own volition, that his remarks be withdrawn.

Mr. MAHANY. Do I understand that Senator Lane now asks that all his remarks relative to this measure be withdrawn?

Mr. LANE. Mr. President, I made the statement that if Senator Watkins feels that any of my statements impugn his integrity or question his honesty, all he has to do is to get up and say so, and I will make the request that any remarks I might have made, which he feels are derogatory to him, be stricken from the record.

Mr. WATKINS. Frankly, Mr. President, I do not wish to continue the argument. However, I think Senator Lane's tactics were out of order. I think some of the things he said were improper and I would like to see all of it stricken from the record. There was nothing in there which would benefit the advancement of this Senate or which would get us out of here at an early date.

Mr. LANE. Mr. President, that is all right. If that is Senator Watkins' position, I will request that my remarks be stricken from the record. He can edit my remarks and if he feels that I said anything derogatory, they may be stricken from the record.

MOTION TO EXPUNGE REMARKS WITHDRAWN

Mr. MAHANY. Mr. President, I withdrawn my motion that certain remarks be expunged from the record.

Mr. BERGER. Mr. President, I withdraw my second to the motion.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 76, entitled:

An Act amending the act of June 4, 1943 (P. L. 883) entitled "An act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; . . . ," making the bridge a free bridge; providing for the payment of certain obligations out of the Motor License Fund, and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 94, entitled:

An Act amending the act of May 1, 1929 (P. L. 1005) entitled as amended "The Tractor Code," providing for the classification of tractors used as portable saw mill rigs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 118, entitled:

An Act amending the act of March 10, 1949 (Pamphlet Laws 30) entitled "Public School Code of 1949," revising the school health program changing the duties of the Secretary of Health and the Superintendent of Public Instruction relating thereto and changing the basis for reimbursement therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 119, entitled:

An Act providing for the protection of the public safety by regulating the sale offering or exposing for sale at retail and the use of air rifles defining air rifles authorizing cities, boroughs, towns and townships to issue permits for licensing and to regulate target ranges; imposing duties on the Pennsylvania State Police sheriffs police officers and constables and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 135, entitled:

An Act to select and adopt the Great Dane as the official State dog of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 160, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," providing for audits of accounts by independent accountants appointed by council.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 162, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes; . . ." further defining the formula used to determine the amount of payments to be made to the political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 248, entitled:

An Act amending the act of August 31, 1955 (P. L. 531) entitled "Pennsylvania Athletic Code," defining the term "retire," fixing the weight of gloves, method of scoring, and changing the regulation of boxing contests.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 312, entitled:

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational and park purposes," designating the lake area on which motor boats may be operated, limiting the horsepower of the motor boats operated thereon, and fixing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 315, entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisibility of constructing a bridge across the Susquehanna River between the borough of Kingston and Plains Township both situate in Luzerne County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 345, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," providing for the issuance of registration plates at such times as to permit their use for a three year period.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 356, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" further regulating the application for an issuance of hotel restauarant and club liquor licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 366, entitled:

An Act providing for a referendum to determine the will of the electorate in regard to horse racing with legal wagering within the State.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 384, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Chester River in Delaware County between Twenty-second Street and Upland Avenue in the Borough of Upland to a point on Chester Expressway in the City of Chester and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 391, entitled:

An Act amending the act of July 11, 1917 (P. L. 802) entitled "An act authorizing county commissioners to repay moneys collected on forfeited recognizances in certain cases," providing for the return of forfeitured recognizances upon application therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 399, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport, Armstrong County and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 409, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," authorizing cities to increase allowances paid out of the police pension

fund after the termination of the services of the contributors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 415, entitled:

An Act creating the Pennsylvania Highways Commission; defining its powers and duties; abolishing the Department of Highways and office of Secretary of Highways; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 440, entitled:

An Act amending the act of July 8, 1941 (P. L. 298) entitled "Fourth Class County Retirement Law," further regulating the reinstatement of county employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 449, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945," further defining the appointment and terms of office of Board members.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 450, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," further prescribing the purposes of zoning regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 451, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206) entitled "The First Class Township Code," authorizing the promulgation of housing codes and further prescribing the purposes of zoning regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 452, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," authorizing city council to promulgate a housing code and further prescribing the purpose of zoning regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 453, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code," authorizing the promulgation of housing codes and further prescribing the purposes of zoning regulations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 454, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code," authorizing the promulgation of housing codes and further regulating zoning and the powers of township supervisors and procedures in respect thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 520, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding a route in Butler County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 539, entitled:

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law," adding a new route in Armstrong County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 553, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Clarion River in Clarion County at a point in the general area of the Borough of Clarion and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 556, entitled:

An Act amending the act of May 7, 1937 (P. L. 589) entitled as amended "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets; . . ." changing or adding certain routes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 559, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code," permitting liquor licensees to elect to operate under daylight saving time when such time is generally being observed in that municipality.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 636, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," further regulating the filling of vacancies in the office of controller and treasurer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 659, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code," regulating contract procedures and advertising for bids.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1040, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act," changing the procedure for the collection of the tax and the administration of the act providing appeals and refunds, changing and clarifying definitions, changing and imposing penalties and providing for bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF SENATE BILL No. 140

April 9, 1957.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 140, Printer's No. 49, entitled "An Act making an appropriation to the committee appointed by the Senate to investigate activities of the Pennsylvania Turnpike Commission."

GEORGE M. LEADER.

HOUSE MESSAGES

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION No. 75

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read as follows:

AMENDMENT TO HOUSE RESOLUTION No. 1

In the House of Representatives, April 2, 1957.

Resolved (the Senate concurring), That the second Resolved Clause of House Resolution No. 1, Printer's No. 8, Session of 1957, is amended to read:

Resolved, That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed [sixty] ninety days.

RULE 39 SUSPENDED

Mr. MAHANY. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 222

He also returned to the Senate, Senate Bill No. 222, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office.

with the information that the House has passed the same without amendments.

BILL SIGNED

The President (Lieutenant-Governor Roy E. Furman) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 222, entitled:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office.

Whereupon,

The PRESIDENT (Lieutenant-Governor Roy E. Furman) in the presence of the Senate signed the same.

PETITIONS AND REMONSTRANCES

Mr. McGINNIS. Mr. President, I am quite sure that every Senator on this floor reads the Pittsburgh Sun-Telegraph. It is a great newspaper, and I have an article here which appeared in yesterday's Sun-Telegraph. It is a picture of a slide down in Beaver County. All my life, I have lived in Pennsylvania and I have seen many slides come down, which were caused by the rains that come down from the powers above.

I am quite sure that the Sun-Telegraph is sorry that this hurricane which went down through Texas, and in

the city of Dallas tore down 156 homes as level as this floor, did not come through Pennsylvania, near a State highway, in order for the Sun-Telegraph to blame it on Joe Lawler.

Mr. MAHANY. Mr. President, I know that all of the Members of the Senate do not read the Titusville Herald but we all read the Pittsburgh Post-Gazette. However, I do have an item from the Titusville Herald, of Monday morning. I presume it was copied in the other newspapers or, at least, it appeared in the other newspapers and I did not happen to see it. If circumstances had been the opposite, I am sure my colleague, Senator Dent, would have been quick to have called it to our attention.

This article is headed: "Sun Oil Co. Cuts Price of Gasoline." It also stated that this was the second price reduction since January 12. It further states as follows:

"Today's wholesale price in Pittsburgh is lower than the average price for this city during each of the last four years. Although there were numerous price fluctuations during the four-year period the over-all trend has been downward, the company pointed out."

The article goes on and gives the various prices of gasoline.

Therefore, Mr. President, gasoline prices, contrary to the Senator's prediction, are going down instead of going up.

Mr. DENT. Mr. President, the one cent gasoline tax does not go off until June 1. Therefore, if they are reducing their prices now, it is because of the benefits they received under the sales tax.

Mr. MAHANY. Mr. President, that would cover an awful lot of screwdrivers.

ADJOURNMENT

Mr. MAHANY. Mr. President, I move that the Senate do now adjourn until Wednesday, April 10, 1957, at 2:30 o'clock, p. m., Eastern Standard Time.

Mr. HARNEY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:16 o'clock, p. m., Eastern Standard Time, until Wednesday, April 10, 1957, at 2:30 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 9, 1957.

The House met at 1:00 p. m.

The SPEAKER (W. Stuart Helm) in the Chair.

PRAYER

Reverend Ralph Newell, Pastor of the First Baptist Church, Kittanning, guest Chaplain and guest of the Speaker, offered the following prayer:

Our Father we thank Thee for the intelligence entrusted to us. Give us this moment the courage to look critically at our own minds, keep us from conforming to this world, help us to be transformed by the renewing of our minds that we may prove what is the good and acceptable and perfect will of God. Forgive us when we offer to Thee that which is second best in any area of life. Direct us in our deliberations, keep us from planning selfishly, enable us to carry out our responsibilities so that at the close of this session we shall have an inner glow of satisfaction in work well done. In Jesus name, we pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, April 8, 1957, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. MOSCRIP and WHEELER.

HOUSE BILL No. 1083.

An Act relating to fiduciaries holding property for municipalities and townships prescribing the procedure for the filing of accounts and the discharge of fiduciaries and granting powers and imposing duties on the courts of Common pleas.

Referred to the Committee on Judiciary.

By Mr. RENWICK. HOUSE BILL No. 1084.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing boards of school directors to arrange with the authorities conducting private or parochial schools in their districts to furnish transportation to pupils attending such schools under certain circumstances and providing how the costs thereof shall be met.

Referred to the Committee on Education.

By Mr. RENWICK. HOUSE BILL No. 1085.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing boards of school directors to arrange to furnish transportation for pupils legally attending other schools than the public schools in such district and authorizing certain reimbursement by the Commonwealth for the costs of such transportation.

Referred to the Committee on Education.

By Messrs. WOOD and ANDREWS.

HOUSE BILL No. 1086.

A Supplement to the act of April 1863 (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Referred to the Committee on Appropriations.

By Messrs. LEONARD and LIMPER.

HOUSE BILL No. 1087.

An Act amending the Child Labor Law, approved May 13, 1915 (P. L. 286), authorizing minors to appear in entertainment performances under certain circumstances.

Referred to the Committee on Labor Relations.

By Messrs. WILLIAMS and ROVANSEK.

HOUSE BILL No. 1088.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the membership of the Bituminous Mine Inspectors' Examining Board.

Referred to the Committee on Mines and Mineral Industries.

By Mr. TAYLOR and Mrs. MUNLEY.
HOUSE BILL No. 1089.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), prescribing penalties for persons who defraud or attempt to defraud the Commonwealth in certain cases.

Referred to the Committee on Welfare.

By Messrs. EWING and HAUDENSHIELD.
HOUSE BILL No. 1090.

An Act making an appropriation to the Department of Welfare for the maintenance of the Ohio Valley General Hospital, McKees Rocks, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. LIGHT, McCANN, GOODLING and WOOD. HOUSE BILL No. 1091.

An Act amending the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), limiting the powers of the county departments of health.

Referred to the Committee on Public Health and Sanitation.

By Messrs. LIGHT, McCANN, GOODLING and WOOD. HOUSE BILL No. 1092.

An Act amending the "Milk Sanitation Law" approved July 2, 1935 (P. L. 589) limiting the powers of municipalities and county departments of health and conferring powers upon the Department of Agriculture.

Referred to the Committee on Public Health and Sanitation.

By Mr. STRAUSSER. HOUSE BILL No. 1093.

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), specifying signs to be displayed on buses subject to the jurisdiction of the Public Utility Commission when they are being used as school buses.

Referred to the Committee on Motor Vehicles.

By Messrs. IDE, MOYER and WEIDNER.
HOUSE BILL No. 1094.

An Act creating a Highway Safety Committee to study and report on dangerous highway conditions, and means of reducing accidents; and making an appropriation.

Referred to the Committee on Highways.

By Messrs. McCANN, VARNER, HAUDENSHIELD and WILLIAMS. HOUSE BILL No. 1095.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the attendance and education of non-resident pupils.

Referred to the Committee on Education.

By Messrs. McCANN, VARNER, HAUDENSHIELD and WILLIAMS. HOUSE BILL No. 1096.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), deleting provisions which require payment to school districts wherein children who are inmates of orphans' asylums and similar institutions are located and the children attend public schools of the district.

Referred to the Committee on Education.

By Mr. THOMAS H. W. JONES. HOUSE BILL No. 1097.

An Act amending the "Statutory Construction Act" approved May 28, 1937 (P. L. 1019) changing the definition of "physician."

Referred to the Committee on Professional Licensure.

By Messrs. TAYLOR, MULDOWNEY and SCARCELLI. HOUSE BILL No. 1098.

An Act relating to the election and compensation of Committeemen in Philadelphia and imposing duties on the city of Philadelphia.

Referred to the Committee on Cities—Counties First—Second and Second Class A.

By Mr. WEIDNER (By request). HOUSE BILL No. 1099.

An Act declaring and adopting the song "At the End of the Rainbow is Pennsylvania" by Grace Winings as the State song of the Commonwealth.

Referred to the Committee on State Government.

By Messrs. BRAND and WHITTAKER.
HOUSE BILL No. 1100.

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905), requiring that flashing emergency lamps on snow plows and cinder trucks be a color other than red.

Referred to the Committee on Motor Vehicles.

By Mr. PRICE (By request). HOUSE BILL No. 1101.

An Act regulating the supplying of fluoridated water to the public; providing for a referendum to determine the will of the electorate with respect thereto; * * * and prescribing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. LOPRESTI, FARABAUGH and ROVANSEK. HOUSE BILL No. 1102.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228) excluding from the provisions relating to sales at retail, the transfer of tangible personal property to be used or consumed directly in the business of mink breeding.

Referred to the Committee on Ways and Means.

By Messrs. KELLER and DEVLIN.
HOUSE BILL No. 1103.

An Act amending the act of May 1, 1929 (P. L. 905), entitled "An act for the protection of the public safety;" etc., permitting the towing of uninspected vehicles to official inspection stations.

Referred to the Committee on Motor Vehicles.

By Messrs. UJOBAI and BROWN.
HOUSE BILL No. 1104.

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of constructing a highway in Chester County.

Referred to the Committee on Highways.

By Messrs. DAVIS, H. P. MURRAY, GOODRICH and WYND. HOUSE BILL No. 1105.

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), extending the time for the establishment of a uniform permanent records system in each county of the seventh and eighth class.

Referred to the Committee on Municipal Corporations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 114.

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route in Marianna Borough Washington County.

Referred to the Committee on Highways.

SENATE BILL No. 164.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for sabbatical leaves of absence and increasing maximum salary payable.

Referred to the Committee on Education.

SENATE BILL No. 342.

An Act amending the Act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a new route in Centreville Borough Washington County.

Referred to the Committee on Highways.

SENATE BILL No. 423.

An Act amending the Act of May 1, 1933 (P. L. 216) entitled "The Dental Law" regulating the use of dental technician services by dentists imposing duties on dentists and dental technicians and prescribing penalties.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 490.

An Act amending the act of June 22, 1931 (P. L. 594) entitled "Rural State Highway Law" changing a route in Chester County."

Referred to the Committee on Highways.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. SHERMAN, BUCCHIN, EILBERG and GELFAND. RESOLUTION No. 77.

In the House of Representatives, April 8, 1957.

The traffic difficulties and problems besetting the nation is caused in no small part by the size of the modern automobile.

The small car of today is larger than the big cars of a decade ago.

The trend toward mammoth automobiles apparently proceeds upon the theory that a majority of the people want large cars. However since all of the manufacturers of popular cars have followed the same practice, the public has no choice in the matter, therefore be it

Resolved, That the members of the House of Representatives of Pennsylvania urge the manufacturers of automobiles, particularly those producing the formerly small cars so popular with the public, to manufacture and make available to the public automobiles of a size comparable to the "small cars" produced between 1940 and 1950 and be it further

Resolved, That copies of this resolution be forwarded to each manufacturer of automobiles in America.

Referred to the Committee on Rules.

STUDENTS OF PITTSBURGH NEW CHURCH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Pittsburgh New Church School of Allegheny County under the supervision of their teachers, Reverend Louis King and Mr. Carl Gunther.

They are here today as the guests of the Chair.

STUDENTS OF TWIN VALLEY JOINT SCHOOL DISTRICT WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Twin Valley Joint School District of Berks and Chester Counties. They are here under the direction of their teachers, Edwin Thomas and Mrs. Russel Groff.

They are the guests of the gentleman from Berks, Mr. Weidner, and the gentleman from Chester, Mr. Ashton.

INTRODUCTION

Mr. W. H. MILLER. Mr. Speaker, I would like to introduce my youngest son to the House.

The SPEAKER. The Chair is sorry, but the gentleman is not privileged to introduce members of his family from the floor of the House, unless the House gives its unanimous consent.

Is there objection? The Chair hears no objection. The gentleman will proceed.

Mr. W. H. MILLER. This is my youngest son. He is a member of the Butler Senior High School and this is his senior year. I thought I would bring him along to show him what we do in the House.

The SPEAKER. The Chair thanks the gentleman and welcomes the gentleman's son to the Hall of the House.

STUDENTS OF THE NORTH WEST AREA JOINT SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the North West Area Joint School of Luzerne County under the supervision of their teachers, Miss M. Lask, Mr. Reynold Harvey, Mrs. W. M. Gies, Mr. Sheldon Kleintob and Mr. Alex Ridall.

They are the guests of the gentleman from Luzerne, Mr. Curwood.

STUDENTS OF LINWOOD ELEMENTARY SCHOOL WELCOMED

The SPEAKER. The Chair welcomes a delegation of students from the Linwood Elementary School of Delaware County under the supervision of their teachers, Mr. Gesford, Mr. Blake and Mrs. Isaacs, the wife of a Member of the House.

They are the guests of the gentleman from Delaware, Mr. Isaacs.

STUDENTS OF SIXTH GRADE, LINWOOD SCHOOL CHICHESTER JOINT SCHOOL DISTRICT WELCOMED

The SPEAKER. The Chair welcomes 80 students of the Sixth Grade of the Linwood School, Chichester Joint School District of Delaware County, under the supervision of their principle, Mrs. Isaacs, and their teachers, Mrs. Blake and Mrs. Guessford.

They are the guests of the gentlemen from Delaware, Mr. Bell, Mr. Foster, Mr. Isaacs and Mr. Lippincott.

STUDENTS OF SHADE TOWNSHIP SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Shade Township School of Somerset County under the supervision of their teachers, Mrs. Joanne Bricker and Mr. Richard Brubaker.

They are guests of the gentlemen from Somerset, Mr. Korns and Mr. Naugle.

STUDENTS OF RADNOR PUBLIC SCHOOLS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of students from the Radnor Public Schools of Delaware County under the supervision of their teacher, Mr. Paul Teel.

They are the guests of the gentleman from Delaware, Mr. Foster.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. MUNLEY for herself for tomorrow's session because of illness in the family.

REPORTS FROM COMMITTEES

Mr. LIPPINCOTT from the Committee on Municipal Corporations, reported as committed, House Bill No. 39, entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; * * *," prohibiting the imposition of wage, income or occupation taxes on non-residents, and abolishing such taxes heretofore imposed.

Mr. GOLDSTEIN from the Committee on Education, reported as committed, House Bill No. 127, entitled:

An Act to further amend section 1122 of the act approved the 10th day of March, 1949, (P. L. 30), entitled, "An act relating to the public school system, etc. . ." by changing the age at which boards may terminate the services of professional employes.

Mr. MOSCRIP from the Committee on Education, reported as committed, House Bill No. 154, entitled:

An Act amending clause (c) of subsection 5 of section 13 of the act approved the 18th day of July, 1917 (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, etc. . ." by increasing the allowances for disability retirement.

Mr. OGILVIE from the Committee on State Government, reported as committed, House Bill No. 324, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), regulating the dismissal, suspension, demotion, reenlistment and retirement of enlisted members of the Pennsylvania State Police.

Mr. STROUP from the Committee on Education, reported as committed, House Bill No. 327, entitled:

An Act to amend section 11.1 of the act approved July 18 ,1917 (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, etc. . . .", by providing for credit for retirement purposes for out-of-state service in certain cases.

Mr. McCANN from the Committee on Education, reported as committed, House Bill No. 481, entitled:

An Act amending the act of July 18, 1917 (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, etc. . . ." by increasing certain annuities and compensation.

Mr. VERONA from the Committee on State Government, reported as amended, House Bill No. 611, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), creating the State Board of Examiners for Water Well Drilling Contractors.

Mr. VERONA from the Committee on State Government, reported as amended, House Bill No. 612, entitled:

An Act relating to water well drillers providing for the registration and licensing of water well drillers; conferring powers and imposing duties upon the State Board of Examiners for Water Well Drilling Contractors the Department of Public Instruction and the Department of Internal Affairs; providing for the revocation or suspension of licenses and prescribing unlawful acts and penalties.

Mr. DeLONG from the Committee on Cities—Third Class, reported as committed, House Bill No. 670, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) further regulating sick leaves.

Mrs. DONAHUE from the Committee on Education, reported as committed, House Bill No. 696, entitled:

An Act amending the act of July 18, 1917 (P. L. 1043), entitled, "An act establishing a public school employes' retirement system, etc. . . ." by providing additional retirement allowances.

Mr. MOSCRIP from the Committee on Education, reported as committed, House Bill No. 765, entitled:

An Act amending the act of July 18, 1917 (P. L. 1043), entitled "An act establishing a public school employes' retirement system, etc. . . ." by providing credit for retirement purposes for private school and institution service in certain instances.

Mr. PIPER from the Committee on Professional Licensure, reported as committed, House Bill No. 775, entitled:

An Act amending the "Optometrists' Licensure Law" approved March 30, 1917 (P. L. 21) further regulating the refusal, cancellation, revocation and suspension of licenses; providing for rules and regulations and eliminating repealed provisions.

Mr. STIMMEL from the Committee on State Government, reported as committed, House Bill No. 802, entitled:

An Act requiring the Secretary of Health to rename the Charles H. Miner Sanatorium located at Hamburg, Berks County, Pennsylvania, the Hamburg State Sanatorium.

Mr. GOODLING from the Committee on Education, reported as committed, House Bill No. 807, entitled:

An Act amending the Public School Employes' Retirement Law of July 18, 1917 (P. L. 1043), changing the definition of employe with respect to Pennsylvania State University and providing for their transfer to the Public School Employes' Retirement System.

Mr. GOODLING from the Committee on Education, reported as committed, House Bill No. 808, entitled:

A Supplement to the "State Employes' Retirement

Law" approved June 27, 1923 (P. L. 858) authorizing the Public School Employes' Retirement Board to reallow credit for service of certain State and Pennsylvania State University Employes.

Mr. GOODLING from the Committee on Education, reported as committed, House Bill No. 809, entitled:

A Supplement to the Public School Employes' Retirement Law of July 18, 1917 (P. L. 1043), authorizing the retransfer of credits of certain State employes to the Public School Employes' Retirement System.

Mr. GOODLING from the Committee on Education, reported as committed, House Bill No. 810, entitled:

An Act amending the State Employes Retirement Law of June 27, 1923 (P. L. 858), redefining State employe with respect to officers and employes of Pennsylvania State University.

Mr. ESHELMAN from the Committee on Education, reported as amended, House Bill No. 848, entitled:

An Act amending the act of July 18, 1917 (P. L. 1043), entitled "An act establishing a public school employes' retirement system, etc. . . ." by providing credit for retirement purposes for out-of-state service in certain cases.

Mr. McGEE from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 862, entitled:

An Act amending the act of July 16, 1941 (P. L. 405), entitled "An act providing a method for supplying, perfecting and recording birth records of certain persons * * *," increasing the amount to be paid for a certified copy of a birth record.

Mr. OGILVIE from the Committee on Cities—Third Class, reported as committed, House Bill No. 883, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by authorizing annexation of city owned property in certain instances.

Mr. THOMAS H. W. JONES, from the Committee on Judiciary, reported as committed, House Bill No. 909, entitled:

An Act amending "the corporation amendment act of one thousand eight hundred and eighty-three" approved June 13, 1883 (P. L. 122) providing for the amendment of corporate charters to extend the territory in which the corporation may operate.

Mr. POST from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 921, entitled:

An Act amending the "Bituminous Coal Mining Law," approved June 9, 1911 (P. L. 756), regulating the minimum amount of clearance space in certain mines.

Mr. ROVANSEK from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 922, entitled:

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911 (P. L. 756), permitting the blasting of coal upon prior permission from Secretary of Mines and Mineral Industries.

Mr. WELSH from the Committee on Mines and Mineral Industries, reported as Committed, House Bill No. 924, entitled:

An Act providing for creation of an Oil and Gas Inspectors Examining Board, in the Department of Mines and Mineral Industries * * * and providing penalties.

Mrs. MUNLEY from the Committee on Mines and Mineral Industries, reported as amended, House Bill No. 927, entitled:

An Act amending the act of May 26, 1949, (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," further regulating the salary of mine inspectors.

Mr. WILLIAMS from the Committee on Mines and Mineral Industries, reported as amended, House Bill No. 928, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132), entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania * * *," further regulating the salary of the first aid and mine rescue instructors.

Mr. MURPHY from the Committee on Professional Licensure, reported as committed, House Bill No. 940, entitled:

An Act amending the "Funeral Director Law" approved January 14, 1952 (P. L. 1898) increasing compensation of members of the State Board of Funeral Directors.

Mr. METZ from the Committee on Professional Licensure, reported as committed, House Bill No. 959, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the registration and licensure of applicants for professions, trades and occupations for which registration or licenses are required.

Mr. MARSH from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 971, entitled:

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911 (P. L. 756) requiring the designation of a person to act as mine foreman.

Mr. POST from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 972, entitled:

An Act amending the act of April 14, 1903 (P. L. 180), entitled "An act to establish a Department of Mines in Pennsylvania; defining its purposes and authority; * * *," providing for reproduction of reports.

Mr. EDWARDS from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 973, entitled:

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911 (P. L. 756), providing for the recording and preservation of examinations, questions and answers and establishing a period of time during which such records must be kept.

Mr. HEFFNER from the Committee on Judiciary, reported as committed, House Bill No. 976, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) enlarging the jurisdiction of magistrates in cities of the first class for violation of summary provisions of the act.

Mr. MAGEE from the Committee on Judiciary, reported as committed, House Bill No. 986, entitled:

An Act amending the act of May 19, 1887 (P. L. 138) entitled "An act providing for payment of costs in criminal cases by the proper county," providing for payments to constables.

Mr. MAGEE from the Committee on Judiciary, reported as committed, House Bill No. 987, entitled:

An Act amending the act of May 11, 1874 (P. L. 132), entitled "An act relating to payment of costs in cases of felony," providing for payments to constables.

Mr. STEVENS from the Committee on Mines and Mineral Industries, reported as Committed, House Bill No. 989, entitled:

An Act amending the "Bituminous Coal Mining Law," approved June 9, 1911, (P. L. 756), changing provisions for safety catches.

Mrs. MUNLEY from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 990, entitled:

An Act amending the act of April 14, 1903 (P. L. 180) entitled "An act to establish a Department of Mines in Pennsylvania; * * * " establishing a time during which certain records must be maintained.

Mrs. HENZEL from the Committee on Education, reported as committed, House Bill No. 1058, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases, and imposing liability for school taxes upon the owners thereof.

Mr. PRICE from the Committee on State Government, reported as committed House Bill No. 1068, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey one sixth acre, more or less, of land in the borough of Millersville, Lancaster County.

Mrs. KOOKER from the Committee on Professional Licensure, reported as committed, Senate Bill No. 145, entitled:

An Act amending the act of June 19, 1931 (P. L. 589) entitled as amended "Barbers License Law" changing the required number of hours for schools of barbering.

Mr. AUKER from the Committee on State Government, reported as committed, Senate Bill No. 162, entitled:

An Act amending the act of March 31, 1949 (P. L. 372) entitled "The General State Authority Act of 1949" requiring that contractors' bonds cover equipment rentals.

Mr. SPRAY from the Committee on State Government, reported as committed, Senate Bill No. 165, entitled:

An Act amending the act of May 17, 1929 (P. L. 1798) entitled "Law Fixing Annual Charge on Forest Lands" fixing the time of payment of the charges.

Mr. LIPPINCOTT from the Committee on Municipal Corporations, reported as committted, Senate Bill No. 306, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945" regulating contract procedures and advertising for bids.

Mr. WHITTAKER from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 331, entitled:

An Act to amend the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1335) entitled "The Pennsylvania Hospital Survey and Construction Act" by requiring that non-Federal funds be available before application shall be made for hospital construction projects to be owned or operated by the State.

BILLS RE-REFERRED

Mr. THOMAS H. W. JONES from the Committee on Judiciary Special, returned with the recommendation that it be re-referred to the Committee on Judiciary General, House Bill No. 254, entitled:

An Act amending "The Penal Code," approved June 24, 1939, (P. L. 872), prescribing penalties for furnishing false information to police officers in certain cases.

The SPEAKER. The bill is re-referred to the Committee on Judiciary Genera.

Mr. THOMAS H. W. JONES from the Committee on Judiciary Special, returned with the recmmendation that it be re-referred to the Committee on Judiciary General, House Bill No. 486, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) making it a crime to wilfully make a false confession or give misleading information to law enforcement authorities.

The SPEAKER. The bill is re-referred to the Committee on Judiciary General.

Mr. TOMPKINS from the Committee on Judiciary, returned with the recommendation that it be re-referred to the Committee on Judiciary Special, House Bill No. 937, entitled:

An Act amending "The Juvenile Court Law" approved June 2, 1933 (P. L. 1433) imposing responsibility upon parents for the theft, destruction or loss of property of another by a delinquent child.

The SPEAKER. The bill is re-referred to the Committee on Judiciary Special.

Mr. TOMPKINS from the Committee on Judiciary, returned with the recommendation that it be re-referred to the Committee on Judiciary Special, Senate Bill No. 5, entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

The SPEAKER. The bill is re-referred to the Committee on Judiciary Special.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 341.

An Act amending "The Private Detective Act of 1953," approved August 21, 1953 (P. L. 1273), permitting former members of the Pennsylvania State Police to apply for licenses.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 62, 146, 265, 298, 425, 499, 500, 501, 502 and 503.

Amended House Bills returned for concurrence No. 247.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House the gentleman from Philadelphia, Honorable William L. Zeitz, a Member of the House in the Session of 1953. He is the guest of the gentleman from Philadelphit, Mr. Schwartz.

STUDENTS OF REEDSVILLE SIXTH GRADE WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of Sixth Grade students from the Reedsville School of Mifflin County under the supervision of thier teacher Mrs. Herman Fisher.

They are the guests of the gentleman from Mifflin, Mr. Price

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 632, entitled:

An Act amending the act of May 12, 1943 (P. L. 259) entitled as amended "An act providing for the payment by the State Treasurer of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns townships and certain counties and for the payment thereof into police pension funds * * * for certain purposes" changing the formula for distribution of funds according to population.

And said bill having been read at length the fist time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 897, entitled:

An Act lapsing certain unexpended balances of appropriations heretofore made by the General Assembly.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Andrews, to preside.

The Chair presents a former Speaker of the House, Mr. Andrews.

MR. ANDREWS IN THE CHAIR.

PERMISSION TO ADDRESS HOUSE

Mr. BREON asked and obtained unanimous consent to address the House.

Mr. Speaker, I have asked for the opportunity to address the House at this time on a matter that must be of considerable concern to all of us. As the Representative from Centre County, it is my privilege to ask you to consider Pennsylvania State University's Financial needs. This is a responsibility I am glad to assume, not only for our great land grant state university, but for the welfare of all the people of the Commonwealth as well.

These needs of Pennsylvania State University deserve certain justification in view of which their ultimate unanimous consideration by this House will be recorded as a great contribution to higher education and an acknowledgment of our Commonwealth's responsibility within its orbit of influence as it affects higher education generally and the Pennsylvania State University specifically.

Without boring you ladies and gentlemen of the House with a lot of statistical data, may I simply state it has become apparent that Pennsylvania ranks extremely low in the matter of state aid to its Universities. It is indeed an unfortunate fact that our state government conribuions to the current income of institutions of higher education represent a far more meager allocation of our state's resources than prevails in most other states.

Pennsylvania's state government contributions in this area rank third from the bottom or forty-fifth in terms of dollars per capita of the state's population. Pennsylvania ranks 38 per cent below the national average. Pennsylvania ranks forty-third in terms of percentage of state government's total expenditures.

The most serious of the financial disadvantages borne by institutions of higher education in Pennsylvania, as compared with similar institutions in other states, are those suffered by our universities and especially the Pennsylvania State University where the faith of the Commonwealth has been pledged to its support.

The foregoing facts were taken from an actual comparative analysis of the financing patterns among the states. They suggest that Pennsylvania's extremely low rank in the level of state aid per student is a matter plainly within the province of our State Legislature.

It has been suggested by some that an increase in student tuition and fees might be considered as a method of bringing the per capita income per student to a reasonable level. However, Mr. Speaker, substantial increases in this area are impractical, both because of the relatively high rates already prevailing in Pennsylvania and also because of the possibility that such increase might interpose an undesirable barrier to higher educational opportunities.

I submit that the only logical conclusion we can arrive at, in our efforts to resolve this dilemma, is that substantially expanded state aid is necessary to raise Pennsylvania's support of higher education to the national average.

It should also become apparent that this step is necessary to raise our salary level to the national average in this area as well. It is a fact that we have been forced to compete with industry in this matter of paying an equitable salary if we are to hold our well-qualified educators where they belong, in the classrooms.

It would be foolish for this Legislature to attempt, by state aid, to match the financial considerations offered by industry to those fortunate people with a college degree. But considering the cost of living, the value of the dollar, and other considerations, I believe it is the duty of this Legislature at least to make available that aid which will assure our educators a salary somewhere near the national average paid by other comparable state aided institutions.

$6 million is the amount in Pennsylvania State University's request for this matter.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 446, entitled:

An Act amending the compact contained in the act of June 5, 1937, (P. L. 1664) entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake * * *" fixing the speed and horsepower of motor boats allowed on the lake limiting operation of motor boats and prescribing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 515, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire a tract of land in the Borough of Slippery Rock Butler County for use of the Slippery Rock State Teachers' College and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 516, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire 253.1 acres fore or less of land in Slippery Rock Township Butler County for use of Slippery Rock Teachers College and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on appropriations for possible amendment.

The motion was agreed to

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 539, entitled:

An Act providing for the payment of the salary medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duty and providing benefit to their widows and dependents in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 558, entitled:

An Act amending the "Fictitious Name Act" approved May 24, 1945 (P. L. 967) providing for amended certificates requiring certificates of registration and of cancellation or withdrawal from the prothonotary.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agre to the section?

Mr. TOLL offered the following amendment:

Amend Sec. 2 (Sec. 6.1), page 5, line 9, by striking out "one dollar ($1.00)" and inserting in lieu thereof "five dollars ($5.25) and twenty five cents".

It was agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. TOLL offered the following amendment:

Amend Title, page 2, last line of Title, by inserting after "prothonotary" and fixing fees.

It was agreed to.

The Title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 619, entitled:

An Act amending the "Law Fixing Annual Charge on Forest Lands" approved May 17, 1929 (P. L. 1798) changing limitations on the responsibility of the Commonwealth to pay charges to counties on certain Federal forest reserves.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 757, entitled:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to Reference and Arbitration" authorizing arbitration before the Municipal Court of Philadelphia.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 792, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing minimum reimbursements on account of instruction and tuition in the case of union and merged school districts and jointures.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 846, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) changing minimum net brake horsepower requirements.

The first section was read.

On the question,

Will the House agree to the section?

Mr. READINGER offered the following amendment:

Amend Sec. 1 (Sec. 821.1), page 3, line 3, by striking out "thirty-six (36)" and inserting in lieu thereof "thirty (30)."

It was agreed to.

The section was agreed to as emended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1018, entitled:

An Act authorizing the Pennsylvania Fish Commission with the approval of the Governor to convey 78.841 acres of land containing a body of water thereon known as Silver Lake situate in the Borough of Bristol and Township of Bristol and County of Bucks for use as a public lake fishing and recreation area.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

The SPEAKER pro tempore. The Chair requests the Speaker to return to the Chair.

The SPEAKER (W. Stuart Helm) IN THE CHAIR

The SPEAKER. The Chair thanks the former Speaker for the able way in which he presided. It has just been a continuation of the able manner in which he presided during the last session.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a former Member of the House from Fayette County, Honorable Harold J. Arnold.

FACULTY WIVES OF PENNSYLVANIA MILITARY COLLEGE WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation of faculty wives of Pennsylvania Military College from the City of Chester, Delaware County. They are the guests of the gentlemen from Delaware, Messrs. Bell and Murphy.

LEAGUE OF WOMEN VOTERS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House a delegation from the League of Women Voters of Morrisville and Yardley. They are the guests of the lady from Bucks, Mrs. Kooker, and the gentlemen from Bucks, Messrs. Keller and Brennan.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 317, entitled:

An Act amending the act of May 1, 1913 (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" further regulating the letting of such contracts by the General State Authority and the State Public School Building Authority.

On the question,

Shall the bill pass finally?

Mr. STRAUSSER. Mr. Speaker, I would like to try to clear up some misunderstanding regarding House Bill 317, Printer's No. 245.

This bill will change the existing law from a "shall" law to a "may" law. If enacted into law, the authorities will be allowed to use their own best judgment in deciding which type of contract will produce the most economical and most efficient operation on the particular job involved.

This bill as amended will now apply to the work undertaken by the General State Authority and the State Public School Building Authority only.

Mr. Speaker, to clear up another misunderstanding, It has been said that this permissive or "may" bill is a general contractors bill. As far as I am personally concerned, nothing can be farther from the truth.

I am a general contractor. If I voted in accordance with selfish interests as a contractor, I would vote against this bill. Each contract for an authority building contains a liquidated damage clause ranging from $50 a day or up for failure to complete on time.

Under the present Act I have at least three alibis to beat the liquidated damage clause because of the three other contracts. Another thing, under the present Act I have good grounds on which to sue authorities for damages suffered because of delays caused by these other contractors. So if I voted to further selfish interests as a contractor, I would vote against this bill. If it passes, I will lose all alibis. I will lose the opportunity for a profitable suit.

As a Legislator I am compelled to vote for this bill. The people of my county elected me to represent them, not to further selfish interests.

If this bill passes, it will effect savings in authorities administrative costs amounting to approximately a half million dollars a year.

I understand that the Army Engineers have taken bids both ways and have found the single bids are lower than those taken on a separate bid basis.

In my opinion a vote against this bill is a vote in favor of contractors' interests. A vote for this bill is a vote in favor of economy in state government.

Mr. ANDREWS. Mr. Speaker, I would claim the privilege of closing the debate. If there are other speakers, I prefer that the Chair recognize them. If there are not, I would be glad to be recognized to close the debate.

Mr. COMER. Mr. Speaker, the former speaker has pointed out that the state will save money by this bill. I will go into that later.

I would like to state for the benefit of the Members who are not acquainted with this bill that in 1913 when this bill was introduced for the purpose of saving money for the state of Pennsylvania and its political subdivisions the idea was to pay profits only on functions actually performed by the various subdivisions of the industry.

The general contractor's business consisted of excavation, which he generally sublet, together with steel erection. He erected the doors and windows with carpenters employed by him. In many cases everything from the cellar to the roof was sublet. The general contractor, as a rule, understood this class of work. The smaller general contractors came into the business as practical men. Some of the larger contractors, their percentage being very small, did employ civil and structual engineers who understood concrete, steel and building construction.

In 1913 plumbing work was comparatively simple. The heating systems consisted of metallic piping or hot air ducts which also were very simple.

The idea in passing this bill was not to pay the general contractor a profit on electrical work, plumbing work and heating work, only paying him a profit on the things he actually did and understood.

In 1913 electrical work in many cases consisted of a few lights and switches. High voltage systems on buildings very seldom exceeded 2300 volts and the work was done in a large number of cases by the electric utilities.

This bill has operated in the state with practically little trouble since 1913 and saved the state and its political subdivisions millions of dollars and secured for the state responsible, investigated, bonded and qualified mechanical contractors who did high-class work and knew their business.

Bricks, stone and concrete stand for generations, but the state felt if the mechanical work was not installed properly by high-class mechanical contractors in a generation the building would become useless. All this was discussed and looked into before the Separation Act was adopted.

The architects, engineers, and private owners have become educated, organized and used to the separation to trades on buildings. To change would cause utter disorder.

What do we now find in looking at the picture? After 40 years of separate bidding, we find the general contractor in many cases subletting practically everything on the building. In other words, he has become a broker, pure and simple. Electrical work has become so complicated that the general contractor is in a daze as to what it is all about. Today voltages up to 33,000 are installed on buildings and 13,000 volt and 5,000 volt systems are common. Electrical work is loaded up with every conceivable kind of electrical equipment and has increased ten times in volumne since 1913.

Plumbing work has come through nearly the same process as the electrical business.

There are a half dozen different kinds of heating systems installed in buildings which require a thorough knowledge by heating contractors. He is generally officered by registered, professional, mechanical engineers the same as the electrical contractors who are officered by electrical engineers.

To this has been added air conditioning, which is indeed a very complicated business. These systems of air conditioning are often incorporated with the heating system where the same units are used by both heating, ventilating and air conditioning. These heating and air conditioning companies are generally officered also by mechanical engineers.

Today in public buildings and private construction the mechanical work, which the state and its subdivisions have now been buying separately, has reached a proportion of more than 50 percent of the building cost.

Recent records show that of $6 million worth of buildings the services of the mechanical contractors, which the state buys separately, amount to over $3 million.

At a time when money is hard to get tax after tax must be levied upon our citizens to pay a second profit to a general contractor instead of saving this money and paying direct.

If the general contractor understood so little of these mechanical trades in 1913, what would he know today? It is often very dangerous to put these complicated systems within the general contractors, because the general contractor gets telephone bids several hours before their proposals are due and they often come from irresponsible people who do not know what they are quoting on or forget items they know nothing about in the specifications.

When the contract is awarded to the general contractor, he is hooked and could be put out of business. At the present time the awarding authority receives a certified check and a bond, and when the plumbing, heating and electrical contractors give a bid, that's it. The mechanical work will then last as long as the steel, bricks and mortar of the general contractor.

In closing, all the authorities have taken advantage of this Separation Act in order to save millions for the state. In fact, in their anxiety to save money they have now separated and bought separately elevator equipment, kitchen equipment, laboratory equipment, hospital equipment and laundry equipment.

I believe this is a bad bill and it should be voted down by both sides of the House.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Columbia, Mr. Strausser.

The SPEAKER. Will the gentleman from Columbia, Mr. Strausser, permit himself to be interrogated?

Mr. STRAUSSER. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, one of the most forceful arguments made against this change in the law is that a general contractor who bids on a set of specifications for an entire job, including all these matters which are usually subcontracted, will then go around among the various sub-contractors doing business in that area and bargain with them to get the lowest possible price for the Plumbing, heating or other work. What is your answer to that argument?

Mr. STRAUSSER. Mr. Speaker, the gentleman did not use the word that is probably in the back of his mind. You have two different contractors, at least two different types of contractors.

You have the contractor who will take the lowest responsible bid before he bids the job and that is it. If he is awarded the job, he will award the subcontracts to the various people whose prices he used. Then you have the other type who will do just what the Minority Leader says. He will do a lot of shopping and try to cut prices.

The saving comes where you have a contract including a lot of outside work, such as excavation, concrete pipe work, septic tanks or sewage disposal systems which are constructed of concrete, and the general contractor works with the plumbing contractor before he bids the job. It is very possible that their combined efforts will result in a lower price by the general contractor taking all the excavation, the concrete work and so on.

In the past, I have done that in cases where the general plumbing, heating and electrical work were taken under one job.

You will find that is true with Bell Telephone work and other work. I have worked with plumbing contractors especially and we have worked out a lower price than would have been the result had the bids been taken separately.

I hope I have answered the gentleman's question.

Mr. READINGER. May I ask the gentleman a further question. Do I understand the gentleman to say that it is possible to achieve some saving to the authorities involved in this bill by cooperation between the general contractor and the subcontractors?

Mr. STRAUSSER. Yes, Mr. Speaker, it is possible to go in with a saving.

Mr. READINGER. Would the gentleman not also admit it is conceivable that the authority will not save any money on the job but that the general contractor, by shopping around among the sub-contractors, will enlarge his profit?

Mr. STRAUSSER. It depends on the contractor, Mr. Speaker, the type of contractor. If he is a square shooter and treats the "subs" as he should, he will not increase his profit and by working together as I stated, the authority will save money.

I want to call your attention to the fact that this a "may" bill and it is entirely up to the authority to decide whether a separate bid should be taken or whether broken-down bids should be taken. I think the members of the authority would use their discretion and better judgment in deciding what type of bids should be taken.

On the same project, they could take bids based on a general plumbing, heating and electric breakdown and a combined bid. They could then decide whether they want to let these contracts separately or as a whole.

It does not mean that in every case this award or contract will be let either on a separate or a broken down basis. I think the people in the authority, after taking the two bids, can decide whether the next result is a saving or not.

Mr. READINGER. Under this bill is it not possible for the contractor, if he so desires and if he happens to be the lowest responsible bidder, to shop around among the various subcontractors who have given him, as well as bidding on the job, a set of figures showing what their work would cost?

Mr. STRAUSSER. Sure, that is possible, the same as it is possible for an electrical contractor, a plumbing contractor or any contractor to shop around among his sources of supply for a better price. So you do not stop shopping as far as that is concerned.

Mr. READINGER. Under the present law, the bids for the separate work must be taken separately, must they not?

Mr. STRAUSSER. That is right.

Mr. READINGER. The authority must then take the lowest responsible bidder of those?

Mr. STRAUSSER. That is right.

Mr. READINGER. Under this bill, the authority could take eitheir the general contract bid, which would include everything, or the general contracting work alone and separate bids on the other items?

Mr. STRAUSSER. That is right.

Mr. Speaker, I would like to inject here a thought that it will be noted the amendments say that separate specifications shall be drawn up for the various phases of the work.

Mr. READINGER. They shall be made available for bidding on both the separate and the general, is that right?

Mr. STRAUSSER. Well, with the specifications drawn up separately, that would make that possible, yes, sir

Mr. READINGER. But the law would require the receiving of bids on the general as well as the separate. Even under this bill they will have to bid separately and the contractor can bid on everything.

Mr. STRAUSSER. That is up to the authority, Mr. Speaker. It is up to the authority whether they want to take a separate bid on a project or whether they want to take a bid covering the four phases. They could also take it both ways, on one contract or on four contracts on the same project. There is nothing to prohibit that

Mr. READINGER. I thank the gentleman.

Mr. LOPRESTI. Mr. Speaker, I desire to interrogate the gentleman from Columbia, Mr. Strausser.

The SPEAKER. Will the gentleman from Columbia, Mr Strausser, permit himself to be interrogated?

Mr. STRAUSSER. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, I am interested to know whether it is not now possible for the general contractor also to bid on the plumbing and the other specifications separately.

Mr. STRAUSSER. It is possible, Mr Speaker but it would be foolish to do that.

Mr. LOPRESTI. If the general contractor wanted to get the entire job, could he not do it by bidding on all of the different specifications?

Mr. STRAUSSER. If he put a separate bid in on each phase of the work, yes.

Mr. LOPRESTI. That is right He could put in a separate bid for his general contract, one for the electrical and one for the plumbing, then if he was the low man in each of these bids, he would get all of the work?

Mr. STRAUSSER. That is right.

Mr. LOPRESTI. So that under the present law it is possible for a general contractor to get the entire job if he thinks he wants to do it?

Mr. STRAUSSER. That is right, but the time element

in preparing a bid prohibits him from doing that. He has all he can do to estimate his own job for bidding purposes without going into the other phases of the work, if he is not required to do so.

Mr. LOPRESTI: What difference would it make under this law, then? He would have to do the same thing, would he not?

Mr. STRAUSSER. In this case, as was pointed out, a general contractor would not attempt to do the work of the plumbing heating and electrical contractors. That is a foolish thought. He would go to the plumbing, heating and electrical contractors for their bids. But as I have pointed out, the general contractor and the plumbing contractor going together, those two principally, could result in a saving.

Do not lose sight of the fact that it would cut the administrative cost down to about 25 percent. The Authorities now have to deal with four contractors. Under a single bid they deal with one contractor who is responsible for the job, rather than have a divided responsibility on that job.

Mr LOPRESTI. Am I correct, Mr. Speaker, in assuming that the gentleman's answer to Mr. Readinger meant that the authority could, if it was so minded, advertise for one bid and not ask for separate bids?

Mr. STRAUSSER. It could.

Mr. LOPRESTI: In that event, all the individuals who would be interested in separate bids would be denied an opportunity of bidding on that job?

Mr. STRAUSSER. No, they would bid through the general contractor.

Mr. LOPRESTI. But I mean so far as the authority is concerned, it would receive no bids from anybody except general contractors?

Mr. STRAUSSER. That is right.

Mr. LOPRESTI. In that case you would not know whether by letting it out separately you would have a lower cost?

Mr. STRAUSSER. That is right.

Now let me point this out, too Before the war and since the war many contractors have been qualified, as far as their technical experience is concerned, to go into one of these contracting phases—plumbing, heating or electric. Now these contractors are denied the privilege of bidding because they cannot get a bond. Those same contractors could bid through a general contractor.

Mr. LOPRESTI. In other words, you would not want the state authorities to deal with somebody who was not deemed responsible and yet you would say it would be all right if the general contractor would bring in that same irresponsible fellow and use him as an estimate?

Mr. STRAUSSER: I do not like the word "irresponsible" As far as their technical ability or experience is concerned, they are qualified.

Unfortunately, the only thing that determines the qualifications of a contractor is whether or not he can supply a bond. Regardless of his ability to do the job or the type of work he does, the only thing that qualifies him is the fact that he can supply a bond.

Mr. LOPRESTI. We are getting back to the same thing, are we not? The general contractor could deal with a man who is not financially able to furnish a bond. If he were bidding for a state authority he could not bid.

Mr STRAUSSER. That is right if he were bidding direct. But if a contractor has enough confidence in this smaller contractor, he can take the bid of the smaller contractor and cover him with his bond.

Right now I have an electrical contractor working on a good-sized project. Technically, they are qualified, but financially they were not sufficiently strong to furnish a bond. They are doing a wonderful job. They are just about finished with the job.

In that instance, this small contractor is being built up to a point where he will have enough financial backing to qualify for a bond. But if I had not included his bid in with mine on this particular job, he would have been denied the privilege of bidding on the job

Mr. LOPRESTI. I thank the gentleman.

Mr. ANDREWS. Mr. Speaker, I have come to love this little bill more and more because of the enemies it has made.

First, I want to clear up some of the background. Some weeks ago we talked about a conference at the national level on the part of the National Electrical Contractors Association. Some of the Members of this House have been told that the National Association opposes this bill. I want to read the following telegram:

> Understand my name has been used in connection with Act 317 to amend the Pennsylvania Separation Act of 1913. The policy of NECA is to leave to the members in each state the decision on the desirability of any state legislation. Any proposed national legislation should have no effect on Act 317 one way or the other. While there may be parallels between state and Federal law there are many considerations that require variations which only the local people are able to determine. I have not discussed 317 with the AGC and NECA has not taken any position nor does it intend to take any position on this measure.
>
> Paul M. Geary, Executive Vice-President National Electrical Contractors Association.

All of the Members of this House have received various communications from Edward S. Dull, who writes to them as Execuvtie Secretary of the National Electrical Contractors Association, and he winds up his communication by saying, "We feel that this act will destroy the the Separation Act of 1913."

The bill we are now considering does not apply to private business. The bill we are considering does not apply to contracts let by the Department of Property and Supplies. The Department of Property and Supplies under the rulings of the Attorney Generals in force these many years, on any contract can ask for one bid, an overall bid, or separate bids and take the lowest bid. If one bid is the lowest, the Department of Property and Supplies can accept it. If the various bids, the general bid and the other bids, are lower, the Department of Property and Supplies can accept those. The Federal Government does business on exactly the same basis.

It would be a complicated legal argument to show why this bill as originally drawn affected only the two authorities, the School Authority and the General State Authority. In order to make that point clear, we wrote into the bill that it applied only to the authorities.

The General State Authority is a vanishing institution. It is not a perpetual body, we will see the end of it eventually. It has $60 million to spend. There will not

be any of that money spent in Pittsburgh because there are not going to be any General State Authority contracts in Pittsburgh. Very little of it will be spent in Philadelphia and very little in the third class cities.

There is now pending some $20 million in contracts for the various State Teachers' Colleges. Some of those are small bids, some of those are larger bids. Under the present situation if you are building a residence for the superintendent of an institution for $24,000 or $28,000 you must have an architect and a separate contract for the plumbing, a separate contract for the electrical work and a separate contract for the air conditioning on one little structure.

There is a great deal of feeling for letting the general contractor shop around. Are we to gather that the contractors, electrical, plumbing, and so forth, will quote one price to a contractor and another price to the state? The sub-contractors will submit their figures to a contractor just as they will submit them directly to the General State Authority. The object is to place the General State Authority and the School Authority in a position to decide whether the general contract or the separation is cheapest for the Commonwealth. Our client is the Commonwealth.

The General State Authority has spent over $475 million under the Separation Act. We have tried it at previous sessions, but there has always been some undercurrent, some misrepresentation of what we were trying to do. There are now three large contracting firms in the Commonwealth which have two organizations, one organization bids on the general contract and the other organization which they own bids on the other contracts. There is one organization, and that idea is likely to spread.

I say we only have $60 million dollars to spend and when we are building schools and when we are building these buildings at the State Teachers' Colleges the General State Authority is entitled to employ the means which will save the most money for the Commonwealth.

All of these general contractors talk about hiring inferior help. They are all under bond, they are all bound by specifications, and it is the purpose of the General State Authority if the contractor cannot finish his job in accordance with the specifications to have the bondholder finish the job in accordance with the specifications.

The gentleman from Columbia has spoken of the possible savings when the various elements in a given building situation can cooperate. On the smaller contracts there is a very, very decided advantage in having someone in charge of the general situation. The General State Authority has lost millions. The last calculation was that the General State Authority had lost in excess of $9 million dollars because of delays upon the part of some one of the subcontractors, electrical people did not come through or the plumbing people did not come through. There is no one to knit up the general situation, no general manager.

Now that we are in the final stage of closing the affairs of the General State Authority we again urge that the General State Authority be placed in the position in which the Federal Government operates, that it be placed in the position in which the Department of Property and Supplies operates. There is nothing wrong about that. The General State Authority should have at least the same tools with which to serve the Commonwealth and get minimum prices as the Department of Property and Supplies.

If there is someone, a powerful contractor, who is opposed to this bill, some powerful contractor who can make or break the future of Members of this House, I value their acquaintance. They can be useful in other things. So I say to all of the Members whose political future is endangered if they vote for this bill by some contractor or some labor leader saying, "Vote for this bill at your peril. If you vote for this bill you cannot come back," that if there is someone so powerful as that, I value our associations so much that I would not ask you to imperil your political future. But I do not like the idea that there is any alleged spokesman for labor trying to defeat this bill by means of misrepresentation. I do not believe that any powerful contractor—and I do not care how powerful he is—should be permitted to defeat this bill because of some undisclosed selfish interest.

Mr. STRAUSSER. Mr. Speaker, there is one point Mr. Andrews touch on, labor. Frankly, I believe labor should be in favor of this bill. I cite as an example what happens under seperate contracts: "Labor Trouble Outside of Riverside School." I am not going to read this whole thing. I am going to read just this much of it:

> Construction on a new Riverside elementary school has been held up protesting the alleged hiring of non-union electricians by the firm holding the electrical contract.

Here is an example of a school contract which has been let, and apparently the general plumbing and the heating contracts were awarded to a union contractor, the electrical contract to a non-union electrical contractor and you have the job tied up. Who suffers when the job is tied up? The persons for whom the school is being built, or whatever building it is, are denied the use of that building as long as you have strikes and are tied up on the job. If you have a single contract—I do not know of many non-union general contractors—the general contractor would be sure he did not solicit bids from other than union contractors in the other phases

Mr. AUSTIN M. LEE. Mr. Speaker, I would like to speak briefly on House Bill 317. This is a very simple bill. It was even more simple before it was amended, because at that time it constituted an outright repeal of the "Separation Act."

At the present time, with the amendments which have been made to the bill, it is in effect about a 90 percent repealer of the Separation Act, since my information is that about 90 percent of the work which is concorned in this particular matter is let under contract by either the General State Authority or the State Public School Building Authority. So if we pass this bill we will really be disposing completely of the Separation Act, an act which has been on the statute books of Pennsylvania for a period of 44 years. I think it was a good Act in 1913 and I think it is still a good Act today.

The distinguished gentleman from Cambria referred to the fact that about $9 million had been lost in contracts where there were delays. I would like to point out to the Members of the House, if there were delays and they were the responsibility of subcontractors, those subcontractors are bonded in exactly the same way in which the general contractors are bonded and in the same way in which the general contractor would be bonded under the

single bid. So if it is the subcontractor's responsibility for these delays, the Commonwealth or the authority has an ample remedy to recover damages because of the delay.

Mr. Strausser made a very revealing remark in his initial comments on this bill. He said if this bill passed it would remove all of his alibis which are present at this time when the general contract is let separately from these other types of work. By his saying the passage of this bill would remove his alibi, he is admitting what we contend, and that is, if this bill passed a great majority of this work will be let on a single bid rather than on separate bids.

I think it is very interesting to look for a moment into the status of the Federal law in this particular field. Under the Federal law they now have the single bid procedure. I would like to inform the Members of the House that they are apparently beginning to run into a little trouble under this single bid process. I have in my hand a copy of House Bill 3340 which is pending in the 85th Congress in Washington and I would like to read for the information of the House what is contained therein by way of a declaration of purpose.

> It appears desirable and in the best interests of the Federal Government for the Federal Government in contracting for the construction of buildings to use the single contract system of procurement under which the general contractor is solely responsible to the government for completion and has undivided responsibility therefor and full control and authority to coordinate and complete, but that such system should include procedures under which the subcontracts for any mechanical specialty work involved should be finalized as far as practicable prior to the submission of the prime bids or proposals to give the government the full benefit of competitive subcontract prices as well as maximum efficiency in performance and that such procedures should be so established as to eliminate the unfair trade practice of bid shopping by general contractors or subcontractors and other unfair trade practices in connection with bidding on Federal work.

Mr. Speaker, I point out that this is extremely significant. At the present time we have the Separation Act and the Federal government in certain aspects uses the single bid philosophy. It looks to me as though they are running into trouble under that single bid philosophy and they are now beginning to move toward what we have, which is the Separation Act, whereby these bids should be let separately on the different types of work.

Just one final word in closing. Much has been made of the fact that a lot of money will be saved if we pass House Bill 317. I may be a little dense, but I just cannot get it into my head where letting the bids on a single contract is going to save us any money. If electrical contractors are bidding against electrical contractors for the electrical work, you are going to get lower bids, whereas if all of the work under the contract is being bid between general contractors, they are going to get prices from subcontractors for the specialized phases of the work, and they are going to add their 10 percent into the bid. So I just cannot see how the state, General State Authority, or any of these other authorities are going to save any money if this bill is passed.

I might point out that under this bill it does not mean in every instance that these bids must be let on a separate basis. It is up to the authority. Under this bill, if the authority so elects they can advertise for one single bid and never bother to obtain separate bids on these jobs.

Therefore, I would like to inform the Members of the House that I am opposed to the passage of House Bill 317 in its present form and I ask all of the Members on both sides of the House to vote "no."

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—20

Andrews,	Gramlich,	Krakow,	Strausser,
Davis,	Heavey,	Lippincott,	Tompkins,
Gailey,	Johnson,	Moscrip,	Wargo,
Gibson,	Jump,	Munley,	Wescott,
Goodrich,	Knecht,	Seltzer,	Helm, Speaker

NAYS—178

Adams,	Eilberg,	Lutty,	Reidenbach,
Amarando,	Erb,	Magee,	Renwick,
Anderson, M. S.,	Eshleman,	Mahan,	Rigby,
Anderson, S. A.,	Ewing,	Markley,	Rovansek,
Ashton,	Fetterolf,	Marsh,	Royer,
Auker,	Filo,	Maxwell,	Rudisill,
Barton,	Fineman,	McCann,	Scarcelli,
Bell,	Floyd,	McCormack,	Schuster,
Blair,	Flynn,	McGee,	Sherman,
Boles,	Foster,	McInroy,	Shields,
Boory,	Garlock,	McKeever,	Smith,
Bower,	Gelfand,	McLaughlin,	Snare,
Bowman,	Gibb,	Merry,	Snider,
Brand,	Goldstein,	Metz,	Spray,
Breisch,	Goodling,	Mikula,	Steckel,
Brennan,	Gross,	Miller, B. Z.,	Stevens,
Brenninger,	Hamilton,	Miller, H. G.,	Stimmel,
Breon,	Haudenshield,	Miller, W. H.,	Stone,
Breth,	Heffner,	Mills,	Stoner,
Brown,	Henzel,	Monroe,	Stroup,
Brucker,	Hocker,	Moody,	Stuart,
Bucchin,	Holt,	Moyer,	Taylor,
Buchanan,	Horst,	Muldowney,	Thompson,
Capano,	Ide,	Mullen,	Toll,
Carson,	Isaacs,	Murphy,	Trusio,
Cianfrani,	Jenkins,	Murray, H. P.,	Ujobai,
Cioffi,	Jim,	Murray, P. G.,	Varallo,
Cleveland,	Johnston,	Musto,	Varner,
Comer,	Jones, G. E.	Naugle,	Vaughan,
Cooper,	Jones, T. H.,	O'Brien,	Verona,
Cummins,	Kamyk,	O'Dell,	Wall,
Curwood,	Kehler,	Ogilvie,	Walsh,
Dalrymple,	Kernaghan,	Parry,	Welsh,
DeLong,	Kooker,	Pashley,	Wheeler,
Dengler,	Kornick,	Petrosky,	Whittaker,
Dennison,	Korns,	Phillips,	Willard,
Devlin,	Lafore,	Piper,	Willaredt,
Dietterick,	Lee, A. M.,	Polaski,	Williams,
Donahue,	Lee, K. B.,	Pomeroy,	Wilt,
Donaldson,	Leonard,	Post,	Wood,
Dougherty,	Light,	Price,	Worley,
Down,	Limper,	Pursley,	Wyatt,
Duffy,	Lopresti,	Ragot,	Wynd,
Dunn,	Lovett,	Readinger,	Yatron,
Edwards,			Zimmerman,

NOT VOTING—11

Agnew,	Frascella,	Keller,	Silverman,
Farabaugh,	George,	Mihm,	Weidner,
Fox,	Guthrie,	Schwartz,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. STRAUSSER. Mr. Speaker, I did not realize that contractors had so many friends in the House.

BILL PASSED OVER

There being no objection

House Bill No. 565, Printer's No. 242,

was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 44, Printer's No. 218

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 56, entitled as follows:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the sale or other disposal of morphine or facilitating or conspiring to sell or otherwise dispose of heroin to minors under eighteen years of age

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I would like to interrogate the gentleman from Cameron, Mr Tompkins.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, would this bill allow a 20 year old person, an addict of heroin, who would sell or give some heroin to a 14 or 15 year old boy or girl, to be sentenced to death for that offense?

Mr. TOMPKINS It would give the jury the right to impose that penalty if it saw fit.

Mr. READINGER. Even though it were the first offense for the person who sells the drug?

Mr. TOMPKINS. Under the provisions of the bill, that is right.

Mr. READINGER. May I ask the gentleman whether there is not a Federal law now which allows the imposition of a death sentence for such sales of this drug?

Mr. TOMPKINS There is.

Mr. READINGER. has there not been for some time such a federal law?

Mr. TOMPKINS. Just within the past year.

Mr. READINGER. Would not that Federal law apply to any such act committed in the state of Pennsylvania if the Federal authorities chose to ask for that penalty?

Mr. TOMPKINS It would in those cases where the Federal courts assume jurisdiction, but not in those cases where the state courts have jurisdiction.

Mr. READINGER. Are there any cases where the Federal courts could not take jurisdiction throughout the United States in connection with the violation of the sale of drugs?

Mr. TOMPKINS. That question I cannot answer, Mr. Speaker, I am sorry.

Mr. READINGER. Would the gentleman not agree that a Federal court anywhere in the United States dealing with a drug case could take jurisdiction and try the person for the violation?

Mr TOMPKINS. No, no more than they could assume jurisdiction over murders which are committed in Pennsylvania. We have statutes on our books dealing with dope peddlers, and so forth, and imposing penalties for their violation.

Mr. READINGER. Does the gentleman believe this will aid the prosecution or be a deterrent to the sale of drugs of this kind by allowing the imposition of the death penalty?

Mr. TOMPKINS. According to the report of the Federal Government, yes, that is so.

Mr. READINGER. Does the gentleman know of any case where the death penalty has been imposed upon a person over the age of 18 who sold to a minor under the age of 18?

Mr. TOMPKINS Not under the Federal law, which was only enacted, as I say, about a year ago.

Mr. READINGER. Will the gentleman tell this House why he thinks it is necessary to go to the extent of allowing the imposition of the death penalty in any case?

Mr. TOMPKINS. The practice has become very vicious in various sections of the United States and in some portions of Pennsylvania where dope is being peddled, particularly to our high school children. They are becoming addicts to it. It is becoming so destructive to their future that the Federal Government—I have a report, this is the entire report of the Federal Government on that very subject. I am not going to take the time to read it to the House, but I will read a few of the results of that investigation by the Federal Government in that connection, and that is this law.

This is Section 107 of the Federal Laws passed here in the 1956 session of the Congress.

> Notwithstanding any other provision of law, whoever, having attained the age of eighteen years, knowingly sells, gives away, furnishes, or dispenses, facilitates the sale, giving, furnishing, or dispensing, or conspires to sell, give away, furnish, or dispense, any heroin unlawfully imported or otherwise brought into the United States, to any person who has not attained the age of eighteen years, may be fined not more than $20,000, and shall be imprisoned for life, or for not less than ten years, except that the offender shall suffer death if the jury in its discretion shall so direct.

The Federal Government after a very exhaustive study, a copy of which I hold in my hands, saw fit to enact that legislation placing the protection of our youth, in the Federal courts when they found violators coming under the jurisdiction of the Federal courts. Our children in Pennsylvania are just as precious to us in the administration of our justice as it is in the Federal courts, and that opinion is held not only by myself, but by a great number of organizations as shown by a great deal of editorial comment, which I am not going to take time to read to you here in the House, but merely call to your attention.

Therefore, we feel we are only bringing ourselves in line with the thinking of the Federal Government by proposing such legislation.

Mr. READINGER. Mr. Speaker, may I ask the gentleman one further question?

Have any of the other states of the union adopted this as a state law?

Mr. TOMPKINS. That I cannot tell you, Mr. Speaker, I am sorry.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, I was not aware of the Federal law going as far as it does until today. It seemed to me it was going pretty far even though this is a horrible crime and not to be condoned by anyone. It seemed to me to be going

pretty far to allow a jury to recommend a death sentence in a drug case.

For example, a young person 20 or 21 who has become an addict himself might sell this drug to a 17 year old who is not an addict and lead that child into the same terrible state of affairs that the addict has gotten into. If the jury saw fit, it could impose the death sentence on that person. I do not say it would happen, but I say passing such a bill would allow it to happen.

Of course, the Governor of the state could commute such a death sentence if it were imposed. Maybe he would and maybe he would not. Maybe after the present investigation is over there will not be any commutations of any kind given to anybody.

I am fearful this is going further than I would like to go, and I intend to vote against this bill for that reason, not because I do not want these dope peddlers dealt with harshly, but I would much prefer to see a life sentence or a 50 or 90 year term imposed upon them to remove them from society permanently, rather than putting them to death.

Mr. TOMPKINS. Mr. Speaker, I merely wish to call the attention of the House to the fact that it is not mandatory upon a jury to impose such a penalty. It is only permissive for them to do so if the offense which comes before them is of such a nature that they think it should be done.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—122

Adams,	Edwards,	Mahan,	Schuster,
Agnew,	Eshleman,	Markley,	Seltzer,
Anderson, M. S.,	Ewing,	Marsh,	Smith,
Andrews,	Fetterolf,	McCann,	Snider,
Ashton,	Fox,	McInroy,	Spray,
Auker,	Garlock,	Merry,	Steckel,
Bell,	Gibb,	Miller, B. Z.,	Stevens,
Blair,	Gibson,	Miller, H. G.,	Stimmel,
Brand,	Goldstein,	Miller, W. H.,	Stone,
Breisch,	Goodling,	Mills,	Stoner,
Brenninger,	Goodrich,	Moody,	Strausser,
Breon,	Gramlich,	Moscrip,	Stroup,
Breth,	Gross,	Moyer,	Stuart,
Brown,	Hamilton,	Munley,	Thompson,
Buchanan,	Heffner,	Murray, P. G.,	Tompkins,
Capano,	Henzel,	Naugle,	Trusio,
Carson,	Hocker,	O'Dell,	Vaughan,
Comer,	Horst,	Ogilvie,	Verona,
Cooper,	Ide,	Parry,	Wall,
Cummins,	Isaacs,	Phillips,	Walsh,
Curwood,	Jenkins,	Piper,	Wargo,
Dalrymple,	Jones, T. H.,	Post,	Wescott,
Davis,	Jump,	Price,	Wheeler,
DeLong,	Kamyk,	Pursley,	Whittaker,
Dennison,	Kehler,	Ragot,	Willaredt,
Devlin,	Kernaghan,	Reidenbach,	Wilt,
Dietterick,	Knecht,	Renwick,	Wood,
Donahue,	Kooker,	Rigby,	Wynd,
Donaldson,	Korns,	Royer,	Helm,
Dougherty,	Lafore,	Rudisill,	Speaker
Dunn,	Lee, K. B.,	Scarcelli,	

NAYS—63

Amarando,	Flynn,	Magee,	Rovansek,
Anderson, S. A.,	Foster,	McCormack,	Schwartz,
Barton,	Gailey,	McGee,	Sherman,
Boles,	Gelfand,	McKeever,	Shields,
Boory,	Holt,	McLaughlin,	Taylor,
Brennan,	Jim,	Mikula,	Toll,
Brucker,	Johnson,	Monroe,	Ujobai,
Bucchin,	Jones, G. E.	Muldowney,	Varallo,
Cioffi,	Krakow,	Murphy,	Varner,
Cleveland,	Leonard,	Musto,	Welsh,
Dengler,	Light,	O'Brien,	Williams,
Duffy,	Limper,	Pashley,	Worley,
Erb,	Lippincott,	Petrosky,	Wyatt,
Farabaugh,	Lopresti,	Polaski,	Yatron,
Filo,	Lovett,	Pomeroy,	Zimmerman,
Fineman,	Lutty,	Readinger,	

NOT VOTING—24

Bower,	Frascella,	Keller,	Mullen,
Bowman,	George,	Kornick,	Murray, H. P.,
Cianfrani,	Guthrie,	Lee, A. M.,	Silverman,
Down,	Haudenshield,	Maxwell,	Snare,
Eilberg,	Heavey,	Metz,	Weidner,
Floyd,	Johnston,	Mihm,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 173, entitled as follows:

An Act requiring court approval of contracts between registered architects or registered engineers and counties * * * and providing payments on such contracts may be made out of proceeds of temporary loans.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JUMP. Mr. Speaker, Members of the House, my colleagues and I introduced House Bill No. 173 at the request of the Luzerne County Institution District. At the present time they are in the process of building a $3 million home for the aged and the infirm. I would like to explan briefly what this bill does.

The purpose of this bill is to prevent needless waste of taxpayers' money by having municipalities enter into contracts with architects and pay substantial sums on such contracts only to find out later that the project is illegal for some reason or another.

It is also to protect architects, many of whom in the past have worked for months and even years and spent their own money in employing draftsmen, engineers, and other technical assistants in the preparation of plans for the construction of public buildings, only to find that the entire project had to be abandoned as increasing the municipality's indebtedness beyond the constitutional limitation.

The pertinent acts of the Legislature provide for approval by the court, by the State Art Commission and, in cases, by the Department of Welfare before any contract for construction of public buildings may be executed.

The laws of this Commonwealth have utterly failed to make any provision governing the preliminary work that must be done by an architect, whose services might require well over a year before the final plans and specifications are completed.

The proposed act would, to a large extent, correct this situation by requiring a preliminary examination by the court as to the purposes of the building, the financial condition of the municipality, and the cost of construction of the project, without taking away from the municipal authorities the discretion which the existing acts of legislation have imposed in them as to the final say

on whether such a project should be undertaken and the manner in which it should be constructed.

As an illustration, we had a case go up from Luzerne County to the Supreme Court of Pennsylvania (Innes v. Nanticoke School District, 342 Pa. 433) in which a change had taken place in the personnel of the school district after Innes had spent over a year obtaining the approval of plans and specifications for the construction of a new high school building.

The school district had paid out many thousands of dollars on the architect's contract, but it had not paid Mr. Innes the full amount he had expended in hiring draftsmen, engineers, and so forth. The architect's contract was declared illegal because the court determined that the construction of the building itself would put the school district somewhat beyond its constitiutional debt limitation. In this case not only was the taxpayers' money wasted, but the architect incurred a very substantial financial loss due to no fault of his own.

Now, Mr. Speaker, by occupation, I am not an architect engineer, or draftsman. I am a legislator by occupation.

Mr. KORNS. Mr. Speaker, I desire to interrogate the gentleman from Luzerne.

The SPEAKER. Will the gentleman from Luzerne, Mr. Jump, permit himself to be interrogated?

Mr. JUMP. I shall, Mr. Speaker.

Mr. KORNS. Mr. Speaker, if this bill becomes law, would it not require that any project for a public building, and that would include school buildings, first have court approval before proceeding?

Mr. JUMP. That is correct, Mr. Speaker. They must inform the court as to the plans. In other words, the purpose of the bill is to alleviate a lot of red tape which occurrred in the past, so that they can come to some mutual agreement on the plans for the construction that is going to take place.

Mr. KORNS. The gentleman spoke of a lot of red tape. As it stands now, before construction of a school building it must be approved by the county school board, the county superintendent of schools, and about three agencies in the state Department. Now in addition you request that we require court approval. Is that not red tape?

Mr. JUMP. I might say to the gentleman that I did not quite get his question. I do want to apologize. I am a little hard of hearing, and there is a little noise, Mr. Speaker.

Is the gentleman going to ask me a question?

Mr. KORNS. Yes, sir. At the present time it is required that a local school district, before starting a project, first have approval from the county school board, the county superintendent of schools and about three different agencies in the Department of Public Instruction. Would this not require another agency be contacted before proceeding?

Mr. JUMP. Mr. Speaker, for the information of the gentleman, I cannot see where it would require another agency. It is just notifying the court, then it is to be passed upon by the court and the court in turn, from what I understand, would notify the prothonotary's office to advertise that such a project is going to take place. That would not be another agency.

Mr. KORNS. One further question, Mr. Speaker. You mention hearings on page 3 of this bill. In that hearing apparently, it is indicated that we must supply costs. Would it not be hard to supply costs without first engaging an architect or an engineer for that information?

Mr. JUMP. I do not know what the gentleman means by supply "cost." What does the gentleman mean, supply "cost"?

Mr. KORN. Does not the bill state that the court shall decide whether the district is able to pay for the school?

Mr. JUMP. The bill specifies notifying the court for its approval. Before an architect has his engineers and draftsmen prepare plans, they will discuss it with the court, then the court is to advertise.

Mr. KORNS. One further question, Mr. Speaker: Is this bill not, in the main, for the protection of the architects?

Mr. JUMP. It is not only for the protection of the architects but also the engineers and draftsmen he may hire, to protect the people. I explained what had taken place in the case of Innes v. Nanticoke School District, where the architect, engineers, and draftsmen worked for over a year and then the project was done away with.

Mr. KORNS. There will be no further interrogation on my part, Mr. Speaker. I would like to say a few words.

I intend to vote "no" on this bill mainly because I see no reason why the local school district, the local council, or the local supervisors should be required to seek court approval before they hire any architect and further complicate the school building program or any other program.

Mr. ANDREWS. Mr. Speaker, may I have a friendly interrogation of the gentleman from Luzerne?

The SPEAKER. Will the gentleman from Luzerne, Mr. Jump, permit himself to be interrogated?

Mr. JUMP. I shall, Mr. Speaker.

Mr. ANDREWS. Is it not true that this bill only becomes operative in those instances where the architect's fees cannot be paid out of current revenue?

Mr. JUMP. That is correct.

Mr. ANDREWS. It would not apply in any other case, and does not give the court any other jurisdiction than to say, if the current revenue is not sufficient, that the school district or institution district can make a temporary loan?

Mr. JUMP. That is correct.

Mr. ANDREWS. I thank the gentleman.

Mr. JUMP. Mr. Speaker, I would like to interrogate the gentleman who interrogated me.

The SPEAKER. Will the gentleman from Somerset, Mr. Korns, permit himself to be interrogated?

Mr. KORNS. I shall, Mr. Speaker.

Mr. JUMP. Mr. Speaker, the gentleman mentioned he was opposed to the bill because of the fact that it is taking power away from the local school boards or the city councils, and so forth, is that right?

Mr. KORNS. That is correct.

Mr. JUMP. Suppose they are preparing plans to build an institution district home or school, finally went to court, and it was turned down after maybe six months, a year or two years of work by the architect, the engineer and his draftsman, what would you say to that?

Mr. KORNS. The district pays the architect and that is the end of it.

Mr. JUMP. Then it is wasting the taxpayers' money, is it not?

Mr. KORNS. That is correct. But is it not wise to investigate the situation before they start construction?

Mr. JUMP. I thank the gentleman.

Mr. Speaker, I yield to the Minority Leader.

The SPEAKER. The gentleman from Luzerne, Mr. Jump, yields to the gentleman from Berks, Mr. Readinger. The Chair recognizes the gentleman from Berks, Mr. Readinger.

Mr. READINGER. Mr. Speaker. I desire to interrogate the gentleman from Luzerne.

The SPEAKER. Will the gentleman from Luzerne, Mr. Jump, permit himself to be interrogated?

Mr. JUMP. I shall, Mr. Speaker, providing it is a legislative question and not a prospective judge's question.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether he has ever heard of a court of common pleas' decision being reversed by the Superior or the Supreme Court of Pennsylvania?

Mr. JUMP. If I have ever heard—

Mr. READINGER. Have you ever heard that there has been a reversal of a lower court by our appellate courts? Is the gentleman aware of the fact the appellate courts can reverse the lower courts?

Mr. JUMP. That is correct, yes.

Mr. READINGER. I refer you to page 3 of this bill and ask you whether it does not require the court of common pleas to hold a hearing in given cases and determine (1) whether the project under consideration is a lawful one (2) whether the project can be completed within the debt limitation of such political subdivision and so forth, and (3) whether the architect's or engineer's contract is properly executed and is in standard form. Is that not a provision of this bill?

Mr. JUMP. It is in the bill.

Mr. READINGER. That is what the court of common pleas is required to do?

Mr. JUMP. That is right.

Mr. READINGER. Now, I refer you to page 4 of the bill, Section 3. Does that section not state as to a contract with an architect or registered engineer approved by the court of common pleas, that no such contract shall be declared invalid because the political subdivision shall have failed to make provision in its budget for the payments that shall become due, nor shall any such contract be declared invalid because the project itself is later declared illegal? Is that not set forth in here?

Mr. JUMP. It is.

Mr. READINGER. Will the gentleman then tell this House what the effect would be in a case where the court of common pleas gives this legal advice, in its opinion, and it is wrong and the work has then been completed by the architects and engineers? Are they to be paid under this section even though the Superior Court or Supreme Court says the lower court was wrong?

Mr. JUMP. Mr. Speaker, the engineers and the architects are not going to work unless they know they have some agreement with the courts and the district in which this project will be. That is what this bill does. It is to alleviate previous red tape.

Mr. Speaker, I am not an attorney. As I specified, my colleagues and I introduced this legislation at the request of a group of attorneys for the Luzerne County Institution District. Therefore, I am more or less not in position to answer the gentleman in a lawyer's terms.

Mr. READINGER. I thank the gentleman.

Mr. Speaker, I must oppose this bill also. I think the objective sought is proper and is all right. Certainly nobody expects an architect or an engineer to do a lot of work and not get paid, but I think the legislative proposal is wrong.

I think it would be far better in order to expedite these building projects to let architects and engineers, who are about to do a lot of work for which they may or may not get paid, seek legal advice from their own counsel. If their own counsel are not convinced that the project is a lawful and proper one, and so forth, the matter can be raised by seeking an injunction against the authority or the municipality proposing to go ahead with it. Then the question will come squarely before the court as to whether or not the authority or municipality has the legal authority to enter into such contracts, and so forth, and you can have an adequate court decision based on an actual case.

What this bill seeks to do is ask the court of common pleas to give legal advice before any work is started and then provides that, even though it is later declared illegal by a higher court or for any reason the court's decision is set aside, they shall still be paid for their work. I think it is not the proper way to proceed with it. I sympathize with the gentleman's objective, but I think the method used is wrong.

Mr. SCHWARTZ. Mr. Speaker, the gentleman from Luzerne contends, I believe, that this bill has in mind cutting red tape. It seems to me that any time you have to present a petition such as this bill sets forth, to a court of common pleas and get permission of that court, you are just adding to the red tape rather than cutting it.

This seems to be bad legislation because it prefers certain members of certain professions, architects and engineers. It seem to me if you passed this type of bill, the next thing you know you will have merchants and other professional people who would like similar protection.

I can envision a situation where somebody who is doing business with a state, county or other political subdivision, would want similar protection, and would come up here and ask us for this type of legislation. It seems to be bad. I think it is going to add red tape rather than eliminate it.

Mr. JUMP. Mr. Speaker, as I said previously, the Luzerne County Institution District is in the process of building a $3 million home for the aged and the infirm. Why would they ask us, the Members of this House from Luzerne County, to introduce this legislation if it was not going to be beneficial to the building of this home and also to the people as a whole?

Mr. SCHWARTZ. Mr. Speaker, the unfortunate part about the bill is that it does not only apply to Luzerne County, it applies to the entire Commonwealth of Pennsylvania and every subdivision thereof.

Mr. JUMP. Mr. Speaker, I might say all of the people of Pennsylvania are taxpayers as well.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—71

Bell,	Eshleman,	Merry,	Royer,
Bower,	Ewing,	Metz,	Scarcelli,
Brand,	Foster,	Mikula,	Snare,
Breisch,	Gibb,	Miller, B. Z.,	Stevens,

Brucker,	Gibson,	Moyer,	Stimmel,
Cooper,	Goldstein,	Mullen,	Strausser,
Curwood,	Gramlich,	Murphy,	Thompson,
Dalrymple,	Haudenshield,	Musto,	Tompkins,
Davis,	Heffner,	O'Dell,	Ujobai,
DeLong,	Jones, T. H.,	Ogilvie,	Varner,
Dengler,	Jump,	Parry,	Vaughan,
Dietterick,	Kehler,	Phillips,	Wall,
Donaldson,	Knecht,	Pomeroy,	Wilt,
Dougherty,	Lee, A. M.,	Post,	Wood,
Down,	Lee, K. B.,	Price,	Worley,
Dunn,	Light,	Ragot,	Wynd,
Edwards,	Markley,	Reidenbach,	Helm,
Erb,	McGee,	Rigby,	Speaker

NAYS—114

Adams,	Filo,	Leonard,	Pursley,
Amarando,	Fineman,	Limper,	Readinger,
Anderson, M. S.,	Floyd,	Lippincott,	Renwick,
Anderson, S. A.,	Flynn,	Lopresti,	Rovansek,
Ashton,	Fox,	Lovett,	Rudisill,
Auker,	Gailey,	Lutty,	Schuster,
Barton,	Garlock,	Magee,	Schwartz,
Blair,	Gelfand,	Mahan,	Seltzer,
Boies,	Goodling,	Marsh,	Shields,
Boory,	Goodrich,	Maxwell,	Snider,
Bowman,	Gross,	McCann,	Spray,
Brennan,	Hamilton,	McCormack,	Steckel,
Brenninger,	Hocker,	McInroy,	Stoner,
Breon,	Holt,	McKeever,	Stroup,
Brown,	Horst,	McLaughlin,	Stuart,
Bucchin,	Ide,	Miller, H. G.,	Taylor,
Buchanan,	Isaacs,	Miller, W. H.,	Toll,
Capano,	Jenkins,	Mills,	Trusio,
Carson,	Jim,	Moody,	Varallo,
Cianfrani,	Johnson,	Moscrip,	Walsh,
Cioffi,	Johnston,	Muldowney,	Wargo,
Cleveland,	Jones, G. E.	Munley,	Welsh,
Cummins,	Kamyk,	Murray, H. P.,	Wescott,
Devlin,	Kooker,	Naugle,	Whittaker,
Donahue,	Kornick,	O'Brien,	Willaredt,
Duffy,	Korns,	Pashley,	Williams,
Eilberg,	Krakow,	Petrosky,	Wyatt,
Farabaugh,	Lafore,	Polaski,	Yatron,
Fetterolf,			Zimmerman,

NOT VOTING—24

Agnew,	George,	Mihm,	Smith,
Andrews,	Guthrie,	Monroe,	Stone,
Breth,	Heavey,	Murray, P. G.,	Verona,
Comer,	Henzel,	Piper,	Weidner,
Dennison,	Keller,	Sherman,	Wheeler,
Frascella,	Kernaghan,	Silverman,	Willard,

Less than the majority required by the Constitution having voted in the affirmative, the question was determinded in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 348, entitled as follows:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) granting income tax deductions to residents of other states if similar deductions are granted to Pennsylvania residents.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Fineman,	Mahan,	Scarcelli,
Ashton,	Floyd,	Markley,	Schuster,
Auker,	Flynn,	Marsh,	Seltzer,
Barton,	Foster,	Maxwell,	Sherman,
Bell,	Gailey,	McCann,	Shields,
Blair,	Garlock,	McCormack,	Smith,
Boies,	Gelfand,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman,	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Hamilton,	Miller, H. G.,	Strausser,
Breth,	Haudenshield,	Miller, W. H.,	Stroup,
Brown,	Heavey,	Mills,	Stuart,
Brucker,	Heffner,	Monroe,	Taylor,
Bucchin,	Henzel,	Moody,	Thompson,
Buchanan,	Hocker,	Moscrip,	Toll,
Capano,	Holt,	Moyer,	Tompkins,
Carson,	Horst,	Muldowney,	Trusio,
Cianfrani,	Ide,	Mullen,	Ujobai,
Cioffi,	Isaacs,	Munley,	Varallo,
Cleveland,	Jenkins,	Murphy,	Varner,
Comer,	Jim,	Murray, H. P.,	Vaughan,
Cooper,	Johnson,	Murray, P. G.,	Verona,
Cummins,	Johnston,	Musto,	Wall,
Curwood,	Jones, G. E.	Naugle,	Walsh,
Dalrymple,	Jump,	O'Brien,	Wargo,
Davis,	Kamyk,	O'Dell,	Welsh,
DeLong,	Kehler,	Ogilvie,	Wescott,
Dengler,	Kernaghan,	Parry,	Wheeler,
Dennison,	Knecht,	Pashley,	Whittaker,
Devlin,	Kooker,	Petrosky,	Willard,
Dietterick,	Kornick,	Phillips,	Willaredt,
Donahue,	Korns,	Piper,	Williams,
Donaldson,	Krakow,	Polaski,	Wilt,
Dougherty,	Lafore,	Pomeroy,	Wood,
Down,	Lee, A. M.,	Post,	Worley,
Duffy,	Lee, K. B.,	Price,	Wyatt,
Dunn,	Leonard,	Pursley,	Wynd,
Edwards,	Light,	Ragot,	Yatron,
Eilberg,	Limper,	Readinger,	Zimmerman,
Erb,	Lippincott,	Reidenbach,	Helm,
Eshleman,		Renwick,	Speaker

NAYS—1

Jones, T. H.,

NOT VOTING—10

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 437, entitled as follows:

An Act amending "The Vehicle Code" of May 1, 1929 (P. L. 905) fixing registration fees for trailers used for office purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Fineman,	Mahan,	Scarcelli,
Ashton,	Floyd,	Markley,	Schuster,
Auker,	Flynn,	Marsh,	Seltzer,
Barton,	Foster,	Maxwell,	Sherman,
Bell,	Gailey,	McCann,	Shields,
Blair,	Garlock,	McCormack,	Smith,
Boies,	Gelfand,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,

Bower,	Gibson,	McKeever,	Spray,
Bowman,	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Hamilton,	Miller, H. G.,	Strausser,
Breth,	Haudenshield,	Miller, W. H.,	Stroup,
Brown,	Heavey,	Mills,	Stuart,
Brucker,	Heffner,	Monroe,	Taylor,
Bucchin,	Henzel,	Moody,	Thompson,
Buchanan,	Hocker,	Moscrip,	Toll,
Capano,	Holt,	Moyer,	Tompkins,
Carson,	Horst,	Muldowney,	Trusio,
Cianfrani,	Ide,	Mullen,	Ujobai,
Cioffi,	Isaacs,	Munley,	Varallo,
Cleveland,	Jenkins,	Murphy,	Varner,
Comer,	Jim,	Murray, H. P.,	Vaughan,
Cooper,	Johnson,	Murray, P. G.,	Verona,
Cummins,	Johnston,	Musto,	Wall,
Curwood,	Jones, G. E.	Naugle,	Walsh,
Dalrymple,	Jones, T. H.,	O'Brien,	Wargo,
Davis,	Jump,	O'Dell,	Welsh,
DeLong,	Kamyk,	Ogilvie,	Wescott,
Dengler,	Kehler,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,
Dietterick,	Kooker,	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—10

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 454, Printer's No. 173

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 475, entitled as follows:

An Act requiring the sale possession and use of electrical devices as defined herein to conform to the standards of the Underwriters' Laboratories Inc.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Ashton,	Fineman,	Mahan,	Scarcelli,
Auker,	Floyd,	Markley,	Schuster,
Barton,	Flynn,	Marsh,	Seltzer,
Bell,	Foster,	Maxwell,	Sherman,
Blair,	Gailey,	McCann,	Shields,
Boles,	Garlock,	McCormack,	Smith,
Boory,	Gelfand,	McGee,	Snare,
Bower,	Gibb,	McInroy,	Snider,
Bowman,	Gibson,	McKeever,	Spray,
Brand,	Goldstein,	McLaughlin,	Steckel,
Breisch,	Goodling,	Merry,	Stevens,
Brennan,	Goodrich,	Metz,	Stimmel,
Brenninger,	Gramlich,	Mikula,	Stone,
Breon,	Gross,	Miller, B. Z.,	Stoner,
Breth,	Hamilton,	Miller, H. G.,	Strausser,
Brown,	Haudenshield,	Miller, W. H.,	Stroup,
Brucker,	Heavey,	Mills,	Stuart,
Bucchin,	Heffner,	Monroe,	Taylor,
Buchanan,	Henzel,	Moody,	Thompson,
Capano,	Hocker,	Moscrip,	Toll,
Carson,	Holt,	Moyer,	Tompkins,
Cianfrani,	Horst,	Muldowney,	Trusio,
Cioffi,	Ide,	Mullen,	Ujobai,
Cleveland,	Isaacs,	Munley,	Varallo,
Comer,	Jenkins,	Murphy,	Varner,
Cooper,	Jim,	Murray, H. P.,	Vaughan,
Cummins,	Johnson,	Murray, P. G.,	Verona,
Curwood,	Johnston,	Musto,	Wall,
Dalrymple,	Jones, G. E.	Naugle,	Walsh,
Davis,	Jones, T. H.,	O'Brien,	Wargo,
DeLong,	Jump,	O'Dell,	Welsh,
Dengler,	Kamyk,	Ogilvie,	Wescott,
Dennison,	Kehler,	Parry,	Wheeler,
Devlin,	Kernaghan,	Pashley,	Whittaker,
Dietterick,	Knecht,	Petrosky,	Willard,
Donahue,	Kooker,	Phillips,	Willaredt,
Donaldson,	Kornick,	Piper,	Williams,
Dougherty,	Korns,	Polaski,	Wilt,
Down,	Krakow,	Pomeroy,	Wood,
Duffy,	Lafore,	Post,	Worley,
Dunn,	Lee, A. M.,	Price,	Wyatt,
Edwards,	Lee, K. B.,	Pursley,	Wynd,
Eilberg,	Leonard,	Ragot,	Yatron,
Erb,	Light,	Readinger,	Zimmerman,
Eshleman,	Limper,	Reidenbach,	Helm,
	Lippincott,	Renwick,	Speaker

NAYS—1

Andrews,

NOT VOTING—10

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 501, Printer's No. 223

was passed over at the request of Mr. JOHNSON.

There being no objection

House Bill No. 513, Printer's No. 246

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 596, entitled as follows:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) requiring testing of composite sample within five days after taken.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Fineman,	Mahan,	Scarcelli,
Ashton,	Floyd,	Markley,	Schuster,
Auker,	Flynn,	Marsh,	Seltzer,
Barton,	Foster,	Maxwell,	Sherman,
Bell,	Gailey,	McCann,	Shields,
Blair,	Garlock,	McCormack,	Smith,
Boies,	Gelfand,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Hamilton,	Miller, H. G.,	Strausser,
Breth,	Haudenshield,	Miller, W. H.,	Stroup,
Brown,	Heavey,	Mills,	Stuart,
Brucker,	Heffner,	Monroe,	Taylor,
Bucchin,	Henzel,	Moody,	Thompson,
Buchanan,	Hocker,	Moscrip,	Toll,
Capano,	Holt,	Moyer,	Tompkins,
Carson,	Horst,	Muldowney,	Trusio,
Cianfrani,	Ide,	Mullen,	Ujobai,
Cioffi,	Isaacs,	Munley,	Varallo,
Cleveland,	Jenkins,	Murphy,	Varner,
Comer,	Jim,	Murray, H. P.,	Vaughan,
Cooper,	Johnson,	Murray, P. G.,	Verona,
Cummins,	Johnston,	Musto,	Wall,
Curwood,	Jones, G. E.	Naugle,	Walsh,
Dalrymple,	Jones, T. H.,	O'Brien,	Wargo,
Davis,	Jump,	O'Dell,	Welsh,
DeLong,	Kamyk,	Ogilvie,	Wescott,
Dengler,	Kehler,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,
Dietterick,	Kooker,	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—10

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 634, Printer's No. 226

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 644, entitled as follows:

An Act amending "The Vehicle Code" approved May 1, 1929 (P. L. 905) restricting the provisions relating to the limitations on size of certain vehicles.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Fineman,	Mahan,	Scarcelli,
Ashton,	Floyd,	Markley,	Schuster,
Auker,	Flynn,	Marsh,	Seltzer,
Barton,	Foster,	Maxwell,	Sherman,
Bell,	Gailey,	McCann,	Shields,
Blair,	Garlock,	McCormack,	Smith,
Boies,	Gelfand,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Hamilton,	Miller, H. G.,	Strausser,
Breth,	Haudenshield,	Miller, W. H.,	Stroup,
Brown,	Heavey,	Mills,	Stuart,
Brucker,	Heffner,	Monroe,	Taylor,
Bucchin,	Henzel,	Moody,	Thompson,
Buchanan,	Hocker,	Moscrip,	Toll,
Capano,	Holt,	Moyer,	Tompkins,
Carson,	Horst,	Muldowney,	Trusio,
Cianfrani,	Ide,	Mullen,	Ujobai,
Cioffi,	Isaacs,	Munley,	Varallo,
Cleveland,	Jenkins,	Murphy,	Varner,
Comer,	Jim,	Murray, H. P.,	Vaughan,
Cooper,	Johnson,	Murray, P. G.,	Verona,
Cummins,	Johnston,	Musto,	Wall,
Curwood,	Jones, G. E.	Naugle,	Walsh,
Dalrymple,	Jones, T. H.,	O'Brien,	Wargo,
Davis,	Jump,	O'Dell,	Welsh,
DeLong,	Kamyk,	Ogilvie,	Wescott,
Dengler,	Kehler,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,
Dietterick,	Kooker,	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—10

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 666, entitled as follows:

An Act amending the "Motor Vehicle Safety Responsibility Act" of June 1, 1945 (P. L. 1340) increasing the required amount of financial responsibility.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

MR. BOWER IN THE CHAIR

Mr. STIMMEL. Mr. Speaker, House Bill 666 would increase the statutory requirement under our present financial responsibility act from five and ten limits of public liability and a thousand dollars property damage limit to ten and twenty limits of public liability and five thousand dollars property damage.

Twenty-three states now have higher limits than we have in Pennsylvania and many others are presently considering a statutory increase.

When our original law was enacted in 1945 the present limits of five and ten and one were deemed an adequate and sensibile minimum. Who can argue, however, in view of the substantial increase in the cost of personal injury and property damage claims and costs, that today this is a sensible and adequate minimum.

Prudent automobile owners and operators voluntarily buy increased limits, some as high as $300,000 across the board, but because of the statutory stipulation those required to produce evidence of financial responsibility furnish only the bare minimum for the protection of our general public.

There are about 14,000 financial responsibility and 14,000 assigned risks in Pennsylvania, 95 percent of which today carry only the basic limits of five and ten and one.

Motorists who drive regularly in the contiguous states of New York, Maryland, Delaware and Ohio must have higher limits or run the risk of violating the laws of those states and suffer consequent penalties.

There is a salutory benefit, too, that will be gained. Recently made available to those who carry automobile insurance is the uninsured motorist or the family protection endorsement This coverage today is written on the basis of the statutory limits. Passage of this bill will increase those limits proportionately to every motorist carrying that coverage.

I think this is a long overdue bill in the interests of the people of Pennsylvania. I urge the support of this measure.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Stimmel.

The SPEAKER pro tempore. Will the gentleman from Lehigh, Mr Stimmel, permit himself to be interrogated?

Mr. STIMMEL. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, does this amendment to the law mean that those who are now carrying five and ten and one under the Financial responsibility Act will have to increase their coverage to the new limits?

Mr. STIMMEL. As of the effective date of the act, I assume it would, sir

Mr. READINGER. The gentleman says there are about 14,000 of them?

Mr. STIMMEL. Approximately 14,000.

Mr. READINGER. Is it not a fact that under the Financial Responsibility Act when a person who is carrying no insurance and who is involved in an automobile accident, which is admittedly not his fault, but the fault of the other driver, in case the other driver will not give him a release or will not indicate in some other way that he, the other driver, is at fault and agree to pay, and so forth, the Secretary of Revenue after 60 days is required to suspend that person who is not carrying insurance unless he then furnishes evidence of coverage?

Mr. STIMMEL. At this point I need an attorney.

Frankly, Mr Speaker, I believe the Secretary is empowered to require that, but I do not think he must require it. I think the case the gentleman from Berks talks about is the most infrequent and isolated instance.

I agree it can happen, but I say it is an infrequent and isolated instance. It affects only the man who today, or the day of the accident, or immediately prior thereto, did not carry any insurance.

Mr. READINGER. This bill will not require, will it, any person who is now carrying any insurace to take out insurance unless he comes under the Financial responsibility Act?

Mr. STIMMEL. That is correct.

Mr. READINGER How many persons do you estimate are driving cars or own cars in the state of Pennsylvania who have no insurance at all?

Mr. STIMMEL. Various figures have been given. I do not have figures that I would deem factual. I can only guess from experience and from that which I have heard, and it is generally agreed that it is approximately 10 percent.

Mr. READINGER. Who do not carry any insurance?

Mr. STIMMEL. That is correct

Mr. READINGER. Will the gentleman tell us what is the difference in the premium between the present coverage and the proposed coverage in Lehigh County, for example?

Mr. STIMMEL. The average over the state to double the limits of liability from five and ten and one is about $4.00 and the percent increase is 20 percent. It is about 20 percent and amounts to $4.00.

Might I say for that you get a double increase in your liability from five and ten to ten and twenty Then you go from one thousand property damage to five thousand property damage under the present setup at no additional cost.

Mr. READINGER Would the gentleman care to name any companies that might be in business?

Do I understand that it would cost each insured person about $4.00 a year more to have this additional coverage?

Mr. STIMMEL. No. No. You say the insured person, I am sure you did not mean that. It would cost those who have had their first accident, or involvement, or have been cited for drunken driving, and have to furnish evidence, it would cost them, and only them, this additional 20 percent of the basic cost of liability and property damage insurance. May I say that experience has shown in these 23 states—I do not know how many of them—there has been a disposition on the part of the insurance companies to start their basic policy at ten, twenty and five rather than five, ten and one where this law has been enacted.

I might also say I was rather surprised that I did not receive from the ones from whom I expected it any opposition to this bill whatsoever, which were the companies, because you are giving this opportunity to the public of increasing their property damage from one thousand to five thousand at no cost and, of course, increasing their public liability from five and ten to ten and twenty at a very moderate increase in cost of 20 percent of that base limit.

As I said in my presentation—this is not a sales talk, by the way—it is a fact that presently the companies are writing the uninsured motorist endorsement at the

financial responsibility statutory limits only because that is the way it is set up.

We are going to give the general public right up and down the pike, every one of the insured, a better break if we pass this law.

Mr. READINGER. Mr. Speaker, that was an excellent discourse, but I stil would like an answer to the question I asked. Take an individual in Lehigh County, who is now carrying five, ten and one, and please tell me, if you can, how much he pays for that coverage and how much he would pay after this bill becomes effective?

Mr. STIMMEL. The basic limits in Lehigh County for bodily injury is $14. The percent of increase is 20 percent, so increase in cost to him would be $2.80.

Mr. READINGER. Is that for the entire policy of five, ten and one, as against ten, twenty and five?

Mr. STIMMEL. That is correct.

Mr. READINGER. $2.80 more per year.

Mr. STIMMEL That is correct. The average state-wide would be $4.00 a year more.

Mr. READINGER. What would it be in Philadelphia? Can you tell me that?

Mr. STIMMEL. In Philadelphia the basic rate is $47, the increase would be $9.40.

Mr. READINGER Is that the increase to somebody who is now furnishing evidence of financial responsibility with insurance under the Financial Responsibility Act?

Mr. STIMMEL. No. That is the reason I used the state average, Mr. Speaker, because unless you take an individual case and tell me exactly what that individual is cited for, how much it is loaded, I cannot tell you what it would cost.

If, for instance, the man is arrested only for a minor offense, his loading is very slight. If he is arrested and convicted of drunken driving and then has to file evidence of financial responsibility, he has to pay as high as a 55 percent loading.

Mr. READINGER. So in that case the difference between the two amounts of insurance would be considerable, would it not?

Mr. STIMMEL. Sure, because the fellow who was arrested for dunken driving is paying 55 percent more to furnish evidence now. This increases that 55 percent by 20 percent.

Certain, it does that. That is the fellow who had the bad violation. That is the fellow who, in my humble opinion, should be paying it.

Mr. READINGER. I thank the gentleman.

Miss DUFFY. Mr. Speaker, I would like to volunteer to act as Mr. Stimmel's attorney.

The question which the gentleman from Berks County posed should be answered in the negative. It is not true that an uninsured driver who is involved in an automobile accident has his driver's license suspended or revoked simply because the other driver will not give him a release. He has another alternative. That is this:

The Secretary of Revenue will find out from the injured person what his damages are. He is required to do that. The injured person submits a photostatic copy of his repair bill and an affidavit that the prices are fair and reasonable, he submits an affidavit from the hospital and the doctor regarding the injuries. The Secretary of Revenue determines the amount of the damages involved and then informs the uninsured driver that he is to post security in the amount of these damages within 10 days. It is only if he fails to post security that his license is revoked.

Under the terms of the proposed legislation if the uninsured driver causes damage in exces sof $5,000 and he is unable to post security, only then will his license be revoked.

I think we should all be keenly aware of the great tragedy caused by the motorist who is inadequately insured. The person who loses an arm or a leg cannot be adequately compensated with $5,000. This will not take care of his medical expenses and it will not take care of his loss of earnings. You have to remember, also, that the lawyer takes about one-half of the net.

Furthermore, Mr. Stimmel mentioned another factor which would make this bill beneficial to not only all the people in Pennsylvania but to the drivers as well.

Most of the surrounding states have compulsory limits of ten and twenty. If a Pennsylvania driver is driving in New York, or in Massachusetts, or in any of the nearby states and is involved in an accident, and the damage which he causes is in excess of $5,000 and he is unable to post security for that amount, his license is revoked not only in New York, not only in Massachusetts, but also under the reciprocity act here in Pennsylvania.

The man who has been carrying five and ten can justify a claim that he has been trying to comply with Pennsylvania law and yet Pennsylvania has revoked his license. I think we should protect that person and make sure he knows he should carry ten and twenty, at least.

I ask all Members of the House to support this. I think it is a step in the right direction.

Mr. SCHWARTZ. Mr. Speaker, the object of this bill is a good one, but the trouble is that it just does not go far enough. If this bill were a compulsory insurance bill requiring everybody in the Commonwealth who owns an automobile to carry ten and twenty and five thousand property damage, I would say, "Hooray, it's a wonderful bill. I'm for that. But this does not do that at all. This takes the man who got involved in an accident—as Mr. Readinger pointed out, possibly it is not his fault at all—and because he did not have insurance he gets brought up under the Financial Responsibility Law.

Then this law says that he has to carry ten and twenty and five thousand property damage. There are about 14,000 involved. All the other motorists in the state of Pennsylvania who have automobiles do not have to carry ten and twenty and five, they can carry, five, ten and one. Under those circumstances it certainly seems very, very unfair. I say Mr. Stimmel ought to come in here with a bill making everybody carry insurance, making it compulsory that they carry ten and twenty and five. I will gladly vote for such a bill.

Another thing this bill would do would be to penalize the minority groups throughout the Commonwealth of Pennsylvania because under the Financial Responsibility Law it is difficult for certain members of our population to get insurance today. They have to go into the assigned risk class. It is going to be doubly hard if they have to get limits of ten and twenty and five.

Mr. READINGER. Mr. Speaker, I desire to say amen to what the gentleman from Philadelphia has just said. This business of having three classes of people in Penn-

sylvania, some without any insurance, some with five and ten and some with ten and twenty, certainly does not strike me as being the proper way to do this.

All the way through this debate we seem to be assuming that everybody that is under that Financial Responsibility Act is a critter, somebody who ought to be put in jail or punished in some other way. That is not the case. Lots of people over the years have found themselves unable to carry insurance, or at least they decided they did not need insurance, and they were driving and got into an accident when they had no insurance.

People do not get into accidents because they want to get into them. I dare say, 99.75 percent want to stay out of them. So we are going to place them all in the same category and say, you have been in an accident at a time when you were not carrying insurance, so from now on you are going to carry more insurance than thousands and thousands of other people in this state of Pennsylvania, some of whom carry five and ten and some of whom carry none.

I think the day is not far off when we will have a plan—and the administration is now proposing one, the bill will probably be in in the next few days—where everybody will be required to carry some amount of insurance. That, to me, is the right way to approach it, not to treat this group of 14,000 people as though they are people who should be disregarded in many respects and told, since you were in an accident, you are now going to do so and so.

I am going to vote against this bill for these reasons, and for these reasons only, not because I personally would not like to see everybody carrying ten and twenty, but because this is not the fair way to approach it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—140

Adams,	Eshleman,	Lee, A. M.,	Pursley,
Agnew,	Ewing,	Lee, K. B.,	Ragot,
Andrews,	Fetterolf,	Light,	Rigby,
Ashton,	Flynn,	Lippincott,	Royer,
Auker,	Foster,	Lovett,	Seltzer,
Barton,	Fox,	Magee,	Shields,
Bell,	Gailey,	Mahan,	Snare,
Blair,	Gelfand,	Markley,	Snider,
Boies,	Gibb,	Marsh,	Spray,
Bower,	Gibson,	McCann,	Steckel,
Bowman,	Goldstein,	McInroy,	Stevens,
Brand,	Goodrich,	Merry,	Stimmel,
Breisch,	Gramlich,	Mikula,	Stoner,
Brenninger,	Gross,	Miller, B. Z.,	Strausser,
Breon,	Hamilton,	Miller, H. G.,	Stroup,
Brown,	Haudenshield,	Miller, W. H.,	Thompson,
Brucker,	Heffner,	Moody,	Toll,
Buchanan,	Henzel,	Moscrip,	Tompkins,
Capano,	Hocker,	Moyer,	Ujobai,
Carson,	Horst,	Muldowney,	Varallo,
Cioffi,	Ide,	Mullen,	Varner,
Cleveland,	Isaacs,	Munley,	Vaughan,
Cooper,	Jenkins,	Murphy,	Wall,
Cummins,	Jim,	Murray, H. P.,	Wargo,
Dalrymple,	Johnson,	Murray, P. G.,	Wescott,
Davis,	Jones, T. H. W.,	Naugle,	Wheeler,
DeLong,	Jump,	O'Dell,	Whittaker,
Dennison,	Kamyk,	Ogilvie,	Willaredt,
Devlin,	Kehler,	Parry,	Wilt,
Dietterick,	Kernaghan,	Phillips,	Wood,
Donahue,	Knecht,	Piper,	Worley,
Donaldson,	Kooker,	Polaski,	Wyatt,
Down,	Kornick,	Pomeroy,	Wynd,
Duffy,	Korns,	Post,	Zimmerman,
Erb,	Lafore,	Price,	Helm, Speaker

NAYS—47

Amarando,	Farabaugh,	Lutty,	Rudisill,
Anderson, M. S.,	Filo,	McGee,	Scarcelli,
Anderson, S. A.,	Fineman,	McKeever,	Schwartz,
Boory,	Floyd,	McLaughlin,	Stuart,
Brennan,	Goodling,	Musto,	Taylor,
Bucchin,	Holt,	O'Brien,	Trusio,
Cianfrani,	Johnston,	Pashley,	Verona,
Curwood,	Jones, G. E.,	Petrosky,	Walsh,
Dougherty,	Krakow,	Readinger,	Welsh,
Dunn,	Leonard,	Reidenbach,	Williams,
Edwards,	Limper,	Renwick,	Yatron,
Eilberg,	Lopresti,	Rovansek,	

NOT VOTING—22

Breth,	Guthrie,	Mihm,	Silverman,
Comer,	Heavey,	Mills,	Smith,
Dengler,	Keller,	Monroe,	Stone,
Frascella,	Maxwell,	Schuster,	Weidner,
Garlock,	McCormack,	Sherman,	Willard,
George,	Metz,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (W. Stuart Helm) IN THE CHAIR.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 753, entitled as follows:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) prescribing method for codification of ordinances.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Fineman,	Mahan,	Scarcelli,
Ashton,	Floyd,	Markley,	Schuster,
Auker,	Flynn,	Marsh,	Seltzer,
Barton,	Foster,	Maxwell,	Sherman,
Bell,	Gailey,	McCann,	Shields,
Blair,	Garlock,	McCormack,	Smith,
Boies,	Gelfand,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman,	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Hamilton,	Miller, H. G.,	Strausser,
Breth,	Haudenshield,	Miller, W. H.,	Stroup,
Brown,	Heavey,	Mills,	Stuart,
Brucker,	Heffner,	Monroe,	Taylor,
Bucchin,	Henzel,	Moody,	Thompson,
Buchanan,	Hocker,	Moscrip,	Toll,
Capano,	Holt,	Moyer,	Tompkins,
Carson,	Horst,	Muldowney,	Trusio,
Cianfrani,	Ide,	Mullen,	Ujobai,
Cioffi,	Isaacs,	Munley,	Varallo,
Cleveland,	Jenkins,	Murphy,	Varner,
Comer,	Jim,	Murray, H. P.,	Vaughan,
Cooper,	Johnson,	Murray, P. G.,	Verona,
Cummins,	Johnston,	Musto,	Wall,
Curwood,	Jones, G. E.,	Naugle,	Walsh,
Dalrymple,	Jones, T. H. W.,	O'Brien,	Wargo,
Davis,	Jump,	O'Dell,	Welsh,
DeLong,	Kamyk,	Ogilvie,	Wescott,

Dengler,	Kehler,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,
Dietterick,	Kooker,	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—10

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 758, entitled as follows:

An Act amending the act of July 12, 1913 (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers * * * and providing for the expenses thereof" enlarging the jurisdiction of the municipal court.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Fineman,	Mahan,	Scarcelli,
Ashton,	Floyd,	Markley,	Schuster,
Auker,	Flynn,	Marsh,	Seltzer,
Barton,	Foster,	Maxwell,	Sherman,
Bell,	Gailey,	McCann,	Shields,
Blair,	Garlock,	McCormack,	Smith,
Boles,	Gelfand,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman,	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Hamilton,	Miller, H. G.,	Strausser,
Breth,	Haudenshield,	Miller, W. H.,	Stroup,
Brown,	Heavey,	Mills,	Stuart,
Brucker,	Heffner,	Monroe,	Taylor,
Bucchin,	Henzel,	Moody,	Thompson,
Buchanan,	Hocker,	Moscrip,	Toll,
Capano,	Holt,	Moyer,	Tompkins,
Carson,	Horst,	Muldowney,	Trusio,
Cianfrani,	Ide,	Mullen,	Ujobai,
Cioffi,	Isaacs,	Munley,	Varallo,
Cleveland,	Jenkins,	Murphy,	Varner,
Comer,	Jim,	Murray, H. P.,	Vaughan,
Cooper,	Johnson,	Murray, P. G.,	Verona,
Cummins,	Johnston,	Musto,	Wall,
Curwood,	Jones, G. E.,	Naugle,	Walsh,
Dalrymple,	Jones, T. H. W.,	O'Brien,	Wargo,
Davis,	Jump,	O'Dell,	Welsh,
DeLong,	Kamyk,	Ogilvie,	Wescott,
Dengler,	Kehler,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,
Dietterick,	Kooker,	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—10

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 847, entitled as follows:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) prohibiting pupils from wearing shoes equipped with metal cleats while playing football.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Fineman,	Mahan,	Scarcelli,
Ashton,	Floyd,	Markley,	Schuster,
Auker,	Flynn,	Marsh,	Seltzer,
Barton,	Foster,	Maxwell,	Sherman,
Bell,	Gailey,	McCann,	Shields,
Blair,	Garlock,	McCormack,	Smith,
Boles,	Gelfand,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman,	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Hamilton,	Miller, H. G.,	Strausser,
Breth,	Haudenshield,	Miller, W. H.,	Stroup,
Brown,	Heavey,	Mills,	Stuart,
Brucker,	Heffner,	Monroe,	Taylor,
Bucchin,	Henzel,	Moody,	Thompson,
Buchanan,	Hocker,	Moscrip,	Toll,
Capano,	Holt,	Moyer,	Tompkins,
Carson,	Horst,	Muldowney,	Trusio,
Cianfrani,	Ide,	Mullen,	Ujobai,
Cioffi,	Isaacs,	Munley,	Varallo,
Cleveland,	Jenkins,	Murphy,	Varner,
Comer,	Jim,	Murray, H. P.,	Vaughan,
Cooper,	Johnson,	Murray, P. G.,	Verona,
Cummins,	Johnston,	Musto,	Wall,
Curwood,	Jones, G. E.,	Naugle,	Walsh,
Dalrymple,	Jones, T. H. W.,	O'Brien,	Wargo,
Davis,	Jump,	O'Dell,	Welsh,
DeLong,	Kamyk,	Ogilvie,	Wescott,
Dengler,	Kehler,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,

Dietterick,	Kooker,	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—10

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 852, Printer's No. 247

was passed over at the request of Mr. GIBSON.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 893, entitled as follows:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class * * *" further regulating payments to certain beneficiaries under the fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Fineman,	Mahan,	Scarcelli,
Ashton,	Floyd,	Markley,	Schuster,
Auker,	Flynn,	Marsh,	Seltzer,
Barton,	Foster,	Maxwell,	Sherman,
Bell,	Gailey,	McCann,	Shields,
Blair,	Garlock,	McCormack,	Smith,
Boles,	Gelfand,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman,	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Hamilton,	Miller, H. G.,	Strausser,
Breth,	Haudenshield,	Miller, W. H.,	Stroup,
Brown,	Heavey,	Mills,	Stuart,
Brucker,	Heffner,	Monroe,	Taylor,
Bucchin,	Henzel,	Moody,	Thompson,
Buchanan,	Hocker,	Moscrip,	Toll,
Capano,	Holt,	Moyer,	Tompkins,
Carson,	Horst,	Muldowney,	Trusio,
Cianfrani,	Ide,	Mullen,	Ujobai,
Cioffi,	Isaacs,	Munley,	Varallo,
Cleveland,	Jenkins,	Murphy,	Varner,
Comer,	Jim,	Murray, H. P.,	Vaughan,
Cooper,	Johnson,	Murray, P. G.,	Verona,
Cummins,	Johnston,	Musto,	Wall,
Curwood,	Jones, G. E.,	Naugle,	Walsh,
Dalrymple,	Jones, T. H. W.,	O'Brien,	Wargo,
Davis,	Jump,	O'Dell,	Welsh,
DeLong,	Kamyk,	Ogilvie,	Wescott,
Dengler,	Kehler,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,
Dietterick,	Kooker,	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—10

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 894, entitled as follows:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) changing the amount of payments to certain beneficiaries.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Farabaugh,	Lovett,	Rovansek,
Anderson, M. S.,	Fetterolf,	Lutty,	Royer,
Anderson, S. A.,	Filo,	Magee,	Rudisill,
Andrews,	Fineman,	Mahan,	Scarcelli,
Ashton,	Floyd,	Markley,	Schuster,
Auker,	Flynn,	Marsh,	Seltzer,
Barton,	Foster,	Maxwell,	Sherman,
Bell,	Gailey,	McCann,	Shields,
Blair,	Garlock,	McCormack,	Smith,
Boles,	Gelfand,	McGee,	Snare,
Boory,	Gibb,	McInroy,	Snider,
Bower,	Gibson,	McKeever,	Spray,
Bowman,	Goldstein,	McLaughlin,	Steckel,
Brand,	Goodling,	Merry,	Stevens,
Breisch,	Goodrich,	Metz,	Stimmel,
Brennan,	Gramlich,	Mikula,	Stone,
Brenninger,	Gross,	Miller, B. Z.,	Stoner,
Breon,	Hamilton,	Miller, H. G.,	Strausser,
Breth,	Haudenshield,	Miller, W. H.,	Stroup,
Brown,	Heavey,	Mills,	Stuart,
Brucker,	Heffner,	Monroe,	Taylor,
Bucchin,	Henzel,	Moody,	Thompson,
Buchanan,	Hocker,	Moscrip,	Toll,
Capano,	Holt,	Moyer,	Tompkins,
Carson,	Horst,	Muldowney,	Trusio,
Cianfrani,	Ide,	Mullen,	Ujobai,
Cioffi,	Isaacs,	Munley,	Varallo,
Cleveland,	Jenkins,	Murphy,	Varner,
Comer,	Jim,	Murray, H. P.,	Vaughan,
Cooper,	Johnson,	Murray, P. G.,	Verona,
Cummins,	Johnston,	Musto,	Wall,
Curwood,	Jones, G. E.,	Naugle,	Walsh,
Dalrymple,	Jones, T. H. W.,	O'Brien,	Wargo,

Davis,	Jump,	O'Dell,	Welsh,
DeLong,	Kamyk,	Ogilvie,	Wescott,
Dengler,	Kehler,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,
Dietterick,	Kooker,	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,	Lippincott,	Renwick,	Speaker

NAYS—0

NOT VOTING—10

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,	Keller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 904, entitled as follows:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing administrative tasks functions or duties required to be performed on Saturdays in certain offices to be performed on Mondays regulating the number of employes to be maintained for such purposes

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. Pursuant to a parliamentary question having been raised as to whether House Bill 904 violated Rule 49 of the House, the Chair is in receipt of a letter from the Legislative Reference Bureau which the Chair will read. The gentleman from Allegheny, Mr. Goldstein, raised the parliamentary question.

Dear Mr. Helm:

House Rule No. 49 provides that when a bill has been defeated by the House, it shall not be reintroduced, nor shall it be in order to consider a similar one or act on a Senate bill of like import during the same session.

House Bill 97 was defeated by the House on March 27, 1957.

House Bill 904 was introduced in the House March 19, 1957, and is still in committee.

The question arises—is House Bill 904 similar to the defeated House Bill 97?

House Bill 97 authorizes certain county offices in counties of the second class to be closed on Saturday for the transaction of business. It prescribes the effect of such closure on legal papers supposed to be filed on that day, and makes any acts or transactions required to be performed in any of the offices on Saturday valid if performed or transacted on the next succeeding business day. This bill was the one that was defeated.

House Bill 904 applies to the same offices in the same counties as House Bill No. 97. The bill does not say that the offices may be closed on Saturday but says any administrative function, tasks or duties required to be performed on Saturday shall be valid if performed on the next succeeding business day. It then provides that the respective officers shall maintain sufficient number of employes during such hours (presumably on Saturday) as shall be adequate in order to comply with this section. This bill seems to authorize and require a skeleton force in each office on Saturday.

In my opinion, House Bill 904 is not similar to the defeated House Bill 97, but does require amendment in order to make its intentions clear.

Sincerely yours,

Burt R. Glidden, Director.

Mr. GOLDSTEIN. Mr. Speaker, for the edification of the Members of the House, will the Speaker read the last sentence of the opinion?

The SPEAKER. The last sentence on the opinion is:

"In my opinion, House Bill 904 is not similar to the defeated House Bill 97, but does require amendment in order to make its intentions clear."

For the information of the gentleman, the bill was amended.

Mr. GOLDSTEIN. Mr. Speaker, we have an old saying that a difference of opinion makes lawsuits, and I respectfully disagree with the Legislative Reference Bureau because the purpose of this bill is identical in nature.

We debated this issue at great length and the bill as proposed originally by the sponsors was soundly defeated. This bill provides for a skeleton crew, it provides for opening the offices to the general public giving the prothonotary and recorder of deeds discretionary powers. In my opinion, the skeleton crew will disappear and also the skeleton, if we pass this bill.

We are doing something indirectly which in our sound judgment we said before was improper. The same arguments that I raised before I say are still valid.

I do not want to belabor the Members of the House on this particular issue. I predict if this bill is passed and becomes law that in Allegheny County the recorder of deeds and prothonotary's office will be a "Grand Canyon" on Saturday mornings.

Mr. VAUGHAN. Mr. Speaker, I rise to make just a brief statement on this particular bill.

This particular bill takes no rights away from anybody. The offices will be open and the people can go in there and do what they wish. I do ask the whole House to vote in favor of this bill.

Mr. McCORMACK. Mr.Speaker, I would like to ask who asked the Director of the Legislative Reference Bureau to give an opinion as to the similarity of the bills?

The SPEAKER. That is the procedure which has been followed in this House over the years, and the Chair requested such an opinion.

Mr. McCORMACK. Mr. Speaker, I thought Mr. Goldstein had asked for the opinion, and then I thought he was disagreeing with his expert.

The SPEAKER. The gentleman from Allegheny, Mr. Goldstein, raised the question on the floor of the House.

Mr. GOLDSTEIN. Mr. Speaker, will the gentleman from Allegheny, Mr. Vaughan, consent to be interrogated?

The SPEAKER. Will the gentleman from Allegheny, Mr. Vaughan, permit himself to be interrogated?

Mr. VAUGHAN. I shall, Mr. Speaker.

Mr. GOLDSTEIN. Mr. Speaker, we consider the gentleman an expert witness. Will the gentleman point out any portion of this bill which makes it mandatory for the prothonotary or recorder of deeds to perform any functions?

Mr. VAUGHAN, Yes, if the gentleman will read the bill, he will find out that it makes it mandatory for somebody to be there. You will find that in the bill.

Mr. GOLDSTEIN. I have read the bill. Will the gentleman point out to the Members of the House the section that says it is mandatory?

Mr. VAUGHAN. I have not read the bill today, I do not know. As far as I am concerned, the bill does make it mandatory that the office be open on Saturday and that they take care of the duties which are to be performed there.

Mr. GOLDSTEIN. I do not want to belabor my good friend, Mr. Vaughan, from Allegheny County. Thank you, Mr. Vaughan.

Mr. Speaker, my opinion is, and I can be wrong, as all so-called experts are. Since I used the word "experts," I had better give you a definition of what the Supreme Court has said about experts: "Experts are considered the lowest form of testimony."

I wish to say that is my opinion there is no duty upon the recorder or the prothonotary to perform certain functions. Discretionary power is given to these officials, and the prediction I made before is that the public will not be served as it is entitled to be.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—123

Agnew,	Edwards,	Maxwell,	Rovansek,
Amarando,	Eilberg,	McCann,	Scarcelli,
Anderson, M. S.,	Farabaugh,	McGee,	Schuster,
Anderson, S. A.,	Filo,	McKeever,	Schwartz,
Andrews,	Fineman,	McLaughlin,	Shields,
Bell,	Fox,	Merry,	Snider,
Boies,	Gailey,	Metz,	Spray,
Boory,	Gelfand,	Mikula,	Steckel,
Bower,	Gibson,	Miller, B. Z.,	Stevens,
Bowman,	Goodling,	Miller, H. G.,	Stimmel,
Brand,	Goodrich,	Miller, W. H.,	Stuart,
Brenninger,	Gross,	Monroe,	Taylor,
Breon,	Heffner,	Moody,	Toll,
Breth,	Henzel,	Muldowney,	Trusio,
Brucker,	Holt,	Mullen,	Varallo,
Buchanan,	Isaacs,	Murphy,	Varner,
Carson,	Jim,	Murray, H. P.,	Vaughan,
Cianfrani,	Johnston,	Musto,	Verona,
Comer,	Jones, G. E.,	O'Brien,	Wall,
Cummins,	Jump,	Parry,	Walsh,
Dalrymple,	Kamyk,	Pashley,	Wargo,
DeLong,	Kehler,	Petrosky,	Welsh,
Dennison,	Kornick,	Piper,	Willaredt,
Devlin,	Korns,	Polaski,	Williams,
Dietterick,	Lee, K. B.,	Pomeroy,	Wilt,
Donahue,	Leonard,	Post,	Worley,
Donaldson,	Limper,	Price,	Wyatt,
Dougherty,	Lopresti,	Pursley,	Wynd,
Down,	Lutty,	Readinger,	Yatron,
Duffy,	Mahan,	Reidenbach,	Helm,
Dunn,	Markley,	Rigby,	Speaker

NAYS—64

Adams,	Ewing,	Krakow,	Renwick,
Ashton,	Fetterolf,	Lafore,	Royer,
Auker,	Flynn,	Lee, A. M.,	Rudisill,
Barton,	Foster,	Light,	Seltzer,
Blair,	Garlock,	Lovett,	Snare,
Brennan,	Gibb,	Magee,	Stoner,
Brown,	Goldstein,	Marsh,	Strausser,
Bucchin,	Gramlich,	McInroy,	Stroup,
Capano,	Hamilton,	Moscrip,	Thompson,
Cioffi,	Haudenshield,	Moyer,	Tompkins,
Cleveland,	Hocker,	Murray, P. G.,	Ujobai,
Cooper,	Horst,	Naugle,	Wheeler,
Curwood,	Keller,	O'Dell,	Whittaker,
Davis,	Kernaghan,	Ogilvie,	Willard,
Erb,	Knecht,	Phillips,	Wood,
Eshleman,	Kooker,	Ragot,	Zimmerman,

NOT VOTING—22

Breisch,	Heavey,	McCormack,	Silverman,
Dengler,	Ide,	Mihm,	Smith,
Floyd,	Jenkins,	Mills,	Stone,
Frascella,	Johnson,	Munley,	Weidner,
George,	Jones, T. H. W.,	Sherman,	Wescott,
Guthrie,	Lippincott,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 907, entitled as follows:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities * * *" increasing the amount of pensions and increasing the minimum and maximum amount of pensions in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adams,	Ewing,	Lopresti,	Rigby,
Amarando,	Fetterolf,	Lovett,	Rovansek,
Anderson, M. S.,	Filo,	Lutty,	Royer,
Anderson, S. A.,	Fineman,	Magee,	Rudisill,
Andrews,	Floyd,	Mahan,	Scarcelli,
Ashton,	Flynn,	Markley,	Schuster,
Auker,	Foster,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Smith,
Boies,	Gibb,	McGee,	Snare,
Boory,	Gibson,	McInroy,	Snider,
Bower,	Goldstein,	McKeever,	Spray,
Bowman,	Goodling,	McLaughlin,	Steckel,
Brand,	Goodrich,	Merry,	Stevens,
Breisch,	Gramlich,	Metz,	Stimmel,
Brennan,	Gross,	Mikula,	Stone,
Brenninger,	Hamilton,	Miller, B. Z.,	Stoner,
Breon,	Haudenshield,	Miller, H. G.,	Strausser,
Breth,	Heavey,	Miller, W. H.,	Stroup,
Brown,	Heffner,	Mills,	Stuart,
Brucker,	Henzel,	Monroe,	Taylor,
Bucchin,	Hocker,	Moody,	Thompson,
Buchanan,	Holt,	Moscrip,	Toll,
Capano,	Horst,	Moyer,	Tompkins,
Carson,	Ide,	Muldowney,	Trusio,
Cianfrani,	Isaacs,	Mullen,	Ujobai,
Cioffi,	Jenkins,	Munley,	Varallo,
Cleveland,	Jim,	Murphy,	Varner,
Comer,	Johnson,	Murray, H. P.,	Vaughan,
Cooper,	Johnston,	Murray, P. G.,	Verona,
Cummins,	Jones, G. E.,	Musto,	Wall,
Curwood,	Jones, T. H. W.,	Naugle,	Walsh,
Dalrymple,	Jump,	O'Brien,	Wargo,
Davis,	Kamyk,	O'Dell,	Welsh,
DeLong,	Kehler,	Ogilvie,	Wescott,

Dengler,	Keller,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,
Dietterick,	Kooker	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Farabaugh,	Limper,	Reidenbach,	Helm,
Erb,	Lippincott,	Renwick,	Speaker
Eshleman,			

NAYS—0

NOT VOTING—9

Agnew,	George,	Mihm,	Silverman,
Fox,	Guthrie,	Schwartz,	Weidner,
Frascella,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No 222, entitled as follows:

An Act amending the act of March 7, 1901 (P. L. 20) entitled "An act for the government of cities of the second class" authorizing salaries of city officials and employes who are not elected to be increased or diminished during their terms of office.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Adams,	Ewing,	Lippincott,	Renwick,
Agnew,	Farabaugh,	Lopresti,	Rigby,
Amarando,	Fetterolf,	Lovett,	Rovansek,
Anderson, M. S.,	Filo,	Lutty,	Royer,
Anderson, S. A.,	Fineman,	Magee,	Rudisill,
Andrews,	Floyd,	Mahan,	Scarcelli,
Ashton,	Flynn,	Markley,	Schuster,
Auker,	Foster,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Smith,
Boles,	Gibb,	McGee,	Snare,
Boory,	Gibson,	McInroy,	Snider,
Bower,	Goldstein,	McKeever,	Spray,
Bowman,	Goodling,	McLaughlin,	Steckel,
Brand,	Goodrich,	Merry,	Stevens,
Breisch,	Gramlich,	Metz,	Stimmel,
Brennan,	Gross,	Mikula,	Stone,
Brenninger,	Hamilton,	Miller, B. Z.,	Stoner,
Breon,	Haudenshield,	Miller, H. G.,	Strausser,
Breth,	Heavey,	Miller, W. H.,	Stroup,
Brown,	Heffner,	Mills,	Stuart,
Brucker,	Henzel,	Monroe,	Taylor,
Bucchin,	Hocker,	Moody,	Thompson,
Buchanan,	Holt,	Moscrip,	Toll,
Capano,	Horst,	Moyer,	Tompkins,
Carson,	Ide,	Muldowney,	Trusio,
Cianfrani,	Isaacs,	Mullen,	Ujobai,
Cioffi,	Jenkins,	Munley,	Varallo,
Cleveland,	Jim,	Murphy,	Varner,
Comer,	Johnson,	Murray, H. P.,	Vaughan,
Cooper,	Johnston,	Murray, P. G.,	Verona,
Cummins,	Jones, G. E.,	Musto,	Wall,
Curwood,	Jones, T. H. W.,	Naugle,	Walsh,
Dalrymple,	Jump,	O'Brien,	Wargo,
Davis,	Kamyk,	O'Dell,	Welsh,
DeLong,	Kehler,	Ogilvie,	Wescott,

Dengler,	Keller,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,
Dietterick,	Kooker,	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,			Speaker

NAYS—0.

NOT VOTING—8.

Fox,	George,	Mihm,	Silverman,
Frascella,	Guthrie,	Schwartz,	Weidner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

House Bill No. 395, Printer's No. 171,

was passed over at the request of the SPEAKER.

HOUSE RESOLUTION No. 75

Mr. TOMPKINS. Mr. Speaker, I call up on page 7 of today's calendar, House Resolution No. 75.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 1, 1957.

Resolved (the Senate concurring) That the second Resolved Clause of House Resolution No. 1, Printer's No. 8 Session of 1957 is amended to read:

Resolved That said joint committee shall make its report to the respective branches of the General Assembly within a period not to exceed [sixty] ninety days

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. FLYNN ask and obtained unanimous consent to address the House

Mr. Speaker, I wish you would bear with me while I present to you a case which in my own personal humble opinion I think was a very unjust decision on the part of some of the men in our administrative offices in the state of Pennsylvania.

On March 28, 1957, the Highway Engineer of District 12-4, which comprises Washington, Greene, Fayette and Westmoreland Counties, dismissed the Superintendent of Highways of Washington County on the basis of an article appearing in the Pittsburgh Sun-Telegraph.

At this time I would like to read into the record that article and then the truth that appears upon the records the the Highway Department of Washington County, and I invite any and all probers to inspect its accuracy.

This article of March 27th, is under a heading by Arthur T. Moore. The title of the article is: "$100,000 Down Creek—Little Bridge, Big Thunder."

Highways department blunders on the Route 40

bridge in Claysville, Washington County, cost state taxpayers nearly $100,000.

The historic arch span over Big Buffalo Creek collapsed on March 14 last year.

It had been built in 1818 at a cost of $1,200 It is a vital link on Route 40 between Washington, Pa. and Wheeling.

Joseph Abate, as superintendent of highways in Washington County was ordered to start constructing a temporary bridge.

This order was given Abate although he was a recent political appointee and knew nothing about bridge building.

No contracts were let for repair work. It was decided to do the "small" job with the highway maintenance force.

The idea was to use the old abutments and place 39 tons of steel on them. Work progressed slowly until the end of May, when the old abutments started to crumble.

An SOS was sent to Harrisburg, and Leo Porter was called into the act. He's a bridge engineer

He told Abate that a bulldozer would have to be taken to the work and a new bridge erected. That was on May 28.

It was announced that a $40,000 structure to replace the old bridge would be built and ready for traffic within six to eight weeks.

Sixteen weeks later a small pre-cast concrete bridge finally was completed over Buffalo Creek.

Washington area businessmen charged that highway officials "masterminded the worst road bungling job in Pennsylvania."

* * *

This is a disgrace to the public. It's the worst bungled highway job ever.

Ladies and gentlemen, I have in my possession a letter dated March 19th wherein Mr. Abate called the attention of the District Engineer to the inadequate temporary route.

I would like to read this into the record. This letter is addressed to Mr. N. G. Bell, District 12, and is from Joseph Abate, Superintendent, District 12-4.

Due to the partial collapse of a multiple arch structure on March 14, 1956 located on Legislative Route 114 (T. R. 40) it became necessary to close Legislative Route 114 (T. R. 40) to all traffic and establish temporary routes.

We thought it advisable to channel the light vehicular traffic over our Legislative Route 62132, and 62135 South of T. R. 40 in order to avoid congestion on the routes over which we were forced to direct the heavy truck traffic.

We established the heavy truck traffice temporary route over our Legislative Routes 62183, 62096 and 62108 "—those are Traffic Route 40." These routes are not only wider but are constructed to withstand the heavier loads with less resultant damage and we have no questionable structures or clearance problems to combat.

While this temporary route is the most logical, it is by no means adequate to carry the normal volume of traffic that uses Route 40 both east and west bound. There are many bad curves and grades and we anticipate extreme difficulty in its use by the heavy trucks, trailers, tandems, etc.

We, therefore, recommend that you exercise your jurisdiction or authority and request or demand that all heavy east bound traffic be diverted in Wheeling from Route 40 to Route 31, via Wellsburg. We also suggest that we be permitted to channel all such heavy west bound traffic here in Washington from Route 40 to Route 31. We are of the opinion that if this is done, the temporary routes as presently established will function satisfactorily and with little ill effect on our secondary system.

Mr. Speaker, I also have in my possession a letter dated May 22, 1956, advising the District Engineer against the pouring of concrete. I would like to read this into the record.

It is directed to N. G. Bell, District 12, from Joseph Abate, Superintendent, District 12-4.

In order that the Department Forces of District 12-4 are cleared of any undesirable publicity because of the catastrophe created at the Bridge on U. S. Route 40, I am sending you this letter so that there will be a permanent record of our position and the action which our department has taken since the beginning of this project.

Upon collapse of this bridge, it was recommended by this office that a Bailey Bridge be installed. Because of the unavailability of that type of bridge, the idea was abandoned.

It was suggested by the Bridge Engineer, Mr. Nicksick, to build a temporary structure by placing a stone abutment at the astern end, and to pour a concrete abutment in the center pier. Upon excavating, it was discovered that an inefficient amount of base was left to pour the center pier. At that time I brought this to the attention of Mr. Nicksick and also I recommended that it not be poured. However, the advice was not taken and the abutment was poured causing breaks in the remaining arches on either side. This office took the position and again recommended to the bridge engineer that since the structure was not strong enough to hold the steel beams, that we knock down the eastern arch. This was brought about with the thought in mind that one or two things could happen; that the abutment would remain in place and that we could reinforce it to carry the load or that the abutment would collapse and we could pour a new one. This advice was not taken by the bridge engineer either.

This letter is written because it is now apparent that because of the failure of the structure of the bridge on Route 40, it is convenient for the bridge engineer and the people to blame the Department Forces of District 12-4 for all undesirable and bad publicity given to the department.

In order that we may protect the morale and the integrity of District 12-4, I suggest that you send a copy of this letter to the Secretary of Highways and to Mr. Porter, Bridge Engineer.

I also have in my possession a letter dated July 6, 1956, pleading with the District Engineer to allow the Superintendent to exercise his rights in keeping down the cost of construction.

This letter addressed to N. G. Bell, District 12, from Joseph Abate, Superintendent, District 12-4.

Upon reviewing charges to Authorization 2562149 operation 135, I find it has cost the Department $17,214.52 to construct the by-pass.

Up to date, I have had very little or nothing at all to say about the work schedule, hiring of

rented equipment, or the number of personnel to be used.

Since I will probably be called upon in the near future to explain the enormous cost of construction of a four hundred (400) foot by-pass, I think that I should be given the right to exercise the protocol of the Superintendent to direct work and to try to bring down the mounting cost of this operation.

I feel that the work has progressed enough now that it will not be necessary to hire rented equipment except when there is work for them to perform. I cannot see the necessity of three construction sections working and would like to relieve two of them for work throughout the county and increase Mr. Lang's section from five to nine and place him completely in charge of constructing the bridge and maintaing the by-pass.

I feel that with strict supervision and planning the remainder of work on this authorization can be completed without delay and staggering cost.

Mr. Speaker and ladies and gentleman of the House, for 25 months Mr. Abate was knocked from pillar to post by politicians in Washington County who had no consideration for the people of the county itself, their main concern being their own selfish interests and their greed and lust for political power.

On March 30th I sent a letter to Mr. Joseph Lawler, Secretary of Highways, and as of this date I have not received a reply from his office.

I would like to have this spread upon the record, Mr. Speaker. It is addressed to the Honorable Joseph Lawler, Secretary of Highways, and I quote:

I was astounded to learn that Mr. Joseph Abate, Superintendent of Highways, District 12-4, was called into the District Office at Uniontown on the morning of March 29, 1957, and was asked to resign or be dismissed effective as of five o'clock on the above mentioned date.

The basis for this request was a newspaper article appearing in the Pittsburgh Sun Telegraph under date of March 27, 1957, relative to the repair and construction of a bridge spanning Route 40.

Mr. Abate refused to resign on that basis and therefore was dismissed by Mr. Bell, District Engineer.

Perhaps you do not have at your immediate disposal the commnications and records pertaining to the actual construction of said bridge. Therefore I am enclosing herewith official copies of letters sent to Mr. Bell from Mr. Abate.

It would seem to me that under the circumstances a certain group of unscrupulous politicians have demanded their pound of flesh and quite advantageously received it. Therefore I have taken the position that I intend to vindicate the good name of Joseph Abate, former Superintendent of Highways, Washington County.

I shall read into the record of the Commonwealth of Pennsylvania the truth as taken from the files of the Washington County Department of Highways in Washington, Pennsylvania.

First the actual cost of the bridge and letters dating back to May 22, 1956 written by Joseph Abate to District Engineer, Mr. N. G. Bell, calling to his attention the danger of pouring abutments on old construction and advising him against such practice, which he failed to take that later caused a failure in construction. Then again on July 6, 1956 a letter to Mr. N. G. Bell pleading with him to allow the Superintendent to exercise his prerogative to control the enormous expenditures on this project, but he again ignored the appeal of the Superintendent.

I shall also read into the record the actual cost of this construction as appears on the ledger in the office of the Superintendent of Washington County. I invite any auditor that you or any other person in the Commonwealth might choose to inspect the accuracy of this record.

Mr. Secretary, I regret that I have to revert to such action to vindicate the name of any person that has been so loyal to the Commonwealth as Mr. Abate. I do this without any prejudice to any member of this administration.

Respectively yours,

Michael R. Flynn, Representative of Washington County

Mr. Speaker, I would like also to read into the record another editorial which appeared in the Washingtn Observer, that is a local Washington County paper, dated April 1, 1957.

For the information of the Members of the House, if you will bear with me, the people in Washington County know that something is amiss. After reading this editorial I think you will agree with me that it is not a question of the capability of Mr. Abate or whether the supervision of the Highway Department was done accurately, it is a question, as I have said before, of a group of unscrupulous politicians.

I quote these words in the Washington Observer, dated April 1st:

Joseph Abate, county superintendent for the Pennsylvania Department of Highways, could become the bone for a lot of quarrels as a result of his loss of his job. He was fired Friday by District Engineer N. G. Bell, of the Uniontown District Office.

First reports of his discharge indicated that the immediate reason was the manner of handling the replacement of the washed-out bridge on Route 40 at Sunset Beach last year.

It will be remembered that an attempt was made to place a temporary bridge at the Sunset Beach site, perching it on top of piers set on the bases of the old stone arches. That was a miserable failure, and finally State engineers ordered a new bridge built.

According to information available at the time, neither Abate nor the county office of the Department of Highways had any definite part in making plans or decisions regarding the disposition of the Sunset Beach bridge trouble. It did have jurisdiction over the established detours and the way these totally inadequate roads were maintained produced the brightest spot in the whole picture.

Every indication was that all decisions in the matter came from Uniontown or Harirsburg, and that little of the actual work at the bridge was under jurisdiction of the county office or of Mr. Abate. What was done by local highway department forces was generaly regarded as being done under orders from higher up.

If Joseph Abate was fired for his failure to handle the Sunset Beach affair properly, it would seem to Washington Countians that a rank injustice was done.

At any rate, the Sunset Beach bridge fiasco is going to be aired again because of the discharge of Abate. The State Highway Department, or at least its administrative organization, cannot gain from the airing.

Most Washington countians will suspect that there was some other real reason for firing Joseph Abate. That real reason should be the one given to the public, even if it would take the cover off some one else. If Abate's firing, or the reasons given for it, are really intended as a covering up for some other department agent, it is time for an investigation of the department or some of its higher-up personnel.

But as to the reason for firing Abate, it is perfectly possible that there was adequate reason. But that reason should have been given, in the interest of both Mr. Abate and the public.

What's back of the entire series of bungles is properly the business of the people of the county and the State. And that business should be straightened out, whether the guilt lies on the back of Mr. Abate or, as most persons will believe, on the back of some one higher up in the department.

In view of the fact that the people of Washington County are demanding to know the truth and place the blame where it justly belongs on the person or group of persons responsible for this so-called "Bridge Blunder" I would like to suggest to the Department of Highways that Mr. Abate be absolved of any blame concerning the Sunset Beach affair. The fact remains that according to the record Washington County under the supervision of Mr. Abate has an outstanding record in the supervision and maintenance of our state highways in the county. If Mr. Abate was dismissed on the basis of politics, then the people should know. But so far as placing blame on someone who is not responsible for the "Bridge Blunder," I would like to finally suggest to the Highway Department that a thorough investigation be made and the results made public, particularly to the people of Washington County, and the charges against Mr. Abate be corrected.

As you and by fellow Members well know, politically I am a Democrat by choice, but above all I am an American citizen first. Being an American citizen, I subscribe to the philosophy of fair play. I do not believe in tramping on a man when he is down. In this particular case that is exactly what is hapening. I am firmly convinced that the philosophy of fair play was not taken into consideration in the dismissal of Mr. Abate and I base it on these facts:

On March 12, 1957, which was a couple of weeks ago, Mr. Abate and I were in the office of the Secretary of Highways. I cannot quote Mr. Lawler verbatim, but if my memory serves me correctly he stated at that time, "Joe, you are doing a wonderful job. The only fault you seem to have is that you are a little hot-headed. I would suggest that you try to cool off."

That was on March 12th. On March 29th he received a call to report to Uniontown and he was given the choice of resigning or being dismissed Mr. Bell, the District Engineer, informed Mr. Abate at the time that he was dismissed on the basis of an article appearing in the Pittsburgh Sun-Telegraph, but on March 30th an article appeared in the Pittsburgh Press written by their Harrisburg correspondent stating that Mr. Abate was dismissed on the basis of insubordination.

I would like to suggest to the gentlemen in the Highway Department, either to the District Engineer or the Secretary himself, that they get their heads together and make up their minds why he was discharged.

I would like to have placed in the Journal of this House the breakdown of the cost of this bridge. I have here the purchase order number, the index number, how much the bridge cost, the bridge deck, the concrete, the lumber, and so forth. The total cost according to the records in Washington County amounted to $102,601.70.

I would also like to have placed in the Journal the telegram sent to the Secretary of Highways, Mr. Lawler, also a telegram sent to Honorable George M. Leader, Governor of the Commonwealth, and also the Washington County financial records for the fiscal year June 1, 1956, to March 15, 1957 I would like you to look at the total amount authorized for each different authorization, I would like the public to check the amount expended to date, I would like them to check the cash balance he had on hand.

If that is poor management, then I am surely a little bit off base. Any time that you can operate a department such as the Highways Department of Washington County in this manner, as large as it is, I say it is very good management.

In conclusion, ladies and gentleman, I want to thank you for being kind enough to listen to me, but I think it is time the people of Pennsylvania, particularly in our own localities, learn the truth.

As I said before, politically I am a Democrat, but above all I am an American and I believe in treating people as I would like to be treated myself.

I would like to have this record spread upon the Journal.

BREAKDOWN OF COSTS—BRIDGE—Route 114

Bridge Deck	$26,304.00	Concrete Products Co. P. O. No. 92478 Index No. 9005
Concrete ..	$10,796.45	Donaldson Supply Co. E. P I. No. 5294245
		Patterson Supply Co. P. O. No. 92479 Index No. 9056 P. O. No. 93824 Index No. 9173
		Hardy and Rankin E.P.I No. 5253898
Tie Rod Clamps ..	$ 986.40	T. O. Brigham Co. P. O. No. 97562 Index No. 1354
Lumber ...	$ 4,770.17	Avella Lumber Co. P. O. No 93864 Index No. 9174
		Friend Lumber Co. E.P.I. No. 5240146
Mics. Materials ..	$ 875.40	
	$43,732.42	Total Cost of Materials
Cost of Removal of		

Old Structure	$ 9,457.10
Class III Excavation Cost	$ 3,500.00
Department Owned Equipment ...	$14,342 15
Outside Rented Equipment ...	$16,939.26
Labor & Supervision ...	$14,630.77
Total Job Cost ..	$102,601.70

Joseph J. Lawler, Secretary of Highways

I have been informed by District Engineer, N. G. Bell, that you asked for my resignation because of an article appearing in the Pittsburgh Sun Telegraph on March 27, 1957.

I am astonished at your haste and personal disregard of a man's honesty and integrity. Especially when you have at your finger tips, the truth that would vindicate myself and my family of the horrible charge of squandering $100,000 of State funds.

March 29, 1957

To: The Honorable George M. Leader, Governor
Because of an article appearing in the Pittsburgh Sun Telegraph, your Secretary of Highways, Joseph J. Lawler, dismissed me as Superintendent of Highways, Washington County.

The newspaper, in effect, charges that I have wasted $100,000 of State funds.

I ask you to intervene to have the Secretary release the truth so that I may vindicate my name so that I may leave the State Department with the same dignity and respect that I had before I came to work for the State two years ago.
The Secretary has at his disposal, records that will prove the article appearing in the newspaper a lie in its entireity.

Authorization	Total Amt. Authorized	Amt. Expended to Date	Cash Balance	Increase Requested
5962124	232,236.74	177,843.47	54,393.27	None
6062124	6,650.00	2,899.98	3,750.02	None
6562124	245,000.00	171,732.78	73,267.22	None
6662124	9,500.00	5,990.42	3,509.58	None
7562124	53,543.24	48,766.48	4,776.76	None
7662124	3,990.00	1,036.75	2,953.25	None
7162110	8,550.00	1,792.92	6,757.08	None
7162120	4,750.00	1,253.08	3,496.92	None
7462110	475.00	19.87	455.13	None
7462120	760.00	248.60	511.40	None
8762124	14,800.00	10,411.65	4,388.35	None
9362124	240,000.00	210,455.50	29,544.50	None
0162124	83,651.05	66,740.81	16,910.24	None
6362124	132,000.00	125,425.14	10,074.56	3,500.00
6962124	56,000.00	42,903.01	13,096.99	None
7962124	18,000.00	14,409.27	3,590.73	None

HIGHWAY DEPARTMENT

Washington County Financial Record

June 1st '56 to March 15 '57

Fiscal Year Ending May 31.

PERMISSION TO ADDRESS HOUSE

Mr. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I just want to compliment the gentleman on his courage in making that speech. I know he said it might be his political swan-song, but I am sure the people in his district, regardless of his political affiliation, will certainly look with great favor upon his courage in bringing out something which is to him a great injustice done to one of the citizens of his county.

I think we should all congratulate him on doing the job and we certainly hope that his people back home will realize that he has done this in all sincereity because he thinks a wrong has been done that should be righted.

PERMISSION TO HOLD PUBLIC HEARING

Mr. TOMPKINS. Mr. Speaker, I ask unanimous consent to hold a meeting of the Pardons Board Investigating Committee tomorrow, April 10th, in the Senate Caucus Room at 10:00 a. m.

The SPEAKER. The Chair hears no objection and consent is granted.

REPORTS FROM COMMITTEES

Mr. GRANVILLE E. JONES from the Committee on State Government, reported as committed, House Bill No. 377, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), enlarging the scope of activities and powers of the Historical and Museum Commission; and providing for the use and disposition of monies credited to the "Historical Preservation Fund."

Mr. KELLER from the Committee on Education, reported as committed, House Bill No. 460, entitled:

An Act amending the "Public School Employes Retirement Law," approved July 18, 1917 (P. L. 1043) providing credit for retirement purposes for out-of-state service in certain cases.

Mr. DENNISON from the Committee on Mines and Mineral Industries, reported as amended, House Bill No. 628, entitled:

An Act amending the "Bituminous Coal Mining Law" approved June 9, 1911 (P. L. 756) authorizing fire bosses to carry electric lamps.

Mr. VARNER from the Committee on Mines and Mineral Industries, reported as amended, House Bill No. 929, entitled:

An Act amending the act of April 25, 1945 (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; * * *" regulating the salary of electrical inspectors.

Mr. VARNER from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 974, entitled:

An Act amending the act of May 31, 1923 (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, * * * in the bituminous coal mines of this Commonwealth; * * *," establishing a period of time during which certain records must be kept.

BILL RE-REFERRED

Mr. BLAIR from the Committee on Municipal Corporations, returned with the recommendation that it be re-referred to the Committee on Cities—Third Class, House Bill No. 1049, entitled:

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), changing the salaries of the tax collector in cities of the third class.

The SPEAKER. The bill is re-referred to the Committee on Cities—Third Class.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

Mr. GIBSON. Mr. Speaker, I call up on page 7 of today's calendar, House Bill No. 734, Amended House Bill Returned for Concurrence.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 734.

A Supplement to the act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" regulating expenditures and commitments by administrative bodies boards and commissions from the general fund during a portion of each biennium.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 3, by inserting after the word "commissions" the following: "from the General Fund";

Amend Section 1, page 1, line 2, by inserting after the word "commitments" the following: "from the General Fund";

Amend Section 2, page 2, line 7, by striking out after the word "supplement" the following: "and no law shall be deemed to be repealed hereby with respect to expenditures by administrative bodies boards and commissions" and inserting in lieu thereof the following: "All acts and parts of acts are repealed in so far as they are inconsistent herewith."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. GIBSON. Mr. Speaaker, I request that the House concur in the amendments made by the Senate.

Mr. READINGER. In asking the membership on this side of the House to vote for concurrence in these amendments, I would like to point out that the only amendments made by the Senate clearly spell out the fact that this bill does not pertain to anything other than the General Fund and repeals any acts that are inconsistent with this act.

At the time House Bill 734 was debated on the floor of this House, it was pointed out by this side of the House that it did cover the Highway Department. It was stated by the Majority Leader at that time that it was not intended to cover it and he did not think it did, but I guess on more sober reflection and less haste the Senate majority has decided it does cover the Highway Department. So they amended it to be sure that it does not.

But in asking for this side of the House to concur in these amendments, we are by no means agreeing that this bill is any better now with the amendments than it was when it left this House.

It was a bad bill then, it is still a bad bill. At least, these amendments take out one of the big departments which could not operate under the terms of this bill.

You will recall that the other day I again brought up this matter to point out to you what it would do to some of the other departments, particularly Property and Supplies.

So we are today in the position of concurring in these amendments because they make a bad bill a little less bad.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Adams,	Ewing,	Lippincott,	Renwick,
Agnew,	Farabaugh,	Lopresti,	Rigby,
Amarando,	Fetterolf,	Lovett,	Rovansek,
Anderson, M. S.,	Filo,	Lutty,	Royer,
Anderson, S. A.,	Fineman,	Magee,	Rudisill,
Andrews,	Floyd,	Mahan,	Scarcelli,
Ashton,	Flynn,	Markley,	Schuster,
Auker,	Foster,	Marsh,	Seltzer,
Barton,	Gailey,	Maxwell,	Sherman,
Bell,	Garlock,	McCann,	Shields,
Blair,	Gelfand,	McCormack,	Smith,
Boies,	Gibb,	McGee,	Snare,
Boory,	Gibson,	McInroy,	Snider,
Bower,	Goldstein,	McKeever,	Spray,
Bowman,	Goodling,	McLaughlin,	Steckel,
Brand,	Goodrich,	Merry,	Stevens,
Breisch,	Gramlich,	Metz,	Stimmel,
Brennan,	Gross,	Mikula,	Stone,
Brenninger,	Hamilton,	Miller, B. Z.,	Stoner,
Breon,	Haudenshield,	Miller, H. G.,	Strausser,
Breth,	Heavey,	Miller, W. H.,	Stroup,
Brown,	Heffner,	Mills,	Stuart,
Brucker,	Henzel,	Monroe,	Taylor,
Bucchin,	Hocker,	Moody,	Thompson,
Buchanan,	Holt,	Moscrip,	Toll,
Capano,	Horst,	Moyer,	Tompkins,
Carson,	Ide,	Muldowney,	Trusio,
Cianfrani,	Isaacs,	Mullen,	Ujobai,
Cioffi,	Jenkins,	Munley,	Varallo,
Cleveland,	Jim,	Murphy,	Varner,
Comer,	Johnson,	Murray, H. P.,	Vaughan,
Cooper,	Johnston,	Murray, P. G.,	Verona,
Cummins,	Jones, G. E.,	Musto,	Wall,
Curwood,	Jones, T. H. W.,	Naugle,	Walsh,
Dalrymple,	Jump,	O'Brien,	Wargo,
Davis,	Kamyk,	O'Dell,	Welsh,
DeLong,	Kehler,	Ogilvie,	Wescott,
Dengler,	Keller,	Parry,	Wheeler,
Dennison,	Kernaghan,	Pashley,	Whittaker,
Devlin,	Knecht,	Petrosky,	Willard,
Dietterick,	Kooker,	Phillips,	Willaredt,
Donahue,	Kornick,	Piper,	Williams,
Donaldson,	Korns,	Polaski,	Wilt,
Dougherty,	Krakow,	Pomeroy,	Wood,
Down,	Lafore,	Post,	Worley,
Duffy,	Lee, A. M.,	Price,	Wyatt,
Dunn,	Lee, K. B.,	Pursley,	Wynd,
Edwards,	Leonard,	Ragot,	Yatron,
Eilberg,	Light,	Readinger,	Zimmerman,
Erb,	Limper,	Reidenbach,	Helm,
Eshleman,			Speaker

NAYS—0

NOT VOTING—8

Fox,	George,	Mihm,	Silverman,
Frascella,	Guthrie,	Schwartz,	Weidner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 143, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945," requiring "Authorities" to submit annual reports to municipalities creating the "authorities" and to the Department of Internal Affairs.

Mr. GIBSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 143

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. DOWN, GOODLING and PETROSKY.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 331, entitled:

An Act reenacting and amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act" extending the provisions of the act for a further limited period of time and requiring the Department of Revenue to appoint the recorder of deeds in each county as an agent for the sale of tax stamps.

Mr. GIBBONS. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 331

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. JOHNSON, GIBSON and READINGER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 124

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 124, entitled:

An Act amending the act of July 13, 1953 (P. L. 431) entiled "An act relating to support of dependents providing a procedure for enforcement thereof including attachment of property and earnings conferring powers and imposing duties upon courts district attorneys and probation officers" further providing a procedure for enforcement of the act.

And has appointed Messrs. MALLERY, KESSLER and McGINNIS a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. GIBSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 124 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 124

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. WALL, STROUP and SCHWARTZ.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bill returned for concurrence No. 377.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 589.

An Act amending the act of September 3, 1955 (Appropriation Act No. 17-A) entitled "An act making an appropriation to the Council of Civil Defense for disaster relief in connection with the hurricane and flood damage of August one thousand nine hundred fifty-five" making the moneys appropriated available to the Department of Forests and Waters and the Pennsylvania Historical and Museum Commission before the completion of projects.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 98, 266, 458, 479 and 521.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 9, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 98, Printer's No. 133, entitled "An Act amending the act of July 28, 1953 (P. L. 723) entitled 'An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto' permitting the prothonotary to appoint a solicitor and prescribing a means for paying the cost of prothonotary's litigation."

GEORGE M. LEADER.

April 9, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 266, Printer's No. 106, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' permitting city council to hold its organization meeting on first day after a holiday."

GEORGE M. LEADER.

April 9, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 458, Printer's No. 87, entitled "An Act validating the assessment rolls of counties from the fourth to eighth class."

GEORGE M. LEADER.

April 9, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 479, Printer's No. 92, entitled "An Act making a deficiency appropriation to the Department of Labor and Industry for payments to claimants for certain occupational diseases."

GEORGE M. LEADER.

April 9, 1957.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 521, Printer's No. 120, entitled "An Act amending the act of May 1, 1933 (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' further regulating ordinances opening changing or vacating roads and highways."

GEORGE M. LEADER.

COMMITTEE MEETINGS

CITIES—COUNTIES FIRST—SECOND AND SECOND CLASS A, Mr. Wilt, Chairman, Room 521, Wednesday, April 10, at 9:45 a. m.

GAME and CONSERVATION, Mr. Metz, Chairman, Room 331, Wednesday, April 10, at 9:45 a. m.

TOWNSHIPS, Mr. Wescott, Chairman, Room 522, Wednesday, April 10, at 9:30 a.m.

ADJOURNMENT

Mr. WYATT. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 10, 1957 at 10:00 a. m.

The motion was agreed to, and (at 5:28 p. m.) the House adjourned.

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